

81 TRANSPORTATION,
UTILITIES AND FUEL

Ceiling Price Reg. 3

FEB. 2, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTONTITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[CPR 3]

COAL, EXCEPT PENNSYLVANIA ANTHRACITE,
DELIVERED FROM MINE OR PREPARATION
PLANT

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738): *It is hereby ordered*, That ceiling prices and ceilings on the weighted average realization on the sale of coal, except Pennsylvania anthracite, from a mine or preparation plant shall be effective as provided in this Ceiling Price Regulation No. 3.

Statement of considerations. Bituminous coal prices have been non-inflationary since the Korean outbreak. However, with the threat of a more serious emergency and the possibilities of record-high levels in industrial activity resulting from the defense program, it is likely that a basic industry such as coal will not be able to avoid the forces of inflation. During World War II coal proved to be the main source of energy for the economy, and it was produced in great volume to satisfy the civilian and military needs of the country. It again may have to be produced in large amounts to meet the needs of the country in building its defenses.

Average mine realization, i. e., the average price per ton f. o. b. the mine, has changed very little during the last three years. According to figures compiled and published by the United States Bureau of Mines, the average mine realization was as follows:

	Per ton
1948.....	\$4.99
1949.....	4.85
1950 estimated.....	4.90

Since July 1948 wholesale prices on bituminous coal—f. o. b. mine prices plus transportation charges—compiled by the United States Bureau of Labor Statistics, have fluctuated within a narrow range of one percent. At the same time, they reflect increased transportation costs in part, which means that current mine prices are lower, even though slightly, than they were a year or two back. According to the latest information available, it appears that the bituminous coal price level has changed little since 1948, and the change that has taken place has edged downward. There is no evidence of a general increase in bituminous coal prices since the Korean outbreak.

Bituminous coal is mined in 30 States of the United States and Alaska by thousands of companies. Over 90 percent of the total production is mined east of the Mississippi River to supply a substantial part of the country's main fuel

market. Today, coal is in good supply except as occasioned in special instances by transportation shortages. With present manpower and equipment, along with adequate transport, the bituminous coal industry can increase its output well above the current rate, which is 550 to 560 million tons annually.

With its many companies spread over the nation, the bituminous coal industry is highly competitive and there are few markets where tonnage from widely separated fields fail to meet. In addition, coal has strong competition from oil, natural gas and waterpower.

Actually, coal is not one but many products represented by sizes and grades produced under widely different conditions. Because of this factor and because of the keen competition, it has a complex market structure. If the latter is ignored under a system of ceiling price control, production and distribution will be hampered and financial difficulties will be encountered which will jeopardize the ability of the industry to supply the maximum needs of the economy. Because of seasonal and other factors, it requires a period of approximately one year to obtain a representative picture of market operations.

Records over the years show that the bituminous coal industry is not a prosperous one and that it has been considered hazardous for investment purposes. New capital has to be derived primarily from earnings. Yet, the progressive management in the industry has mechanized the mines to a high degree, particularly in late years, and has provided a plant that needs a steady return for financial support. A large percentage of the earnings during the better periods since World War II have been used in large amounts to promote greater plant modernization. This accounts for the very sound and strong position of the industry to produce all of the coal required by the country for its civilian and defense programs.

In combatting inflation, the bituminous coal industry generally can adopt pre-Korean price levels without financial hardship except for the impact of the wage increase negotiated during the first two weeks of January 1951, and effective February 1, 1951, and parallel wage increases in other segments of the industry. Since the industry absorbed the increased costs of the wage agreement entered into in March of 1950, the additional cost of the 1951 wage increase, without price adjustment by mines, would result in serious financial difficulties. It is estimated that the 1951 wage advance will cost, on a weighted average basis, approximately 25 cents per ton. This advance, of course, will vary from mine to mine. Furthermore, not only was the 1950 wage addition absorbed, but the increased costs of supplies and other items related to mining, have been absorbed without price advances since the start of the Korean conflict.

Another consideration is that the bituminous industry, with its numerous units, has many mines operating at a return near or below costs. A price schedule established without recognition of these situations can depress production. A cost increase such as resulting from wages, unless reflected in prices, may cause the actual closing of mines.

In arriving at a fair and representative period upon which to base ceiling prices, it was obvious that the 12 months' period prior to the Korean outbreak was unrepresentative insofar as most of the bituminous coal industry is concerned. During that period there were general suspensions of operations and there were three-day week operations beyond the control of the industry during a good part of the period. In addition to these factors the 1949-50 winter was comparatively warm in the major fuel consuming markets, which depressed coal sales of domestic heating coals. Excesses in the supply of residual fuel oil caused by imports from foreign fields competed with industrial coal and captured large coal markets on the Atlantic seaboard and at other points. This factor also resulted in price reductions. These factors, viewed as exceptional and temporary, combined to cause serious disruptions in the marketing of bituminous coal and their effects are still noticeable today.

The period July 1948 to June 1949, inclusive, is considered to be the latest year that has the features of normalcy. Bituminous coal production during that year was 576 million tons, about what might be expected during the year ahead. There were no general strikes of consequence. At the same time, on the conservative side, the 1948-49 winter was relatively warm, and the impact of foreign oil had begun to be felt by late 1948. As stated above, there have been no wide fluctuations since the middle of 1948.

The regulation controlling ceiling prices of bituminous coal, lignite and Virginia anthracite contemplates (a) limiting the average mine realization, during 12 months' periods under the regulation, to the average mine realization of the base period, as adjusted, and (b) fixing ceiling prices at the highest prices received during the base period or the period from January 1-15, 1951, as adjusted. The latter period permits the reflection of the more current changes in price relationships. In brief, the regulation fixes average mine realizations at a representative pre-Korean year and the ceiling prices for individual sizes or grades of coal at the highest prices received during the same year except for recognition of recent changes in price patterns. On the average, prices for domestic heating coals and other major grades are today at about the same level they were in the base period. Average realization obtainable under this order will not exceed the average realization that could be obtained under the General Ceiling Price Regulation.

To the realization levels and ceiling prices so established, the regulation permits the addition of the increased costs under the 1951 wage agreement.

In arriving at a fair and representative base period for the industry, it was determined that conditions affecting the bituminous coal industry west of the Mississippi River required a different base period. This segment of the industry produces less than 10 percent of the national output. In that part of the country the industry was affected less by strikes and the three-day week than was the industry east of the Mississippi. Furthermore, the western fields were affected less by competition with foreign oil. The winters in the west were more normal and enhanced the marketing and realization of domestic sizes. Therefore, the realization levels have increased since 1948 but have not shown an increase since June of 1950.

Therefore, the regulation as applicable to the bituminous coal industry west of the Mississippi River and Alaska will use (a) a period March to December 1950, inclusive, as a base period, and (b) that period and January 1-15, 1951, inclusive, will be used from which to establish ceiling prices. It is found that provisions of the regulation promote stability and efficiency.

Findings of the Director of Price Stabilization. In the judgment of the Director of Price Stabilization the provisions of Ceiling Price Regulation No. 3 are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives 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.

In formulating this regulation the Director has consulted with representatives of the industry to the extent practicable under the circumstances, and has given consideration to their recommendations.

Sec.

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AUTHORITY: Sections 1 to 14 issued under sec. 704, Public Law 774, 81st Cong.-Interpret or apply Title IV, Public Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

SECTION 1. Applicability of regulation. This regulation establishes ceiling prices and ceilings on weighted average reali-

zation for coal, except Pennsylvania anthracite, produced and sold at a mine or preparation plant in the 48 States of the United States, the District of Columbia, and the territories and possessions of the United States. It is applicable to all sales or deliveries of coal f. o. b. mine.

SEC. 2. Definitions. When used in this regulation, the term:

(a) "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;

(b) "Producer" means a person engaged in the business of mining or preparing coal at a preparation plant which is an adjunct of a mine or mines, and any person acting as an agent of a producer in the sale of coal;

(c) "Distributor" means a person who purchases coal for resale, and resells the same in not less than cargo or railroad carload lots, or the equivalent thereof, and any person acting as an agent of such distributor in the sale of coal;

(d) "Sales agent" is a person who, as agent of a producer, sells coal produced by such producer for him or on his behalf;

(e) "Coal" means: (1) Bituminous coal, including all bituminous, semi-bituminous and sub-bituminous coal; (2) lignite (which is defined as a coal having calorific value in British thermal units of less than seven thousand six hundred per pound and having a natural moisture content in place at the mine of 30 per centum or more); and (3) Virginia anthracite coal.

(f) "Bunker fuel" means coal used aboard a vessel for consumption thereon;

(g) "Ton" means a short or net ton of 2,000 pounds;

(h) "F. o. b. mine" means free, on board transportation facilities at a mine, a preparation plant operating as an adjunct of a mine or mines, or other loading facilities;

(i) "Base period" means: (1) For all coal produced east of the Mississippi River, the base period shall be July 1, 1948, to June 30, 1949, inclusive; (2) for all coal produced west of the Mississippi River and Alaska, the base period shall be March 1, 1950, to December 31, 1950, inclusive;

(j) "Realization" is the gross amount of money or value received or debited to the account of the producer in the sale of coal and shall include the total price charged by the producer (including commissions to sales agents and discounts to distributors);

(k) "Open market sales" shall include coal sold, delivered or otherwise disposed of by rail, truck, barge or other method of transportation pursuant to an arms-length transaction and shall not include coal used to produce coal, sales to employees of the producer, coal used by the producer, and controlled sales. "Controlled Sales" means sales for consumption by the buyer (1) where the relationship between producer and buyer is that of a wholly-owned or controlled subsid-

lary and parent corporation, or (2) where there is common ownership or control of the producer and buyer in a third party, or (3) where the relation between producer and buyer for any similar reason is such that the sale is non-competitive, and is generally termed "captive" sales.

(l) "Ceiling price" means the highest price applicable to a particular size or grade of coal determined in accordance with the provisions of this regulation. Such ceiling price shall include commissions to sales agents and discounts to distributors, and shall be an f. o. b. mine price.

SEC. 3. Prohibition against selling, delivering or otherwise disposing of coal at prices above the ceiling. On and after the 1st day of February 1951, regardless of any contract, agreement, lease or other obligation:

(a) No person who is a producer or distributor shall sell, dispose, deliver or ship coal from a mine or preparation plant operating as an adjunct of a mine or mines or from mine loading facilities, at prices higher, f. o. b. the mine, than the ceiling prices determined in accordance with the provisions of this regulation.

(b) No person shall, in the course of trade or business, buy or receive such coal so delivered or shipped at prices higher than the ceiling prices determined in accordance with the provisions of this regulation. Any person who buys or receives coal subject to the provisions of this regulation may rely in good faith on a certified statement furnished by the seller that the prices charged do not exceed the ceiling prices so established.

(c) No person shall agree, offer, solicit, or attempt to do anything prohibited in paragraphs (a) and (b) of this section.

SEC. 4. Ceiling prices and ceiling weighted average realization. (a) The ceiling prices for each mine or group of mines, for any size or grade of coal, as established by previous marketing practices, which may be charged under this regulation shall be the highest prices received for coal in the same sizes or grades in the base period or in the period January 1-15, inclusive, 1951. The producer shall file a certified statement of these ceiling prices, to include such ceiling prices as are derived from distributors' sales, with the Director and with the regional office or offices of the Office of Price Stabilization in the area or areas where the producer's coal is shipped, within 10 days after such prices become effective, on a form prescribed and in accordance with instructions issued by the Director, as provided in section 7 of this regulation.

(b) On and after February 1, 1951, the prices charged for the coal produced at any mine or group of mines shall be such that the weighted average realization per ton by the producer for the 12-month period commencing February 1, 1951, and ending January 31, 1952, and for each 12-month period beginning on the first day of each succeeding month, commencing March 1, 1951, shall not exceed the weighted average realization obtained by the producer from the sale, delivery or other disposal of coal during the base period.

(c) The producer shall determine his ceiling weighted average realization for the base period for any such mine or group of mines by dividing the realization received from sales of coal on the open market by the number of tons so sold. The producer shall file a certified statement of the ceiling weighted average realization so determined with the Director, as required by section 8 (a) of this regulation.

(d) The ceiling prices and ceiling weighted average realization determined for a mine or mines in accordance with the provisions of this regulation may be increased by the amount of the increase in cost resulting from wage and salary advances and other items related to the payroll: *Provided*, That such increases became effective on or after January 1, 1951, and prior to July 1, 1951, and that such increases satisfy the policy and requirements of the Wage Stabilization Board of the Economic Stabilization Agency.

(e) The highest price referred to in paragraph (a) of this section shall be separately determined by the producer in accordance with such classification, whether by size, grade or other grouping or designation as established by previous marketing practices.

(f) The ceiling prices to be determined in paragraph (a) of this section and the ceiling weighted average realization to be determined under paragraph (b) of this section may, at the option of the producer, be determined and established for a group of mines (as distinguished from a particular mine), where such mines are operated or controlled by a single person, and where such mines produce similar and interchangeable coals: *And provided, further*, That such groupings have been the usual custom and practice in the marketing of such coals.

SEC. 5. Long-term contracts. (a) A producer who sells and delivers coal under a bona fide long-term written contract of three years or longer, entered into prior to July 1, 1948, may, at his option, exclude such tonnage in determining the ceiling weighted average realization under section 4 (c) of this regulation and must exclude such tonnage in determining ceiling prices under section 4 (a) of this regulation. In such event, the realization obtained from coal sold under such contract during the life of this regulation may not be included in computing realization under section 4 (b) of this regulation. Such tonnage and realization shall be reported separately on forms prescribed and in accordance with instructions issued by the Director.

(b) Coal sold and delivered under the terms and conditions of all such contracts, whether excluded or not, may continue to be sold and delivered in accordance with the terms and conditions, including pricing provisions, of such contracts.

SEC. 6. Procedure for establishing ceilings on new products. (a) In the event the weighted average realization for a mine or group of mines as determined in accordance with the foregoing provisions is less than the representative cost of production at such mine or mines

the producer may file a petition asking for such adjustment in his ceiling prices or realization as will not require the mine or group of mines to operate at a loss.

(b) In the event a mine or group of mines were not in operation during all or part of the base period, or in the event all or a portion of a mine or group of mines' production as presently produced has been affected by unusual circumstances or is of a special or enhanced quality due to the installation of preparation or other facilities during or since the base period, such producer may file a petition seeking the establishment of ceiling prices and a ceiling weighted average realization that are fair and equitable. The producer shall state the name of the mine, if any, the name or number of the seam, the county and the state in which the mine is located, the type of operation whether underground or strip; and in addition shall furnish the same information for the nearest mine or mines in the same seam and producing coal similarly processed, and the applicable ceiling prices for such mine. If there is no such mine in the same seam, the producer shall furnish the same comparative information for the nearest mine in a substantially similar seam.

For 30 days after filing the application, such coals of the applicant shall be sold at temporary ceiling prices no higher than the ceiling prices established under this regulation for the coals which are produced at the nearest mine or mines in the same seam or in a substantially similar seam and similarly processed. After 30 days from the filing of the application, if no action has been taken by the Director, the prices as requested in the application shall be the ceiling prices for such coals.

(c) If a particular size of coal was not made or sold during the base period or during the period January 1-15, inclusive, 1951, and therefore no specific ceiling price is established therefor, the ceiling price for such size shall be determined as follows:

(d) (1) If the particular unpriced size is a lump size, the ceiling price shall be not more than the lowest ceiling price established for any size of lump coal for the same mine.

(2) If the particular unpriced size is a double-screened coal, the ceiling price shall be not more than the lowest ceiling price established for any double-screened size of the same mine.

(3) If the particular unpriced size is a resultant (slack or screening) size, the ceiling price shall be not more than the lowest ceiling price for any resultant (slack or screening) size of the same mine.

(e) In the event of the mixture of two or more sizes or classifications of coal to which different ceiling prices are applicable, which mixture was not made during the base period or the period January 1-15, 1951, the ceiling price for such mixture shall not be more than the weighted average of the ceiling prices for each of the component sizes or classifications of coal in said mixture, on a per net ton basis.

(f) It is the intent and purpose of this section and this regulation that no mine or group of mines shall obtain an

average realization for any consecutive 12-month period beginning February 1, 1951, which exceeds the weighted average realization during the base period as adjusted.

(g) Where bituminous coal is delivered from a mine or preparation plant in any transportation facilities owned or subject to the control of the producer or subsidiary or affiliate of the producer, or in any transportation facilities hired by the producer, there may be added to the applicable ceiling prices established herein a sum not in excess of the highest charge for transportation costs made during the base period or the period January 1-15, 1951, inclusive, but in no event to exceed the lowest common carrier rate for a haul between the same points; provided that there may also be added by a producer, to the applicable ceiling price established herein, an amount not in excess of the transportation tax imposed by section 620 of the Revenue Act of 1942 if said producer incurred such tax and if he separately states the amount of the tax in sales to all purchasers except the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(h) The rate of interest on overdue accounts or on a note, trade acceptance or other form of indebtedness accepted in payment of an account shall not exceed the rate charged by the seller on similar transactions during the base period.

(i) Any purchaser, lessee or transferee of a mine for which ceiling prices and a ceiling weighted average realization have been established shall take the ceiling prices or ceiling weighted average realization previously assigned to the mine or other seller, lessor, or transferor thereof.

SEC. 7. Less than ceiling prices. Lower prices than those established under this regulation may be charged, demanded, paid or offered.

SEC. 8. Evasion. The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to bituminous coal alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tie-in agreement or other trade understanding, or by the making of excessive charges for trucking or otherwise. Persons subject to the regulation shall continue to observe their customary and standard cash discount practices.

SEC. 9. Reporting, invoicing and record-keeping requirements. (a) Each producer shall compute and establish its weighted average realization during the base period and shall report such realization base to the Director within 10 days after the date ceiling prices become effective under this regulation. The report shall be made on forms prescribed and according to instructions issued by the Administrator.

(b) The basis for setting up ceiling prices on particular sizes and grades of bituminous coal shall be submitted to the Director on forms provided by him in

accordance with his instructions within ten days after this regulation becomes effective.

(c) Ceiling price schedules shall be filed by the producer, sales agent or distributor with the Director and with the regional office or offices of the Agency in the area or areas where the producer's coal is shipped, within ten days after the day such prices become effective. Copies of such price schedules shall be open for public inspection. All changes in ceiling prices shall be similarly filed.

(d) Each producer shall report monthly its monthly realization to the Director on forms provided by him and in accordance with his instructions on or before the twentieth day of the month following the month for which the report is being filed.

(e) Each person subject to this regulation shall keep on file invoices and other sales data of the base periods applicable to average realizations and ceiling prices. Each person subject to this regulation shall furnish to each person to whom he sells bituminous coal an invoice stating the ceiling price established by this part separately from any other charge or a certified statement that the prices charged do not exceed the ceiling prices established under this regulation.

(f) Each person subject to this regulation shall preserve and keep available for inspection by the Director for a period of two years, all records necessary to substantiate ceiling prices, base period realization and average realization established pursuant to this regulation.

(g) The producer shall furnish to each retail coal dealer to whom he sells coal a statement showing the exact dollar-and-cents amount the producer has added to the price of his coal as authorized under this regulation.

SEC. 10. Sales agents and distributors. No sales agent or distributor shall charge a price f. o. b. mine, preparation plant operated as an adjunct of a mine or mines, or from mine loading facilities in excess of the ceiling price or prices established for such mine or mines under the provisions of this regulation: *Provided*, That in the event a distributor purchased coal from a mine or mines during the producer's base period or the period January 1-15, 1951, and resold such coal, said distributor may buy and resell coal from said mine or mines and charge the highest price or prices he received for each size or grade of coal during the aforesaid periods plus any adjustments in price applied to the f. o. b. mine price of such coal: *Provided, further*, That the distributor files with the Director such reports or records as may be required on forms prescribed and according to instructions issued by the Director. The distributor shall preserve his records to support such reports for a period of two years.

SEC. 11. Petitions for amendments. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with Price Procedural Regulation 1 issued by the Economic Stabilization Administrator.

SEC. 12. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the ceiling price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Stabilization, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Director after delivery. Such authorization may be given when a request for a change in the applicable ceiling price is pending, but only if the authori-

zation is necessary to promote distribution or production and if it will not interfere with the purposes of the Defense Production Act of 1950. The authorization may be given by the Director or by any official of the Office of Price Stabilization to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 13. Taxes. There may be added to the applicable ceiling price the amount of any sales, gross receipts, gross proceeds or use tax levied by any statute or ordinance, under which the tax is measured by gross proceeds or units of sale, only if the statute or ordinance permits or requires the seller to state the tax separately and the seller does state it separately on his invoice or other memorandum of sale, and only if the seller customarily added the amount of such tax to the ceiling price and separately stated the tax on his invoices prior to January 15, 1951.

SEC. 14. Enforcement. Persons violating any provision of this regulation are subject to the criminal penalties, and enforcement actions, and suits for damage provided for by the Defense Production Act of 1950.

Effective date. This regulation shall become effective on the 1st day of February 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.

Miscellaneous Amendments

Ceiling Price Regulation 3

AMENDMENT 1

APRIL 30, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTONTITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 3, Amendment 1]

CPR 3—COAL, EXCEPT PENNSYLVANIA
ANTHRACITE, DELIVERED FROM MINE OR
PREPARATION PLANT

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 3 (16 F. R. 1008), is hereby issued.

STATEMENT OF CONSIDERATIONS

The amendments to Ceiling Price Regulation 3 contained in this document are intended to clarify and strengthen certain provisions of the original regulation and to permit the acceptance of premiums on coal sold under premium-and-penalty contracts.

A paragraph (d) is added to section 3 to permit producers and distributors to receive compensation over ceiling prices in accordance with premium-and-penalty contracts. The additional compensation must be included in the realization reported under the regulation, however.

The original regulation did not contain specific provisions outlining a method under which a producer who purchases coal from other producers and sells it as a mixed product may determine his cost increase under section 4 (d) of CPR 3. The amendment sets forth a formula which provides that such producer shall include the cost increase of all the coal, if any, he produces from his own mines and of purchased coal.

Section 6 (b) has been amended to clarify and strengthen the procedure the Director may follow in considering such applications and requesting additional information needed to arrive at a decision.

Section 6 (g) has been amended to refer to coal, as defined in the regulation, and to authorize distributors to add transportation charges to the ceiling prices of coal. The latter change puts them on an equal footing with the producers and brings this section in line with a similar section in the CPR 4, Anthracite Delivered from Mine or Preparation Plant. The references to transportation charges in the base period and January 1 to 15, 1951, are deleted to bring this paragraph in line with the CPR 4 and to relieve an inequitable situation which developed from an inadvertent inclusion of the references now being removed.

Section 9 has been amended to require filing of the monthly reports of realization on the last day of the month following the month for which the report is made, instead of the 20th day of such month. Many producers in the industry reported that because of the additional statistical load related to the defense program they are unable to make this report earlier than the last day of the month.

AMENDATORY PROVISIONS

Ceiling Price Regulation 3 is hereby amended as follows:

1. Section 2 (b) "Producer," is amended to read as follows:

(b) "Producer" means a person engaged in the business of (1) mining, (2) preparing coal at a preparation plant which is an adjunct of a mine or mines, (3) mining, stripping, and/or loading coal under contract with a producer or other person, or (4) assembling, loading or otherwise handling, and shipping coal from a ramp or other loading facility; and any person acting as an agent of a producer.

2. A new paragraph (d) is hereby added to section 3 as follows:

(d) Notwithstanding any provision to the contrary, a producer or distributor may sell and deliver coal pursuant to a contract which contains a premium and penalty provision based on the specifications of such coal, and may demand and receive compensation in an amount per ton, in addition to the ceiling price provided by said contract: *Provided, however,* That the basic price contained in such contract does not exceed the ceiling price established under this regulation and in effect at the time of delivery: *And provided further,* That the terms of such premium and penalty provision are reasonable and are not more favorable to the producer or distributor than premium and penalty provisions contained in similar contracts of the producer or other producers or distributor or other distributors in effect since July 1, 1948. The amount received as a premium hereunder shall be included in monthly realization reported by the producer.

3. Section 4 (e) is relettered 4 (f)

4. Section 4 (f) is relettered 4 (g).

5. The last clause of section 4 (a) is amended to read as follows: "as provided in section 9 of this regulation."

6. The last clause of section 4 (c) is amended to read as follows: "as required by section 9 (a) of this regulation."

7. A new section 4 (e) is added to read as follows:

(e) (1) A producer that operates a preparation plant, a ramp, or other loading facility, and that by usual custom

obtains all or part of its coal from another producer or producers, may increase its ceiling prices and its ceiling weighted average realization by an amount representing a weighted average of the increased cost, if any, of all the producer's own coal and purchased coal (as certified by the supplier to the producer) processed or loaded at such preparation plant, ramp or other loading facility resulting from wage and salary advances and related payroll items which became effective on or after January 1, 1951, and prior to July 1, 1951, and which satisfy the policy and requirements of the Wage Stabilization Board of the Economic Stabilization Agency: *Provided,* That where such cost increases on purchased coal are not available to the producer, the amount, if any, which the supplier has added to the price of the coal sold to the producer in February and March, 1951, as authorized by CPR 3, may be used in computing the weighted average adjustment applicable to the preparation plant, ramp, or other loading facility.

(2) In determining the proportion of the producer's own coal and the coal purchased from suppliers for the purpose of computing the weighted average increase referred to in subparagraph (1) of this paragraph, the nearest period of one month or longer prior to February 1, 1951, which is representative of the future supply of coal for such preparation plant, ramp or other loading facility shall be used.

8. The reference to "paragraph (b)" in section 4 (f) is amended to refer to "paragraph (c)".

9. The word "petition" in section 6 (a) is deleted and the word "application" is substituted.

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

(b) (1) In the event a mine or group of mines were not in operation during all or part of the base period, or in the event all or a portion of a mine or group of mines' production as presently produced has been affected by unusual circumstances or is of a special or enhanced quality due to the installation of preparation or other facilities during or since the base period, such producer may file an application seeking the establishment of ceiling prices and a ceiling weighted average realization that are fair and equitable.

(2) The producer shall prepare its application in accordance with the provisions of pertinent provisions of Price Procedural Regulation 1 issued by the Economic Stabilization Agency, effective December 18, 1950 (15 F. R. 9055), including the requirement that the petition be filed in duplicate, and with the pertinent provisions of this regulation.

In addition to other required information, the producer shall state the name of the mine or mines for which the application is filed, the name or number of the seam in which the mine is operating, the county and the state in which the mine or mines are located, the type of operation (whether underground or strip), a detailed description of the manner, if any, in which the coal is prepared, cleaned or treated, and the present ceiling prices and ceiling weighted average realization, if any, for said mine or mines. In addition, the producer shall state the same information for the nearest mine or mines in the same seam producing coal with the same or similar mining methods, with the same or similar preparation and cleaning facilities, and the applicable ceiling prices for such mine. If there was no such mine or mines in the same seam, the producer shall furnish the same comparative information for the nearest mine having substantially similar mining methods and preparation facilities in a substantially similar seam.

The Director may request any other information deemed necessary by him to a fair and reasonable determination of the issues raised in the application.

(3) For 60 days after filing the application, such coals of the applicant shall be sold at temporary ceiling prices no higher than the ceiling prices established under this regulation for the coals which

are produced at the nearest mine or mines in the same seam or in a substantially similar seam and similarly processed. After 60 days from the filing of this application, if no action has been taken by the Director, the prices as requested in the application shall be the ceiling prices for such coals. The filing date herein shall be the date on which the application is received by the Director in the principal office of the Office of Price Stabilization, Washington, D. C.

(4) The Director may at any time review and revise ceiling prices or ceiling weighted average realizations proposed or established under this section if they appear to be inconsistent with the provisions of this regulation.

11. Section 6 (g) is hereby amended to read as follows:

(g) Where coal is delivered from a mine or preparation plant in any transportation facilities owned or subject to the control of the producer or distributor or subsidiary or affiliate of the producer or distributor, or in any transportation facilities hired by the producer or distributor, there may be added to the applicable ceiling prices established herein a sum not in excess of the actual transportation costs incurred by such producer or distributor, or subsidiary or affiliate thereof, determined in a reasonable manner, but in no event to exceed the lowest common carrier rate, if any, for a

haul between the same points: *Provided*, That there may also be added by a producer or distributor, to the applicable maximum price established herein, an amount not in excess of the transportation tax imposed by section 620 of the Revenue Act of 1942 if said producer incurred such tax and if he separately states the amount of the tax in sales to all purchasers except the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

12. Section 9 (d) is hereby amended to read as follows:

(d) Each producer shall report monthly the monthly realization to the Director on forms provided by him and in accordance with his instructions on or before the last day of the month following the month for which the report is being filed.

Effective date. The above amendments shall be retroactive and shall become effective as of February 1, 1951.

NOTE. The record-keeping and reporting requirements of this supplementary 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.

April 30, 1950.

Miscellaneous Amendments,

(Adding Sec. 2(m), 4(d)(2) amending Sec. 6(g) and (i), Sec. 9(a), (c), (d), and (f)).

OFFICE OF PRICE STABILIZATION**WASHINGTON****Ceiling Price Regulation 3****Amendment 2**

NOVEMBER 14, 1952

TITLE 32A—NATIONAL DEFENSE, APPENDIX**Chapter III—Office of Price Stabilization, Economic Stabilization Agency**

[Ceiling Price Regulation 3, Amdt. 2]

CPR 3—COAL, EXCEPT PENNSYLVANIA ANTHRACITE, DELIVERED FROM MINE OR PREPARATION PLANT**MISCELLANEOUS AMENDMENTS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment 2 to Ceiling Price Regulation 3 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 3 provides certain adjustments in ceiling prices and ceiling weighted average realization on all coal, except Pennsylvania anthracite, delivered from mines or preparation plants; revises the provision with respect to charges for transportation of coal in facilities owned or controlled by the producer; provides a certification procedure implementing Section 411 of the Defense Production Act of 1950, as amended; and makes certain changes in the reporting and record-keeping provisions of the regulation.

On or about the first of October 1952 the United Mine Workers of America and representatives of various segments of the bituminous coal producing industry agreed upon a new contract containing increases in rates and in payments to the Welfare and Retirement Fund. The Progressive Mine Workers Union also entered into an agreement with another segment of producers on a similar contract. These contracts cover about 80 percent of the National production of bituminous coal and provide for an increase in the daily basic pay of \$1.90 and of 10 cents per ton in the operator payments to the Welfare and Retirement Fund.

Several of the operator groups thereafter submitted the new contracts to the Wage Stabilization Board for consideration and action. On October 18, 1952, the Board approved an increase of \$1.50 a day (instead of the \$1.90 requested) for miners employed by the member companies of the Bituminous Coal Operators Association. In its opinion the Board stated that specific approval of the royalty payment is not required. On October 22, 1952, the Board authorized an extension of the \$1.50 increase to other employees who were not covered by the specific wage agreement submitted to the Board, but who in the past had customarily received wage increases similar to the increases granted to employees covered by the National Bituminous Wage Agreement. The au-

thorized wage increases were approved to become effective on October 1, 1952.

The Bituminous Coal Operators Association and the United Mine Workers of America have filed a request for review with the Administrator of the Economic Stabilization Agency, specifically asking that the additional 40-cent increase in the basic daily pay be approved. This request for review is now being considered by the Administrator.

It appears, as a result of the wage rate adjustment of \$1.50 per day and the increase in the Welfare Fund payments of 10 cents per ton, that an industry-wide weighted average cost increase of approximately 33-35 cents per net ton will be incurred by the mine operators. If the full increase of \$1.90 per day is approved, the industry-wide weighted average cost increase will be approximately 39-42 cents per net ton. These cost increases will, of course, vary widely from mine to mine.

Despite the present softness in the general price level of bituminous coal sold at the mines there are various mines whose prices on certain sizes and grades of coal are at or near ceilings and whose current weighted average realizations are near their ceiling weighted average realizations. Data available to the Agency indicate that in the year 1951 this industry was actually earning about 18½ cents less than the minimum earnings permitted by the Industry Earnings Standard. To the extent that selling prices on most sizes and grades are low and that selling prices on some sizes and grades are at or near ceilings, the industry will be unable under existing conditions to earn the minimum under the Earnings Standard unless some adjustments are made to take care of the wage increases referred to above.

By this amendment ceiling prices may be increased by the actual per net ton amount of increased costs incurred. The ceiling weighted average realization control is retained at present levels except that a limited adjustment is permitted to any mine which is now at or near the ceiling weighted average realization, and which mine could not increase its ceiling prices without piercing its ceiling weighted average realization established under the regulation. Producers may calculate such cost increases on a new form provided by OPS (which is substantially similar to Solid Fuels Form No. 2 used for a somewhat similar purpose in 1951) and such cost increases so calculated should be added to the cumulative average realization for the 12-month period ending September 30, 1952. If the sum of such cost increases and the cumulative weighted average realization exceeds the present ceiling weighted average realization, such sum will constitute the new ceiling weighted average realization for that particular mine. (If this computation yields an amount less

than the present ceiling weighted average realization no adjustment is permitted in the ceiling weighted average realization.) The allowable adjustment in the ceiling weighted average realization as provided by the regulation, however, must be apportioned so that only 10 percent of the increase may be added in the first month and 10 percent additional may be added in each successive month until the full amount of the adjustment has been added. Such apportionment applies to the ceiling weighted average realization only and, except as limited by the ceiling weighted average realization, a producer may add the full amount of the authorized wage increase to his ceiling prices.

The new ceiling prices and ceiling weighted average realization provided by this amendment may be put into effect as of the date the authorized increased costs become effective, except that as to sales to retail dealers, the effective date of ceiling prices shall be November 14, 1952.

It is believed that the adjustments provided by this amendment will not result in any substantial increase in industry-wide price levels but will permit individual producers to obtain any relief to which they are entitled, without imposing a heavy administrative burden on this office.

This amendment also implements section 411 of the Defense Production Act of 1950, as amended, by providing for a certification procedure adapted to realization and ceiling price controls which are provided by this regulation. Section 411 of the Defense Production Act of 1950, as amended, provides that no person shall be required to furnish any reports or other information with respect to sales of materials or services at prices which are below ceiling, if such person certifies to the President that such sales are made at such prices. Because CPR 3 has a ceiling weighted average realization control in addition to ceiling price control, a producer to be exempt from the filing requirements of section 9 (d), must certify that he is selling all of his coal below ceiling prices and that the cumulative weighted average realization is below the established ceiling weighted average realization for his mine or mines. A producer after so certifying must file OPS Public Form No. 1 for any month or months in which he sells any size or grade of coal at ceiling prices, or for any month or months in which the cumulative weighted average realization equals the established ceiling weighted average realization for his mine or mines. This certification procedure does not apply to reports required in connection with the establishment or adjustment of ceiling prices or ceiling weighted average realization.

Section 6 (g) is amended to permit a producer who owns, controls, or hires

transportation facilities to add to his applicable ceiling prices, f. o. b. mine, a sum not in excess of the highest charge for transportation costs between the same points made during the base period or the period January 1-15, 1951, inclusive. This provision was originally contained in the regulation but was subsequently deleted by Amendment 1 to CPR 3 when provision was made to allow the producer who owns his transportation facilities to add his actual transportation costs to his f. o. b. mine ceiling prices. Since then, the agency has been advised that many producers who own or control transportation facilities are unable to ascertain their actual transportation costs. Those producers use transportation facilities for other purposes, and cannot properly allocate costs to the delivery of coal. During the base period it was customary for them to make a uniform charge for such delivery. Accordingly, this amendment makes available both methods. The other provisions of section 6 (g), including the provision that the amount shall not exceed the lowest carrier rate, are retained.

In section 6 (i) a correction is made by substituting the word "and" for the word "or" in connection with ceiling prices and ceiling weighted average realization. This was a clerical error in the original draft. A new provision is included requiring notification, by a new owner, of any change in ownership of a mine, and requiring the transferor to preserve or turn over to the transferee all records of transaction prior to the transfer which are necessary to enable the transferee to comply with the record provisions of the regulation.

Section 9 (a) is amended to provide for the reporting by producers (other than "small mine" producers) of increased costs and the increase authorized in the ceiling weighted average realization on OPS Public Form No. 155, which must be filed within 20 days after the increased costs become effective or within 20 days after the date of issuance of this amendment whichever is later.

A new sentence is added to section 9 (d) which provides that ceiling prices determined under section 4 (d) (2) of this amendment shall not be required to be filed.

This amendment, however, relieves "small mine" producers of the requirement that they file OPS Public Form No. 155 and a revised schedule of ceiling prices under the provisions of section 4 (d) and section 9 (a) and (c), as amended. Under section 2 (m), as amended, a mine (or group of mines referred to in section 4 (g)) is a "small mine" for any calendar year if, during the preceding calendar year, its entire production averaged 100 net tons or less of coal per day of operation, regardless of method of shipment. It is believed that the "small mine" producers should not be required to file these reports because of the administrative burden such filings would impose on OPS and the "small mine" producers; and because of the general agency policy to relieve small business of filing to the extent possible. If a "small mine" producer wishes to claim an ad-

justment in ceiling prices and ceiling weighted average realization, however, he shall determine the amount of adjustment by use of OPS Public Form No. 155 and keep it on file with other records required by section 9 to be retained by the producer.

Section 9 (f) is amended to require the producers to prepare and keep available, for a period of two years, records of the kind they customarily keep showing the prices charged for the coal.

In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 3, as amended, is further amended as follows:

1. Section 2 is amended by adding a new paragraph (m) as follows:

(m) A mine (or group of mines referred to in section 4 (g)) is a "small mine" for any calendar year if during the preceding calendar year its entire production averaged 100 net tons or less of coal per day of operation, regardless of method of shipment.

2. Section 4 (d) is amended by redesignating that section as 4 (d) (1) and adding two new subparagraphs as follows:

(2) Each producer who incurs increases in costs at his mine or group of mines during the period October 1, 1952 to April 30, 1953, inclusive, by reason of a wage and salary advance and other items related to the payroll and welfare payments (as calculated by such producer on OPS Public Form No. 155) which satisfy the policy and requirements of the Wage Stabilization Board of the Economic Stabilization Agency, may determine his ceiling prices and ceiling weighted average realization for such mine or group of mines as follows:

(i) *Ceiling prices.* Add to the individual ceiling prices established by other provisions of this regulation for each size and grade of coal the amount of such increased costs.

(ii) *Ceiling weighted average realization.* Add to the cumulative weighted average realization for the 12-month period ending September 30, 1952 (as shown on OPS Public Form No. 1 for September 1952), the amount of such increased costs: *Provided, however,* That the allowable adjustment in the ceiling weighted average realization provided in this subparagraph (i. e., the difference between the previously established ceil-

ing weighted average realization and the cumulative weighted average realization as adjusted for the increased costs) must be apportioned so that 10 percent of the increase in the ceiling weighted average realization may be added in the first month, and an additional 10 percent in each succeeding month until the full amount of the allowable adjustment has been made. Where the cumulative weighted average realization, as adjusted for the increased costs, is equal to or less than the ceiling weighted average realization otherwise established by this regulation, the previously established ceiling weighted average realization will continue in effect.

Example. A mine incurs increases of 40 cents per net ton from wage and salary advances and other items related to the payroll and welfare payments as of October 1, 1952, which satisfy the policy and requirements of the Wage Stabilization Board. This producer's ceiling weighted average realization is \$5.06 per net ton, but his 12-month cumulative realization as shown on OPS Public Form No. 1 for the 12-month period ending September 30, 1952, is \$4.75. The addition of the 40 cents increase to the cumulative weighted average realization of \$4.75 results in a target realization of \$5.15. Subtracting \$5.00 (the previously established ceiling weighted average realization) from \$5.15, leaves 15 cents which is the authorized increase in the ceiling weighted average realization. He can add 10 percent of the 15-cent increase in ceiling weighted average realization in October 1952, 20 percent of the increase in November 1952, etc., until the total of 15 cents per net ton is reached. Thus, he may not exceed \$5.0150 in October; \$5.0300 in November, etc. (If his mine's cost increase is 25 cents or less per ton, his ceiling weighted average realization, under the above facts, would remain at \$5.00 per net ton.)

OPS Public Form No. 155 showing the increased costs and the increase authorized in the ceiling weighted average realization shall be filed by producers, other than "small mine" producers, as defined in section 2 (m), in accordance with the provisions of section 9 (a) (2) of this regulation.

The new ceiling prices and ceiling weighted average realization provided in this subparagraph may be put into effect as of the date the authorized increased costs become effective, except that as to sales to retail coal dealers, the effective date of ceiling prices shall be November 14, 1952.

(3) A producer who operates a preparation plant, a ramp or other loading facility, and who by usual custom obtains all or part of his coal from another producer or producers, shall determine his increased costs under subparagraph 2 of this section by calculating the weighted average increased cost of his own coal and purchased coal which results from the cost increases referred to in subparagraph 2.

3. Section 6 (g) is amended to read as follows:

(g) Where bituminous coal is delivered from a mine or preparation plant in any transportation facilities owned or subject to the control of the producer or subsidiary or affiliate of the producer, or in any transportation facilities hired by

the producer, there may be added to the applicable ceiling price established herein, a sum not in excess of (1) the highest charge for transportation costs between the same points made during the base period or the period January 1-15, 1951, inclusive, or (2) the actual transportation costs incurred by such producer or distributor, or subsidiary or affiliate thereof, determined in a reasonable manner; but in no event shall such highest charge or actual transportation costs exceed the lowest common carrier rate, if any, for a haul between the same points: *Provided*, That there may also be added by a producer or distributor, an amount not in excess of the transportation tax imposed by section 620 of the Revenue Act of 1942, if said producer incurred such tax and if he separately states the amount of the tax in sales to all purchasers except the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

4. Section 6 (i) is amended to read as follows:

(i) Any purchaser, lessee or transferee of a mine for which ceiling prices and a ceiling weighted average realization have been established, shall take the ceiling prices and ceiling weighted average realization previously assigned to the mine or other seller, lessor or transferor thereof. Immediately upon the transfer of a mine the purchaser, lessee or transferee shall notify in writing by registered mail, the Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Office of Price Stabilization, Washington 25, D. C., stating the date of such transfer and the name and address of the purchaser, lessee or transferee. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

5. Section 9 (a) is amended by redesignating paragraph (a) as (a) (1) and adding a new subparagraph as follows:

(2) OPS Public Form No. 155 showing the increased costs and the increase in the ceiling weighted average realization authorized by section 4 (d) (2), shall be filed by producers, other than "small mine" producers, within 20 days after the increased costs become effective, or within 20 days after the issuance of this amendment, whichever is later. This

form shall be sent by registered mail, return receipt requested, to the Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Office of Price Stabilization, Washington 25, D. C. Although a "small mine" producer need not file OPS Public Form No. 155, he must calculate his adjustment under section 4 (d) (2) on this form and keep it on file in accordance with the provisions of section 9 (f) of this regulation. Copies of OPS Public Form No. 155 may be obtained by writing to the Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Office of Price Stabilization, Washington 25, D. C.

6. Section 9 (c) is amended to read as follows:

(c) Ceiling price schedules shall be filed by the producer, sales agent or distributor with the Director and with the regional office or offices of the Agency in the area or areas where the producer's coal is shipped, within ten days after the day such prices become effective. Copies of such price schedules shall be open for public inspection. All changes in ceiling prices shall be similarly filed, except that ceiling prices determined under section 4 (d) (2) shall not be filed.

7. Section 9 (d) is amended to read as follows:

(d) Each producer shall report each month the monthly realization to the Director, on or before the last day of the month following the month for which the report is filed, on OPS Public Form No. 1 and in accordance with instructions issued by the Office of Price Stabilization: *Provided*, That no producer shall be required to file reports under this paragraph if he files a certified statement that he is now selling all of his coal at prices below the ceiling prices established by this regulation and that his cumulative weighted average realization is now below the ceiling weighted average realization established for his mine or group of mines. If in any month or months after such certification the producer makes a sale of any size or grade of coal at a price equal to the ceiling price established for that size or grade, or in any month or months in which the cumulative weighted average realization equals the ceiling weighted average realization established for his mine or group of mines, he must file the report required by this paragraph for such month or months. Certification must be in the following form:

**CERTIFICATION OF SALES BELOW CEILING PRICES
AND CEILING WEIGHTED AVERAGE REALIZATION
AS PROVIDED IN SECTION 9 (d) OF CPR 3, AS
AMENDED**

It is hereby certified that _____
(Name of producer)
is selling all coal from the _____
(Name of mine or
group of mines)
at prices below the ceiling prices established
by this regulation and that the cumulative
weighted average realization for this mine
(or group of mines) is now below the ceiling
weighted average realization established
for such mine (or group of mines).

(Name of producer)

(Address of producer)

(Signature of authorized person)

(Title or position of signer)

Date: _____

This statement must be addressed to the Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Office of Price Stabilization, Washington 25, D. C., and must be sent by registered mail, return receipt requested.

The certification procedure does not apply to reports required in connection with the establishment or adjustment of ceiling prices or ceiling weighted average realization.

8. Section 9 (f) is amended by adding a new sentence at the end thereof so that the paragraph will read as follows:

(f) Each person subject to this regulation shall preserve and keep available for inspection by the Director, for a period of two years, all records necessary to substantiate ceiling prices, base period realization and average realization established pursuant to this regulation. He shall also prepare and keep available for examination by the Director of Price Stabilization for a period of two years, records of the kind which he customarily keeps showing the prices charged for the coal.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

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

Effective date. This amendment 2 to CPR 3 shall become effective as of October 1, 1952, except that as to sales to retail coal dealers the effective date of ceiling prices shall be November 14, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.
NOVEMBER 14, 1952.

Technical Amendments(Amending Secs. 4(d)
and 9(a))**Ceiling Price Regulation 3****Amendment 3**

DECEMBER 11, 1952

OFFICE OF PRICE STABILIZATION**WASHINGTON****TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 3, Amdt. 3]

**CPR 3—COAL, EXCEPT PENNSYLVANIA
ANTHRACITE, DELIVERED FROM MINE OR
PREPARATION PLANT****TECHNICAL AMENDMENTS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment 3 to Ceiling Price Regulation 3, is hereby issued.

STATEMENT OF CONSIDERATIONS

Amendment 2 to Ceiling Price Regulation 3 was issued on November 14, 1952. That amendment provided for certain adjustments in ceiling prices resulting from wage and salary advances, and made other changes in Ceiling Price Regulation 3. It has been found that certain corrections and clarifications should be made in Amendment 2.

Section 4 (d) (2) authorizes increases in ceiling prices and ceiling weighted average realization by reason of certain cost increases "which satisfy the policy and requirements of the Wage Stabilization Board of the Economic Stabilization Agency". At the time this amendment was issued it was contemplated that any wage and salary advances would be authorized by the Wage Stabilization Board. On October 18, 1952, the Wage Stabilization Board approved an increase of only \$1.50 per day instead of the \$1.90 negotiated by the Bituminous Coal Operators Association and the United Mine Workers of America. This decision was appealed. On December 3, 1952, the President directed the Economic Stabilization Agency to approve the \$1.90 increase. A technical question arises as to whether the \$1.90 increase satisfies "the policy and requirements of the Wage Stabilization Board of the Economic Stabilization Agency". In order to clarify this point beyond any doubt it is deemed advisable to amend this provision to permit adjustments resulting from increased costs which satisfy the policy and requirements of the Wage

Stabilization Board or any agency or official authorized to review the Board's decision.

Section 9 (a) (2) provides that producers must file OPS Public Form No. 155 "within 20 days after the increased costs become effective, or within 20 days after the issuance of this amendment, whichever is later". There was some delay in issuing this form. It has been found also that certain producers have encountered difficulties in completing and returning the forms within the required time. Moreover, when the amendment was issued it was thought that the final decision with respect to the wage increase for bituminous coal miners would be made immediately. The final decision by the President, however, was not made until December 3, 1952. In view of these considerations it is deemed advisable to extend the time for filing this form. A small number of producers have already filed OPS Public Form No. 155 based on a wage increase of \$1.50 per day. Those producers may now refile on the same form for the full wage increase of \$1.90.

In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

In view of the nature of these amendments consultation with industry representatives, including trade association representatives, has been impracticable.

AMENDATORY PROVISIONS

Ceiling Price Regulation 3, as amended, is further amended as follows:

1. Section 4 (d) (2) is amended by inserting after "Economic Stabilization Agency" the words—"or any agency or official authorized to review the action of such Board", so that the first sentence in the sub-paragraph will read as follows:

(2) Each producer who incurs increases in costs at his mine or group of

mines during the period October 1, 1952, to April 30, 1953, inclusive, by reason of a wage and salary advance and other items related to the payroll and welfare payments (as calculated by such producer on OPS Public Form No. 155), which satisfy the policy and requirements of the Wage Stabilization Board of the Economic Stabilization Agency, or any agency or official authorized to review the action of such Board, may determine his ceiling prices and ceiling weighted average realization for such mine or group of mines as follows:

2. Section 9 (a) (2) is amended to read as follows:

(2) OPS Public Form No. 155 showing the increased costs and the increase in the ceiling weighted average realization authorized by section 4 (d) (2), shall be filed by producers other than "small mine" producers, within 30 days after the increased costs become effective, or on or before December 31, 1952, whichever is later. This form shall be sent by registered mail, return receipt requested, to the Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Office of Price Stabilization, Washington 25, D. C. Although a "small mine" producer need not file OPS Public Form No. 155, he must calculate his adjustment under section 4 (d) (2) on this form and keep it on file in accordance with the provisions of section 9 (f) of this regulation. Copies of OPS Public Form No. 155 may be obtained by writing to the Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Office of Price Stabilization, Washington 25, D. C.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Supp. 2154)

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

Effective date. This amendment 3 to CPR 3 shall become effective as of October 1, 1952, except that as to sales to retail coal dealers the effective date of ceiling prices shall be November 14, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 11, 1952.

INTERPRETATIONS
CPR 3, Sec. 6(g)

**DELIVERIES BY CONTRACT CARRIER
Constitute "hiring"**

A coal producer engages the services of a contract carrier to truck coal from the mine to the customer. Increased transportation costs permitted by OPS may be added to the producer's ceiling price (if such increase does not cause the cost of transportation to exceed the lowest common carrier rate) since the transportation facilities are "hired" by the producer within the meaning of section 6(g) of CPR 3.
(6-26-52 No. 8)

OPS PUBLIC FORM NO 1
(Formerly Solid Fuels Form No. 4)OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D.C.
MONTHLY REPORT ON COAL MINE REALIZATION
(Except Pennsylvania Anthracite)Budget Bureau No. 94-R001
Approval Expires March 31, 1952
The individual company information reported on this form is for use in connection with the defense mobilization program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.Submit original to: OFFICE OF PRICE STABILIZATION, COLLEGE PARK, MARYLAND
One (1) copy to be retained for Producer's records

1. NAME OF PRODUCER				(Code Space)			
2. MAILING ADDRESS OF PRODUCER (Street)			(City)	(Zone)	(State)		
3. MINE*(Name(s))				(Code Space)			
4. SHIPPING POINT (Place)			(State)	(Coal Act District)	(Seam)	5. PERIOD OF REPORT (Month and year)	

REALIZATION BY SIZE GROUPS

L I N E	SIZE GROUPS** DESCRIPTION	THIS MONTH'S SALES IN OPEN MARKET			CUMULATIVE SALES IN OPEN MARKET (See Instructions)		
		TONS	TOTAL DOLLARS CHARGED	PER TON	TONS	TOTAL DOLLARS CHARGED	PER TON
		(a)	(b)	(c)	(d)	(e)	(f)
1	LUMP AND DOUBLE SCREENED, EXCEPT STOKER						
2	STOKER COAL						
3	RUN OF MINE						
4	RESULTANTS (2" to 3/4" top)						
5	RESULTANTS (3/4" top and minus)						
9	TOTAL ALL SIZE GROUPS						
10	LONG-TERM CONTRACT TONNAGE EXCLUDED						

*Or mine groups, See instructions
**See instructionsREALIZATION BASE ALLOWABLE PER TON
(See instructions) \$

REMARKS

I certify that the data given above are true and correct to the best of my knowledge and belief

DATE	SIGNATURE	OFFICIAL POSITION
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INSTRUCTIONS FOR PREPARATION OF SOLID FUELS FORM NO. 4

WHO SHALL FILE REPORTS:

All producers of coal (except Pennsylvania anthracite) regardless of size are required to file a copy of Solid Fuels Form No. 4 with the Office of Price Stabilization on or before the twentieth day of each month for the previous month following the filing of a certified statement for each mine or group of mines for which ceiling prices have been proposed by the producer.

WHERE:

This report form to be mailed to: Office of Price Stabilization, College Park, Maryland for tabulation. Inquiries regarding Ceiling Price Regulation 3, are sent to Office of Price Stabilization, Washington 25, D. C.

SALES IN OPEN MARKET:

TONNAGE TO REPORT:

The tonnages on which realization is to be reported shall include coal sold in the open market by customary methods of transportation, whether such coal be shipped by truck or wagon, by rail, barge, conveyor belt, tramway, or other. Also to be included, at the option of the producer, is coal sold under long-term contracts as defined in the regulation (contracts running three (3) years or more and executed prior to July 1, 1948).

Railroad weights shall be reported for all coal passing over railroad scales and gagers' weights for all coal loaded at the mine into river craft. All other coal shall be reported at accurate weights.

LONG-TERM CONTRACT TONNAGE EXCLUDED:

If you elected to exclude long-term contract tonnage from your realization for the base period, report such monthly tonnage and realization on line 10.

OTHER EXCLUDED TONNAGE:

The tonnages on which realization is *not* to be reported:

Other excluded tonnage shall include the following: (a) coal used to produce coal, (b) sales to employees of the producer, (c) coal used by producer or transported for consumption by him where no transfer of title is involved, (d) controlled sales for consumption by buyer where the relationship between the producer and buyer is that of wholly owned or controlled subsidiary and parent corporation, where there is common ownership or control of the producer and buyer in a third party, or where the relation between producer and buyer for any similar reason is such that the sale is noncompetitive. This definition of controlled sales is directed primarily to coal ordinarily designated as "captive," i.e., where the coal is delivered to and consumed by an affiliated concern. It is not intended to cover the disposal of coal through an affiliated selling agency or through affiliated storage docks or retail yards to consumers who are not affiliated with the producer.

SIZE GROUPS FOR REALIZATION PURPOSES:

Size groups should be reported as follows:

SIZE GROUP 01. - All lump and all double screened coal, except stoker coal.

SIZE GROUP 02. - Stoker coal.

SIZE GROUP 03. - Mine run, modified mine run, domestic mine run, screened and altered mine run, and minus resultant with top size over 2 inches.

SIZE GROUP 04. - All minus resultant with top size over 3/4 inches but not exceeding 2 inches.

SIZE GROUP 05. - All minus resultant with top size not exceeding 3/4 inch.

CUMULATIVE SALES:

Beginning with the month of February, 1951, tonnages and total dollars should be cumulated and per ton realization computed until a twelve-month period is covered (ending January 31, 1952). Thereafter, there shall appear in the cumulative columns figures for the most recent twelve months of which the current month reported shall be one.

REALIZATION BASE ALLOWABLE:

The realization ceiling or target allowable per ton shall be shown monthly and shall accurately reflect the per-ton figure shown on Solid Fuels Form No. 1-E or No. 1-W, Part A, Line 99, or Solid Fuels Form No. 2, Line 12, whichever is governing. If for some reason, neither one governs the realization base allowable, the authority for such realization base allowable should be stated on each monthly report. If realization base allowable is changed, the more recent realization base allowable should be shown together with explanation of change.

OPS PUBLIC FORM NO. 2
(Solid Fuels No. 3-0)

Budget Bureau No. 94-5105

Approval Expires April 30, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D.C.COAL PRICES BASED UPON HIGHEST PRICES CHARGED
ON ACTUAL SALES IN OPEN MARKET DURING PERIOD
SPECIFIED (*Except Pennsylvania Anthracite*)

The individual company information reported on this form is for use in connection with the defense mobilization program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.

I Mines Located East of Mississippi River - July 1, 1948 through June 30, 1949 and, January 1-15, 1951.

II Mines Located West of Mississippi River - March 1, 1950 through January 15, 1951.

1. NAME OF DISTRIBUTOR				(Leave Blank)
2. MAILING ADDRESS OF DISTRIBUTOR (Street)	(City)	(Zone)	(State)	(Leave Blank)
3. NAME OF PRODUCER				
4. MINE OR GROUP OF MINES (Name(s) See instructions)				(Leave Blank)
5. SHIPPING POINT (Place)	(State)	(Coal Act District)	(State)	

PRICES TO BE REPORTED

LINE NO.	NAME OF SIZE, SIZE GROUP, OR GRADE (a)	DIMENSIONS IN INCHES (b)	HIGHEST PRICE BASED UPON ACTUAL SALES (c)	TONNAGE SHIPPED ON PRICE SPECIFIED IN COL. (d)	DATE OF SALE (e)		METHOD OF TRANSPORT FROM MINE (f)
					MONTH	YEAR	
1		X					
2		X					
3		X					
4		X					
5		X					
6		X					
7		X					
8		X					
9		X					
10		X					
11		X					
12		X					
13		X					
14		X					
15		X					
16		X					
17		X					
18		X					
19		X					
20		X					

REMARKS

I certify that the data given above are true and correct to the best of my knowledge and belief.

DATE	SIGNATURE	OFFICIAL POSITION
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INSTRUCTIONS FOR PREPARATION OF OPS PUBLIC FORM NO 2. (*Solid Fuels Form No. 3-D*)

WHO SHALL FILE REPORTS:

All distributors of coal (except Pennsylvania anthracite) who desire to avail themselves of the prices permitted by the proviso of Section 10 of Ceiling Price Regulation No. 3 are required to file a copy of Solid Fuels Form No. 3-D with the Office of Price Stabilization on or before February 10, 1951, for each mine or preparation plant from which coal is purchased and resold, provided that a single combined report may be filed for any group of mines operated by a single producer if in the past such producer has customarily shipped interchangeably from such group of mines.

HIGHEST BASE PRICES TO BE REPORTED:

Fill out one line for each size, size group and grade, for each significant tonnage on which you wish to propose a ceiling price and give the following information:

(a) In Column (a) give name of size commonly used by the trade or size group as described in the following:

Size group 01. All lump and all double screened coal, except stoker coal.

Size group 02. Stoker coal.

Size group 03. Mine run, modified mine run, domestic mine run, screened and altered mine run, and minus resultant with top size over 2 inches.

Size group 04. All minus resultant with top size over 3/4 inch but not exceeding 2 inches.

Size group 05. All minus resultant with top size not exceeding 3/4 inch.

Also designate whether the coal is washed or treated, etc. for any preparation on which price differentials have been customary.

(b) In Column (b) give dimensions, both top size and bottom size in inches for coal described in Column (a).

(c) List highest price for the size described in Columns (a) and (b) on actual sales during the period specified on the form.

(d) and (e) Give tonnage in Column (d), with month and year of sale in Column (e) on which your highest price is based.

(f) Give information in Column (f) on method by which coal was shipped, whether by rail, river, conveyor, tramway, truck, or other.

CEILING PRICES TO BE REPORTED:

Within ten days of the effective date of Ceiling Price Regulation No. 3 you must file a certified statement of your ceiling prices if you desire to avail yourself of the prices permitted by the proviso of Section 10 of CPR No. 3. Such statement should be made by letter and should include the mine identification information and the information contained in Columns (a), (b), and (f) on Solid Fuels Form No. 3-D and must be filed with the Director and with the regional office or offices of the Office of Price Stabilization in area or areas where your coal is shipped.

UNITED STATES GOVERNMENT
OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D.C.

MONTHLY PLANT REALIZATION ON
BRIQUETS MADE PRINCIPALLY
FROM BITUMINOUS COAL
PURSUANT TO CPR 3 - SR 1

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.

Submit Original only to the Office of Price Stabilization, Washington 25, D. C. See Instructions on reverse side.

NAME OF PRODUCER

MAILING ADDRESS OF PRODUCER (Street, City, Zone, State)

BRIQUET PLANT (Name(s))

SHIPPING POINT (Place and State)	REPORT (Month and Year)
----------------------------------	-------------------------

REALIZATION BY SHAPE								
LINE	SHAPE OF BRIQUET	UNIT WEIGHT IN OUNCES	THIS MONTH'S SALES IN OPEN MARKET			CUMULATIVE SALES IN OPEN MARKET (See Instructions)		
			TONS (o)	DOLLARS CHARGED		TONS (d)	DOLLARS CHARGED	
				TOTAL (b)	PER TON (c)		TOTAL (e)	PER TON (f)
1	PILLOW			\$	\$		\$	\$
2	CYLINDRICAL OR BARREL							
3	OVAL							
4	OTHER (Specify)							
5	OTHER (Specify)							
6	TOTAL ALL SHAPES							
7	LONG-TERM CONTRACT TONNAGE EXCLUDED							

REALIZATION BASE ALLOWABLE PER TON (See Instructions)			
AMOUNT	AUTHORITY		
\$	☐ SOLID FUELS FORM 1E or 1W	☐ SOLID FUELS FORM NO. 2	☐ OTHER (Specify)
REASON FOR CHANGE IN BASE ALLOWABLE (If any)			

I certify that the data given above are true and correct to the best of my knowledge and belief.
NOTICE - A willful false return is a criminal offense.

SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE	TITLE	DATE
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INSTRUCTIONS FOR PREPARATION OF OPS PUBLIC FORM NO. 24

WHO SHALL FILE REPORTS:

All producers of bituminous briquets produced at plants in or near the coal fields regardless of size are required to file a copy of OPS Public Form No. 24 with the Office of Price Stabilization, Washington 25, D.C., on or before the last day of each month for the previous month following the filing of a certified statement for each briquet plant or group of plants for which ceiling prices have been proposed by the producer.

SALES IN OPEN MARKET:

TONNAGE TO REPORT:

The tonnage on which realization is to be reported shall include briquets sold in the open market by customary methods of transportation, whether such briquets be shipped by truck or wagon, by rail, barge, conveyor belt, tramway, or other. Also to be included, at the option of the producer, are briquets sold under long-term contracts as defined in the regulation (contracts running three (3) years or more and executed prior to July 1, 1948).

Railroad weights shall be reported for all briquets passing over railroad scales and gagers' weights for all briquets loaded at the plant into river craft. All other briquets shall be reported at accurate weights.

LONG-TERM CONTRACT TONNAGE EXCLUDED:

If you elected to exclude long-term contract tonnage from your realization for the base period, report such monthly tonnage and realization on Line 7.

OTHER EXCLUDED TONNAGE:

The tonnage on which realization is *not* to be reported:

Other excluded tonnage shall include the following: (a) briquets used at briquet plants for power or heat, (b) sales to employees of the producer, (c) briquets used by producer or transported for consumption by him where no transfer of title is involved, (d) controlled sales for consumption by buyer where the relationship between the producer and buyer is that of wholly owned or controlled subsidiary and parent corporation, where there is common ownership or control of the producer and buyer in a third party, or where the relation between producer and buyer for any similar reason is such that the sale is noncompetitive. This definition of controlled sales is directed primarily to briquets ordinarily designated as "captive" i. e., where the briquets are delivered to and consumed by an affiliated concern. It is not intended to cover the disposal of briquets through an affiliated selling agency or through affiliated storage docks or retail yard to consumers who are not affiliated with the producer.

SHAPES:

On the appropriate line list each shape of briquet which you produce. For each shape show the weight in ounces.

CUMULATIVE SALES:

Beginning with the month of April 1951, tonnages and total dollars should be cumulated and per-ton realization computed until a twelve-month period is covered (ending March 31, 1952). Thereafter, there shall appear in the cumulative columns figures for the most recent twelve months of which the current month reported shall be one.

REALIZATION BASE ALLOWABLE:

The realization ceiling or target allowable per ton shall be shown monthly and shall accurately reflect the per-ton figure shown on Solid Fuels Form 1-E or No. 1-W, Part A, Line 99, or Solid Fuels Form No. 2, Line 12, whichever is governing. If for some reason, neither one governs the realization base allowable, the authority for such realization base allowable should be stated on each monthly report. If realization base allowable is changed, the more recent realization base allowable should be shown together with explanation of change.

OPS PUBLIC FORM NO. 155 (11-52)

UNITED STATES GOVERNMENT
OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D. C.FORM APPROVED
BUDGET BUREAU NO. 94-R1033**COMPUTATION OF ADJUSTMENT IN CEILING
PRICES AND CEILING WEIGHTED AVERAGE REALIZATION (REALIZA-
TION BASE ALLOWABLE) (COAL, EXCEPT PENNSYLVANIA ANTHRACITE)
PURSUANT TO SEC. 4(d)(2) OF CPR 3, AS AMENDED**The individual company information reported on
this form is for use in connection with the De-
fense Mobilization Program. Persons who have
access to individual company information are
subject to penalties for unauthorized disclosure.

This form may be reproduced without change.

1 - NAME OF PRODUCER _____

2 - ADDRESS OF PRODUCER (No. and Street) _____

(City, Zone, State) _____

3 - MINE OR GROUP OF MINES (Name(s)) _____

(Shipping point) _____

(State) _____

(Coal Act District) _____

(Seam) _____

4 - TYPE OF OPERATION (Check)

☐

A - DEEP MINE-MECHANICALLY LOADED

☐

B - DEEP MINE-HAND LOADED

☐

C - STRIP MINE

5 - MOST RECENT REPRESENTATIVE PAYROLL PERIOD SUBSEQUENT TO SEPTEMBER 30, 1951 AND PRIOR TO OCTOBER 1, 1952

FROM (Mo.) _____

(Day) _____

19 _____

TO (Mo.) _____

(Day) _____

19 _____

6 - PRODUCTION DURING PAYROLL PERIOD SPECIFIED IN ITEM 5 _____

TONS _____

7 - PAYROLL DURING PERIOD SPECIFIED IN ITEM 5

A - Paid to mine workers

\$ _____

B - Paid to supervisory, clerical and others

\$ _____

C - Total dollar amount (Item 7A + Item 7B)

\$ _____

D - Per ton amount (Item 7C ÷ Item 6) (Calculate and report all per ton amounts to four
places beyond decimal)

\$ _____

8 - APPLY NEW WAGE AND SALARY RATES TO PAYROLL SPECIFIED IN ITEM 5

A - Mine workers

\$ _____

B - Supervisory, clerical and others

\$ _____

C - Total projected payroll (Item 8A + Item 8B)

\$ _____

D - Per ton amount (Item 8C ÷ Item 6)

\$ _____

9 - Per ton increase due to wage and salary advances (Item 8D minus Item 7D)

\$ _____

10 - Per ton increase due to increases related to the payroll, but not included in Item 9 above.

\$ _____

11 - Per ton increase in payment to welfare and retirement fund

\$ _____

12 - Total per ton increase (Item 9 + Item 10 + Item 11)

\$ _____

13 - Realization per ton in period, October 1, 1951, through September 30, 1952
(OPS Public Form No. 1, line 9, Col. (f)).

\$ _____

14 - Adjusted current realization (Item 12 + Item 13)

\$ _____

15 - Present realization base allowable (As reported on OPS Public Form No. 1)

\$ _____

16 - Per ton amount of adjustment in Realization Base allowable. If amount in Item 14 is
higher than the amount in Item 15, enter the difference on this line; if the amount in
Item 15 is higher than the amount in Item 14, write "None" on this line. In the latter
case, the amount in Item 15 remains as the realization base allowable, and Item 17 is
not applicable since no adjustment in realization base allowable is permitted.

\$ _____

(Over)

17 - Realization base allowable under Section 4(d)(2) of CPR 3, as amended. Using the formula in Column (b) of the following table and beginning with the month in which the increase reported in Item 12 became effective as the first month, enter the realization base allowable for that month and for each succeeding month in Column (c).

MONTH (Show Name and Year) (a)	REALIZATION BASE ALLOWABLE FORMULA (b)	REALIZATION BASE ALLOWABLE PER TON UNDER SECTION 4(d)(2) OF CPR 3, AS AMENDED (c)
1st	Amount in Item 15 + 10% of amount in Item 16	\$
2nd	Amount in Item 15 + 20% of amount in Item 16	\$
3rd	Amount in Item 15 + 30% of amount in Item 16	\$
4th	Amount in Item 15 + 40% of amount in Item 16	\$
5th	Amount in Item 15 + 50% of amount in Item 16	\$
6th	Amount in Item 15 + 60% of amount in Item 16	\$
7th	Amount in Item 15 + 70% of amount in Item 16	\$
8th	Amount in Item 15 + 80% of amount in Item 16	\$
9th	Amount in Item 15 + 90% of amount in Item 16	\$
10th	Amount in Item 15 + 100% of amount in Item 16	\$
11th	Amount in Item 15 + 100% of amount in Item 16	\$
12th	Amount in Item 15 + 100% of amount in Item 16	\$
All Succeeding Months	Amount in Item 15 + 100% of amount in Item 16	\$

I certify that the data given on this form are true
and correct to the best of my knowledge and belief.

NOTICE: A willfully false statement
is a criminal offense.

SIGNATURE OF PRODUCER

TITLE

DATE

INSTRUCTIONS FOR COMPLETING OPS PUBLIC FORM NO. 155 (11-52)*Submit original only. Detach instructions before submitting.*

Sec. 4(d)(2) of CPR 3, as amended, provides for an adjustment in ceiling prices for all mines or groups of mines and an adjustment in ceiling weighted average realization (Realization Base Allowable) for certain mines or groups of mines which incurred cost increases as a result of increased wage and salary costs, related payroll costs and welfare and retirement fund payments, which increases became effective subsequent to September 30, 1952, and prior to May 1, 1953, and which increases satisfy the policy and requirements of the Wage Stabilization Board of the Economic Stabilization Agency. The adjustments should be calculated on OPS Public Form No. 155 (11-52). The total per ton increase calculated in Item 12 is the amount by which you may increase your ceiling prices. The amount, if any, obtained in Item 16 is the amount you may add to your "Realization Base Allowable;" this adjustment may be applied only on the graduated basis provided in Item 17.

WHO SHALL PREPARE REPORTS:

All producers of coal (except Pennsylvania anthracite) who wish to claim an adjustment in their ceiling prices and "Realization Base Allowable" by reason of increases incurred in accordance with Section 4(d)(2) of CPR 3, as amended should prepare OPS Public Form No. 155 (11-52). A report should be prepared for each mine or group of mines for which a "Realization Base Allowable" and ceiling prices have been established.

WHO SHALL FILE REPORTS:

Reports shall be filed by all producers of coal (except Pennsylvania anthracite) for each mine or group of mines which produced in excess of 100 tons of coal per day of operation during the calendar year 1951, and who wish to claim an adjustment in accordance with Section 4(d)(2) of CPR 3, as amended. This form should be filed by registered mail, return receipt requested, with the Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Office of Price Stabilization, Washington 25, D. C., within 20 days of the issuance date of Amendment 2 to CPR 3, or within 20 days after the increases become effective, whichever date is later.

If operators of mines which produced 100 tons or less of coal per day of operation during the calendar year 1951 wish to claim an adjustment in their ceiling prices and ceiling weighted average realization as a result of increased wage and salary costs, related payroll costs and welfare and retirement fund payments occasioned by increases which became effective subsequent to September 30, 1952, and prior to May 1, 1953, and which increases satisfy the policy and requirements of the Wage Stabilization Board of the Economic Stabilization Agency, they should calculate the adjustment on OPS Public Form No. 155 (11-52) but need not file the form with the Office of Price Stabilization. It should be retained in the producer's files in accordance with the record-keeping requirements of the regulation.

MOST RECENT REPRESENTATIVE PAYROLL PERIOD (ITEM 5):

The producer shall select the most recent representative payroll period subsequent to September 30, 1951 and prior to October 1,

1952. For purposes of this report, a representative payroll period means a period of at least two consecutive weeks of normal operations.

PRODUCTION (ITEM 6):

Report all coal for use or for sale which was produced at the mine or group of mines covered by this report during the representative payroll period selected.

PAID TO MINE WORKERS (ITEM 7A):

Include amounts paid to all mine workers paid on a daily or tonnage basis.

PAID SUPERVISORY, CLERICAL AND OTHERS (ITEM 7B):

Include amounts paid to all supervisory, clerical, and other employees, exclusive of mine workers.

APPLYING NEW WAGE AND SALARY RATES (ITEM 8):

Take payroll selected as representative and apply to it new wage and salary rates which became effective subsequent to September 30, 1952 and prior to May 1, 1953 to determine adjusted basis comparable to amounts shown in Items 7A and 7B.

PER TON INCREASE DUE TO INCREASES RELATED TO THE PAYROLL, BUT NOT INCLUDED IN ITEM 9 ABOVE.

Include all increases in payroll costs, except direct payroll cost increases reported in Item 9. For example, increases which became effective subsequent to September 30, 1952 and prior to May 1, 1953 in social security taxes, workmen's compensation, unemployment compensation, etc., which are based on the payroll and are borne by the producer. Do not include increases in supply costs and other costs which are not related to the payroll.

PER TON INCREASE IN PAYMENTS TO WELFARE AND RETIREMENT FUND (ITEM 11):

Include welfare and retirement fund payment increase per ton which satisfies the requirements of the Wage Stabilization Board and which became effective subsequent to September 30, 1952 and prior to May 1, 1953.

TOTAL PER TON INCREASE (ITEM 12):

This is the amount by which you may increase your ceiling prices. For adjustment in "Realization Base Allowable" see Items 16 and 17.

(Over)

INSTRUCTIONS FOR COMPLETING OPS PUBLIC FORM NO. 155 (11-52) (Continued)

REALIZATION IN PERIOD OCTOBER 1, 1951 THROUGH SEPTEMBER 30, 1952 (ITEM 13):

Report the cumulative per ton realization shown on Line 9, Column (f) of the OPS Public Form No. 1 report for September 1952. This amount should represent the total dollars received from the sale of all sizes and grades of coal during the period October 1, 1951 to September 30, 1952, both dates inclusive, divided by the total tons of such coal sold during the same period.

PRESENT REALIZATION BASE ALLOWABLE (ITEM 15):

This is the per ton ceiling weighted average realization previously reported as "Realization Base Allowable" on Line 12 of Solid Fuels Form No. 2; or, in the event no Form No. 2 was filed, on Line 99, Column C, Part A of Solid Fuels Form No. 1-E or 1-W; or established under Section 6 of CPR 3.

PER TON AMOUNT OF ADJUSTMENT IN REALIZATION BASE ALLOWABLE (ITEM 16):

This per ton amount of adjustment, if any, may be applied only on the graduated basis provided in Item 17.

REALIZATION BASE ALLOWABLE UNDER SEC. 4(d)(2) OF CPR 3, AS AMENDED (ITEM 17):

Show as the first month in Column (a) of the table the name of the month in which the increase reported in Item 12 became effective. For most mines this will be the month of October 1952.

It should be noted that the realization base allowable increases on a graduated scale for the first ten months after the increase in Item 12 became effective. The cumulative weighted average realization for a 12-month period ending with a month shown in Column (a) cannot exceed the realization base allowable in Column (c) for that month.

EXAMPLES OF COMPUTATION OF ADJUSTMENT IN REALIZATION BASE ALLOWABLE UNDER SEC 4(d)(2) OF CPR 3, AS AMENDED

I. The following mine would qualify for an adjustment in its "Realization Base Allowable"

Item 12 - Total per ton increase	\$ 0.3500
Item 13 - Realization per ton 10/1/51 thru 9/30/52	\$ 4.9500
Item 14 - Adjusted current realization per ton	\$ 5.3000
Item 15 - Present realization base allowable per ton	\$ 5.0000
Item 16 - Per ton amount of adjustment in Realization Base Allowable	\$ 0.3000
Item 17 - Computation of realization base allowable under Sec. 4(d)(2) of CPR 3, as amended (Assume Item 12 increase became effective October 1, 1952) (See table below)	

II. The following mine would not qualify for an adjustment in its "Realization Base Allowable"

Item 12 - Total per ton increase	\$ 0.3800
Item 13 - Realization per ton in period October 1, 1951 through September 30, 1952	\$ 4.7000
Item 14 - Adjusted current realization per ton	\$ 5.0800
Item 15 - Present realization base allowable per ton	\$ 5.2000
Item 16 - Per ton amount of adjustment in Realization Base Allowable	None

This mine's total realization base allowable remains at \$5.2000 per ton.

EXAMPLE

MONTH (Show Name and Year)	REALIZATION BASE ALLOWABLE FORMULA	REALIZATION BASE ALLOWABLE PER TON UNDER SEC. 4(d)(2) OF CPR 3, AS AMENDED
(a)	(b)	(c)
1st October 1952	Amount in Item 15 + 10% of amount in Item 16	\$ 5.0300
2nd November 1952	" " " " + 20% " " " "	5.0600
3rd December 1952	" " " " + 30% " " " "	5.0900
4th January 1953	" " " " + 40% " " " "	5.1200
5th February 1953	" " " " + 50% " " " "	5.1500
6th March 1953	" " " " + 60% " " " "	5.1800
7th April 1953	" " " " + 70% " " " "	5.2100
8th May 1953	" " " " + 80% " " " "	5.2400
9th June 1953	" " " " + 90% " " " "	5.2700
10th July 1953	" " " " + 100% " " " "	5.3000
11th August 1953	" " " " + 100% " " " "	5.3000
12th September 1953	" " " " + 100% " " " "	5.3000
All Succeeding Months	" " " " + 100% " " " "	5.3000

Ceiling Price Reg. 4

FEB. 2, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabilization,
Economic Stabilization Agency

[CPR 4]

ANTHRACITE DELIVERED FROM MINE OR
PREPARATION PLANT

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738); *It is hereby ordered*, That ceiling prices on the sale of anthracite from a mine or preparation plant shall be effective as provided in this Ceiling Price Regulation 4.

Statement of Considerations

The level of prices on anthracite has not changed basically since the start of the Korean conflict. Faced with intensive competition of oil, natural gas, and bituminous coal, the anthracite industry has not been able to realize market expansion with the growth of defense activity and, as a matter of fact, is operating on a narrow financial margin. Moreover, it appears that anthracite mining capacity is well above requirements of the prospective market.

Available information, covering over two-thirds of the anthracite industry, shows that net income before taxes was about 15 cents per ton in 1950, and as low as 5 cents per ton in November of that year. This income was only 1 to 2 percent of the average mine price.

The larger sizes are distributed almost exclusively for home heating. Although a substantial portion of the steam sizes is sold to industrial consumers, primarily for steam generation purposes, the major portion of the small sizes is consumed in domestic and commercial heating. All together, about 75 percent of the commercial anthracite production moves for space heating purposes. Substitutes for solid fuels cannot be made without equipment changes.

The New England States, New York, New Jersey, Delaware, Maryland, Pennsylvania, and the District of Columbia make up the industry's primary marketing area, and this area consumes about 80 percent of the anthracite shipped to market. As of July 1, 1948, the Census Bureau estimated that almost one-third of the nation's population lived in this marketing area. These facts demonstrate the vital importance of the anthracite industry as an important source of fuel for a large segment of the nation's population. The need to increase its production during the defense period, is underscored further by the fact that of all the fuels commonly used for space heating in this principal market area, the consumption of anthracite accounted for 40 percent of the total of all fuels consumed.

Anthracite during World War II and the need for increased production during the present defense period. The anthracite industry made a substantial contribution to the heavy demands for fuel during World War II. For the five years ending December 31, 1946, the total anthracite production averaged more than 60 million tons per year. Because of the large military demands for fuel oil, the great industrial needs for bituminous coal and metallurgical coke, and the shifts in population, many consumers formerly using these war-drafted fuels, had to use anthracite to take care of their fuel needs.

The strategic importance of anthracite in time of national emergency, cannot, therefore, be overestimated.

Upon the basis of these facts and circumstances, and giving consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, it is readily apparent that anthracite production must expand to meet the present defense demands.

The present position of the anthracite industry. Preliminary figures show that the total production for 1950 will approximate 42 million tons, or 30 percent less than the average yearly production during the period of World War II.

The industry's price pattern since April 1950. On March 16, 1950, the anthracite industry signed a wage contract, calling for increased wages, with representatives of the United Mine Workers of America. Anthracite prices are customarily reflected in published circular prices issued by the major operators, and in April of 1950, the operators published their circular prices which took into account the March wage contract. Since April 1950, however, basic material and supply costs have steadily risen, while the prices published in April 1950 prevailed for sales made throughout that year.

A study of the industry's supply cost shows a weighted average increase of 13.4 percent. This is equivalent to 10.7 cents per net commercial ton of production. Anthracite companies were notified on January 1, 1951, by the Bureau of Employment and Unemployment Compensation of the State of Pennsylvania that minimum unemployment rates in effect under the merit rating system were being increased. The maximum taxable wages increased from \$3,000 to \$3,600 for Old Age Insurance. The total social security increase cost is 9.2 cents per net ton.

On January 26, 1951, the industry signed a new wage contract with the UMWA calling for a higher wage. Translated into production costs, this wage increase with equalizing increases for clerical and supervisory forces, adds \$0.696 per net ton to the industry's cost of producing anthracite. The industry's level of prices on January 1, 1951, and its present financial condition does not per-

mit industry absorption of this increased cost of production. The total of all of the cost increases detailed is 89.5 cents.

Giving due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, it is thus apparent that the ceiling prices for the industry must take into account the increased supply costs which the industry has not passed along to its customers. It is also apparent, for the same reasons, that the period May 24, 1950, to June 24, 1950, is not generally representative for this industry, and that the industry must be permitted to price its anthracite on the basis of the circular prices which it had in effect on January 1, 1951, supplemented by the aforesaid increased costs.

Special services such as oil treatment, truck loading at pockets, etc., shall be continued and charges for such services shall be made in the same amounts as they have historically been in the past.

The regulation also establishes quality standards for anthracite and specified amounts by which ceiling prices must be reduced for anthracite failing to meet such standards. These stated differentials are defined to reflect the loss in value to the consumer by reason of the higher ash content, and it is accordingly necessary to decrease the ceiling prices applicable to substandard anthracite to preserve the relative values between standard and poor quality anthracite.

With respect to customary marketing of anthracite some companies have received a premium for anthracite. Upon filing proof with the Director, producers may add such differential, not in excess of 25 cents per net ton, to the ceiling price applicable to such coals.

Findings of the Director of Price Stabilization

In the judgment of the Director of Price Stabilization the provisions of Ceiling Price Regulation No. 4 are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives 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.

In formulating this regulation the Director has consulted with representatives of the industry to the extent practicable under the circumstances, and has given consideration to their recommendations.

Sec.

1. Applicability of regulation.
2. Definitions.
3. Prohibitions against selling or delivering anthracite at prices above the ceiling.
4. Less than ceiling prices.
5. Adjustment of prices.
6. Adjustable pricing.

Sec.

7. Premium coals.
8. Special services.
9. Transportation
10. Taxes.
11. Evasion.
12. Records and reports.
13. Petitions for amendment.
14. Enforcement.

AUTHORITY: Sections 1 to 14 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

SECTION 1. Applicability of regulation. This regulation establishes ceiling prices on anthracite produced and sold f. o. b. the mine.

SEC. 2. Definitions. When used in this regulation, the term:

(a) "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.

(b) "Producer" means a person engaged in the business of mining and/or preparing anthracite and any person acting as an agent of a producer in the sale of anthracite.

(c) "Distributor" means a person who purchases anthracite f. o. b. transportation facilities at a mine or preparation plant for resale, and resells the same in not less than cargo or railroad carload lots, or the equivalent thereof, without physically handling such anthracite, and any person acting as an agent of a distributor in the sale of anthracite.

(d) "Anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the State of Pennsylvania.

(e) "Ground storage facility" means a storage facility not operated as an adjunct of a mine or preparation plant, which is customarily used by a producer or distributor for storage of anthracite in transit from a mine or adjunct preparation plant to a purchaser.

(f) "Ton" means a short or net ton of 2,000 pounds.

(g) "F. o. b. mine" means free on board transportation facilities at a mine, a preparation plant or other loading facilities (not including ground storage facilities).

SEC. 3. Prohibition against selling or delivering anthracite at prices above the ceiling. On and after the 1st day of February 1951, regardless of any contract, agreement, lease, or other obligation:

(a) No person who is a producer or distributor shall sell, dispose, deliver, or ship anthracite from a mine at prices higher, f. o. b. mine, than the ceiling prices set forth in Appendix A, attached hereto, and made a part hereof.

(b) No person shall, in the course of trade or business, buy or receive anthracite so delivered or shipped at prices higher than the ceiling prices set forth in Appendix A, attached hereto, and made a part hereof.

(c) No person shall agree, offer, solicit, or attempt to do anything prohibited under this regulation.

SEC. 4. Less than ceiling prices. Lower prices than those set forth in this part and Appendix A attached hereto may be charged, demanded, paid, or offered.

SEC. 5. Adjustment of prices. The Director may by order grant an adjustment of the prices shown in Appendix A when the producers, individually or collectively, show to the satisfaction of the Director that (a) the sale of the entire production of the mine at ceiling prices would not return a realization equal to the representative cost of production; and (b) such costs of production are of a continuing nature; and (c) the production of the mine is necessary to supply the fuel needs of the economy. The adjustments to ceiling prices resulting from such cost increases may be allocated among the various sizes of anthracite after consultation with the Anthracite Industry Advisory Committee.

SEC. 6. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the ceiling price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Stabilization, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Director after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Defense Production Act of 1950. The authorization may be given by the Director or by any official of the Office of Price Stabilization to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 7. Premium coals. Where a producer historically has marketed anthracite, graded as premium coals, and has sold such coals at premium prices, such producer may, for such premium coals in the rice and larger sizes, and upon filing evidence in support thereof with the Director, add to the ceiling prices established in this part a sum, not in excess of 25 cents per net ton, equal to the amount by which the price at which such producer had theretofore marketed and sold such premium coals in excess of the standard prices.

SEC. 8. Special services. There may be added to the applicable ceiling prices set forth in this part the charges made for any special services and pocket charges including (specifically but not exclusively) calcium chloride treatment, oil treatment, specially prepared sizes, split cars (containing more than one size), partitions, box-car loading, truck loading from pockets at the mines, bags and bagging, and the making of local or retail deliveries from the mine or adjunct preparation plant: *Provided, however,*

That such charges shall not exceed the charges made for the same service during the month of January 1951 (or if no such charges were made in January 1951, the nearest month prior thereto).

SEC. 9. Transportation. Where anthracite is delivered from a mine, adjunct preparation plant, to or from any ground storage facility in any transportation facilities owned or subject to the control of the producer or a distributor or subsidiary or affiliate of the producer or distributor, or in any transportation facilities hired by the producer or distributor, there may be added to the applicable ceiling prices established herein a sum not in excess of the actual transportation costs incurred by such producer or distributor, or subsidiary or affiliate thereof, determined in a reasonable manner, but in no event to exceed the lowest common carrier rate, if any, for a haul between the same points: *Provided, That* there may also be added by a producer, to the applicable maximum price established herein, an amount not in excess of the transportation tax imposed by section 620 of the Revenue Act of 1942 if said producer incurred such tax and if he separately states the amount of the tax in sales to all purchasers except the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

SEC. 10. Taxes. There may be added to applicable ceiling prices the amount of any sales, gross receipts, gross proceeds, or use tax levied by any statute or ordinance, under which the tax is measured by gross proceeds on units of sale, only if the statute or ordinance permits or requires the seller to state the tax separately and the seller does state it separately on his invoice or other memorandum of sale, and only if the seller customarily added the amount of such tax to the ceiling price and separately stated the tax on his invoices in the month of January 1951.

SEC. 11. Evasion. 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 anthracite coal alone or in conjunction with any other commodity or by way of commission, service, transportation or other charge, or discount, premium or other privilege, or by tie-in agreement or other trade understanding, or by the making of excessive charges for trucking or otherwise.

SEC. 12. Records and reports. (a) Each producer and distributor shall preserve and keep available for inspection by the Director for a period of two years such records as the Director shall determine to be necessary under this part; and the Director may require such reports as he deems necessary in order to effectuate this regulation.

(b) The producer shall furnish to each retail coal dealer to whom he sells coal a statement showing the exact dollar-and-cents amount the producer has added to the price of his coal as authorized under this regulation.

SEC. 13. Petitions for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with Price Procedural Regulation 1 issued by the Economic Stabilization Administrator.

SEC. 14. Enforcement. Any person who violates any provision of this regulation is subject to the criminal penalties, civil enforcement actions, and suits for damage provided for by the Defense Production Act of 1950.

Effective date. This regulation shall become effective on the first day of February, 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.

FEBRUARY 1, 1951.

APPENDIX A

C. P. R. No. 4

1. The following ceiling prices, subject to the exceptions set forth in this regulation, are established for anthracite f. o. b. mine:

Per net ton	Per net ton
Broken ----- \$14.20	Rice ----- \$6.40
Egg coal ----- 14.45	Barley ----- 5.10
Stove ----- 14.70	Buckwheat No. 4 and small- er ----- 4.10
Chestnut --- 14.60	
Pea ----- 11.40	
Buckwheat -- 8.00	

2. No person subject to this regulation may sell or deliver anthracite produced and

prepared by him at ceiling prices established by paragraph 1 of this Appendix, unless such anthracite meets the quality standards and size specifications set forth in Appendix B hereof; otherwise, the ceiling prices shall be those set forth in paragraph 3 of this appendix.

3. The ceiling prices for anthracite (including anthracite for which a ceiling price has been established by any special order issued under this regulation, or otherwise), which does not meet the quality standards and price specifications set forth in Appendix B

hereof, shall be the applicable ceiling price set forth below:

	Per net ton		Per net ton
Broken -----	\$13.05	Rice -----	\$5.80
Egg -----	13.30	Barley -----	4.60
Stove -----	13.55	Buckwheat No. 4 and small- er -----	3.70
Chestnut ---	13.45		
Pea -----	10.40		
Buckwheat --	7.30		

NOTE: Persons subject to the regulation shall continue to observe their customary and standard cash discount practices.

APPENDIX B—STANDARD ANTHRACITE SPECIFICATIONS APPROVED AND ADOPTED BY THE ANTHRACITE COMMITTEE EFFECTIVE JULY 28, 1947

	Round test mesh, inches	Percent					
		Oversize, maxi- mum	Under- size, maxi- mum	Mini- mum	Maximum, impurities ¹		
					Slate	Bone	Ash ²
Broken.....	Through 4½				1½	2	11
Egg.....	Over 3¾ to 3	5	15	7½	1½	2	11
Stove.....	Through 3¾ to 3		15	7½			
	Over 2½	7½	15	7½	2	3	11
Chestnut.....	Through 2½		15	7½			
	Over 1¾	7½	15	7½	3	4	11
Pea.....	Through 1¾	10	15	7½	4	5	12
	Over ¾		15	7½			
Buckwheat No. 1.....	Through ¾	10	15	7½			13
Buckwheat No. 2 (Rice) ..	Over ¾	10	17	7½			
Buckwheat No. 3 (Barley) ..	Through ¾	10	20	10			15
Buckwheat No. 4.....	Over ¾	20	30	10			15
Buckwheat No. 5.....	Through ¾	30	No limit				16

¹ When slate content in the sizes from broken to chestnut, inclusive, is less than above standards, bone content may be increased by 1 1/2 times the decrease in the slate content under the allowable limits, but slate content specified above shall not be exceeded in any event.

A tolerance of 1 percent is allowed on the maximum percentage of undersize and the maximum percentage of ash content. The maximum percentage of undersize is applicable only to anthracite as it is produced at the preparation plant. "Slate" is defined as any material which has less than 40 percent fixed carbon. "Bone" is defined as any material which has 40 percent or more, but less than 75 percent fixed carbon.

² Ash determinations are on a dry basis.

Miscellaneous Amendments

Ceiling Price Regulation 4

AMENDMENT 1

APRIL 30, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTONTITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 4, Amendment 1]

CPR 4—ANTHRACITE DELIVERED FROM
MINE OR PREPARATION PLANT

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to CPR 4 is hereby issued.

STATEMENT OF CONSIDERATIONS

Since Ceiling Price Regulation 4 became effective on February 1, 1951, it has been found desirable to amend the regulation in recognition of two types of transactions which were prevalent in the industry prior to the establishment of price controls. Approval of these pricing practices does not involve substantial relaxation of price control but does serve to remove an obstacle to selling arrangements which were followed in the past.

The first amendment recognizes a situation where a limited number of retail coal dealers had been serving certain customers with a high quality coal in carload lots. Their prices generally were above the mine prices but the customers were willing to pay a higher price for the service offered by the supplier. The amendment recognizes this situation and authorizes these retail coal dealers, only in respect to customers they served in this manner during the calendar year 1950, to continue such practice and to add the same mark-up charged during that period. The amendment does not authorize these dealers to extend this service to new customers nor does it permit dealers who had not previously sold coal on this basis to start doing so now.

The next amendment recognizes the sales of premium and penalty contracts which, when the coal exceeds a certain quality, entitles the seller to premium compensation. This amendment authorizes the seller to demand and receive this additional compensation which would otherwise result in a price above the ceiling price established un-

der the regulation. This type of contract is well recognized in the industry and is desired by consumers since it results in higher quality fuel. Furthermore, the regulation permits new contracts of this type and permits new sellers to sell coal under this arrangement provided the terms are reasonable and are in line with other similar contracts.

The last amendment spells out in detail the records and data which must be preserved and kept available for inspection.

AMENDATORY PROVISIONS

Ceiling Price Regulation 4 is hereby amended, as follows:

1. Section 3 is amended by adding thereto the following paragraphs (d) and (e).

(d) Notwithstanding anything to the contrary contained herein, retail coal dealers who during the calendar year 1950 acted as a distributor by purchasing coal from a mine or mines and resold such coal to certain consumers during the calendar year 1950, at a price calculated by adding a service charge to the f. o. b. mine price of the coal, said retail coal dealers acting as distributors may continue to sell and ship coal directly from a mine to each such consumer at a price calculated by adding a service charge no higher than the highest service charge said retail dealer charged each such consumer during the calendar year 1950 to the f. o. b. mine price of the coal which he buys and ships to each said consumer: *Provided*, Said retail coal dealer acting as a distributor shall file, by letter, with the Solid Fuels Branch of the Office of Price Stabilization, Washington 25, D. C., a statement showing the name and address of each such customer and the amount of the highest mark-up used in sales of coal during the calendar year 1950 to each such customer. This statement shall be filed by letter prior to the sale and shipment of any coal intended to be priced under this paragraph.

(e) Notwithstanding any provision to the contrary, a producer or distributor may sell and deliver or contract to sell and deliver, anthracite coal pursuant to a bona fide written contract which contains a premium and penalty provision based upon the specifications of such coal, and may demand and receive compensation in an amount per ton, in ad-

dition to the ceiling price provided by said contract: *Provided, however*, That the basic price contained in such contract does not exceed the ceiling price established under this regulation and in effect at the time of delivery: *And provided further*, That the terms of such premium and penalty provisions are reasonable and are not more favorable to the producer or distributor than premium and penalty provisions contained in similar contracts of the producer or other producers or distributor or other distributors in effect January 25, 1951.

2. Section 12 (a) is hereby amended to read as follows:

(a) Each producer and distributor shall make and keep available for inspection all records showing the price or prices per ton f. o. b. the mine at which he sold and delivered or offered to sell and deliver anthracite coal after February 1, 1951, which records shall contain information, when pertinent, regarding quality standards, size specifications and other information necessary to determine whether the prices charged are in compliance with the ceiling prices established under this regulation. There shall also be maintained and kept available for inspection all records showing the prices charged for special services during the month of January 1951, or if there were no such charges made during that month, the nearest month prior thereto, together with data revealing the type of special services and the occasions for rendering such services or making pocket charges; and there shall also be maintained and kept available for inspection records showing transportation charges and taxes added to the prices charged after February 1, 1951. The Director may require the maintenance and preservation of such other records as he deems necessary in order to effectuate this regulation.

Effective date: The above amendments shall become effective as of February 1, 1951.

NOTE. The record-keeping and reporting requirements of the amendatory provisions 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.

APRIL 30, 1951.

Reporting of Service
and Pocket Charges

Ceiling Price Regulation 4
Amendment 2
AUGUST 20, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 4, Amdt. 2]

CPR 4—ANTHRACITE DELIVERED FROM
MINE OR PREPARATION PLANT

REPORTING OF SERVICES AND POCKET
CHARGES

Pursuant to the Defense Production Act of 1950 as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Ceiling Price Regulation 4 is hereby issued.

STATEMENT OF CONSIDERATIONS

Charges made by the producer of anthracite coal for special services and pocket charges may, under section 8 of Ceiling Price Regulation 4 be added to the applicable ceiling price of the coal so serviced. No reporting or filing of these services or the charges made therefor has been required by the regulation.

Many of these services—such as calcium chloride treatment, oil treatment, specially prepared sizes, split cars (containing more than one size), partitions, box-car loading, truck loading from pockets at the mines, bags and bagging, and the making of local or retail deliveries from the mine or adjunct preparation plant—have been rendered for some time and many new services which are

performed have basic similarities. In order to effectuate the purposes of the Defense Production Act of 1950, it is deemed necessary that the Office of Price Stabilization receive sufficient information so as to ascertain that the charges made for the services being rendered are proper under the provisions of the regulation.

Many services are seasonal and some services were not performed during the base period. The information required by this amendment will allow the Office of Price Stabilization to formulate a fair and equitable amendment under which proposed charges for new services could be processed.

In order to obtain this information, it is necessary that the producers of anthracite and briquets rendering services as described, or making pocket charges, report the type of services rendered, the method of performing these services, and the prices charged therefor.

This amendment is not intended to modify in any way the provisions of Ceiling Price Regulation 4 as amended.

In the judgment of the Director of Price Stabilization this amendment is generally fair and equitable and is necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

AMENDATORY PROVISIONS

Ceiling Price Regulation 4 is further amended as follows:

1. Section 8, "Special services", is amended as follows:

"After the words 'Section 8, Special services' and before the words 'there may

be added', there is inserted the following: '(a)'".

2. Section 8 is further amended by the addition of the following:

(b) Every producer subject to Ceiling Price Regulation 4, as amended, or Supplementary Regulation 1 thereto, who has added or does add to the applicable ceiling prices for anthracite or briquets a charge for any special service or pocket charge, pursuant to paragraph (a) of this section, shall file, on or before September 15, 1951, the following information by letter addressed to the Office of Price Stabilization, Solid Fuels Branch, Washington 25, D. C.: (1) Name and address of the producer reporting; (2) name, number or other designation of the mine or mines, plant or plants, or other facility or facilities at which the special services or pocket charges are made; (3) a full description of the special service or pocket charge made and the equipment, material, or facilities used; and (4) the charges made for such special service or pocket charge."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.)

Effective date. This amendment shall become effective August 25, 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.

AUGUST 20, 1951.

Special Services

Ceiling Price Regulation 4

Amendment 3

MAR. 3, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabilization,
Economic Stabilization Agency

[Ceiling Price Regulation 4, Amdt. 3]

CPR 4—ANTHRACITE COAL DELIVERED
FROM MINE OR PREPARATION PLANT

SPECIAL SERVICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 3 to Ceiling Price Regulation 4 is hereby issued.

STATEMENT OF CONSIDERATIONS

Anthracite producers, in many instances, perform special services for their customers, such as anti-freeze treatment, oil treatment, partitions for split cars, bagging, and loading from pockets for which they make charges in varying amounts.

Under the provisions of section 8 of CPR 4 producers may add to the applicable ceiling prices charges for such special services. However, such charges shall not exceed the charges made for the same service in January 1951 (or if no such charge was made in January 1951, the nearest month prior thereto). This provision, therefore, does not permit producers performing such services to charge for them if during or prior to January 1951, they did not perform such services.

Amendment 2 to CPR 4 requires producers subject to CPR 4 who have added or do add to applicable ceiling prices for anthracite or briquets a charge for any special service or pocket charge, to file such charges with the OPS, Solid Fuels Branch. Sixty-five companies representing 87 percent of the industry's total production for the first six months of 1951 have filed such reports. Generally the charges made are below the actual cost of rendering service.

This amendment permits producers of anthracite coal and anthracite briquets to add to the applicable ceiling prices

charges for special services which are not offered during the period specified in section 8 (a) of the present regulation. However, such charges shall be made only after approval by the Director of the Office of Price Stabilization, upon a showing that they are in-line with charges for special services made during the base period.

In the judgment of the Director of Price Stabilization this amendment is generally fair and equitable and is necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

In formulating this amendment the Director has consulted with industry representatives, including trade association representatives, to the extent practicable under the circumstances, and has given consideration to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 4 is amended in the following respect:

Section 8 is amended by adding a new paragraph (c) to read as follows:

(c) (1) A producer who during the period referred to in paragraph (a) of this section did not perform the special services, including truck loading from pockets at the mines, and who is now equipped to perform such services, may file an application for permission to add to the applicable ceiling prices set forth in this part an additional charge for the performance of such services. The application must be filed in duplicate with the Office of Price Stabilization, Solid Fuels Branch, Washington 25, D. C., and shall include (i) the name and address of the producer reporting; (ii) the name, number or other designation of the mine or mines, plant or plants, or other facility or facilities at which the special services are to be performed; (iii) a full description of the special service and the equipment, material, or facilities to be used; and (iv) the charges requested for such special service.

(2) Where the application pertains to specially prepared sizes, the information submitted shall show in addition to the information required in subparagraph

(1): (i) Size of the coal; (ii) use for which the coal is intended; (iii) special treatment given the coal; (iv) resultant increase in quality above the applicant's regular commercial preparation and above the quality standards of Appendix B of this regulation; and (v) additional costs incurred by reason of rendering this service.

(3) Applications pertaining to pocket charges shall show in addition to the information required in subparagraph (1) that: (i) The mine, preparation plant or ground storage facility involved is rail-connected and equipped to load trucks from pockets other than railroad car pockets, and to weigh anthracite on retail scales; (ii) the anthracite loaded in trucks meets the quality standards set forth in Appendix B of CPR 4, as amended; (iii) additional costs are incurred by reason of rendering this service; (iv) the anthracite loaded from pockets is for delivery entirely by truck without intervening rail shipment.

The application may be approved, in whole or in part, by the Director of Price Stabilization or by any official of the Office of Price Stabilization having authority to act on such application if he finds that such charge is in line with the level of those allowed in paragraph (a) of this section for similar services. The Director may require any additional information that he deems necessary for proper determination of the application. No charge shall be made for such service or pocket charge until approved by the Director of Price Stabilization or an official of the OPS having authority to act on the application.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective March 8, 1952.

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.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 3, 1952.

Adjustment on Certain Sizes
(Amending Appendix A)

Ceiling Price Regulation 4
Amendment 4
AUG. 12, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 4, Amdt. 4]

CPR 4—ANTHRACITE DELIVERED FROM MINE OR PREPARATION PLANT

ADJUSTMENTS ON CERTAIN SIZES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 4 to Ceiling Price Regulation 4 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment increases ceiling prices of certain industrial sizes of Pennsylvania anthracite by 75 cents per net ton f. o. b. mines. These increases apply only to No. 1 Buckwheat, Rice, Barley, and Buckwheat No. 4 and smaller sizes, all of which represent about 45 percent of total sales of anthracite.

Members of the Industry Advisory Committee requested this increase and contended that it was justified under the industry earnings standard. In order to qualify for a price increase under that standard, an industry must show that its current earnings are less than 85 percent of the industry's average earnings during the three best years during the 1946-1949 period. The Office of Price Stabilization has made a study of the anthracite industry, on the basis of which it appears that the requested price increase is justified under the earnings standard.

The larger or domestic sizes of anthracite are used mostly for home heating by

consumers in New England, New York, Pennsylvania, Delaware, Maryland, and the District of Columbia. Industrial users account for most of the sales of the smaller sizes, which are used primarily for the production of electricity in power plants and as metallurgical coals.

When CPR 4 was issued it granted certain increases on the larger sizes of anthracite greater than those granted on industrial sizes. Thus, in following the recommendation of the Industry Advisory Committee that the present price increases be uniformly applied to the industrial sizes rather than on the domestic consumer sizes, OPS is not only minimizing the impact on the cost of living, it is also bringing ceiling prices on the commercial sizes into a more customary relationship with the ceiling prices on the domestic sizes.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. This consultation included a meeting of the Industry Advisory Committee for Anthracite, and separate conferences with several producers of anthracite.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

In the judgment of the Director of Price Stabilization this amendment is generally fair and equitable and is necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

AMENDATORY PROVISIONS

1. The ceiling prices in Appendix A, provision 1, are amended by an increase of 75-cents per net ton on commercial sizes so that provision 1 of Appendix A will read as follows:

1. The following ceiling prices, subject to the exceptions set forth in this regulation, are established for anthracite f. o. b. mine:

	Per net ton		Per net ton
Broken-----	\$14.20	Buckwheat---	\$8.75
Egg coal-----	14.45	Rice-----	7.15
Stove-----	14.70	Barley-----	5.85
Chestnut-----	14.60	Buckwheat	
Pea-----	11.40	No. 4 and smaller ---	4.85

2. The ceiling prices for "sub-standard" anthracite in Appendix A, provision 3, are amended by an increase of 75 cents per net ton on commercial sizes so that provision 3 of Appendix A will read as follows:

3. The ceiling prices for anthracite (including anthracite for which a ceiling price has been established by any special order issued under this regulation, or otherwise), which does not meet the quality standards and price specifications set forth in Appendix B hereof, shall be the applicable ceiling price set forth below:

	Per net ton		Per net ton
Broken-----	\$13.05	Buckwheat---	\$8.05
Egg coal-----	13.30	Rice-----	6.55
Stove C-----	13.55	Barley-----	5.35
Chestnut-----	13.45	Buckwheat	
Pea-----	10.40	No. 4 and smaller ---	4.45

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 4 to CPR 4 shall become effective August 12, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

AUGUST 12, 1952.

ORIGINAL ARTICLES

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Adjustments on All Sizes

(Amending Apps. A and B)

Ceiling Price Regulation 4**Amendment 5**

OCT. 3, 1952

OFFICE OF PRICE STABILIZATION**WASHINGTON****TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 4, Amdt. 5]

**CPR 4—ANTHRACITE DELIVERED FROM
MINE OR PREPARATION PLANT****ADJUSTMENTS ON ALL SIZES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment 5 to Ceiling Price Regulation 4 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment increases the ceiling prices on all sizes of Anthracite by 20 cents per net ton f. o. b. the mines. The increase has been requested by the anthracite industry because of the interim agreement reached between the International Union of United Mine Workers of America, and the anthracite producers increasing the amount which the producers must pay to the Anthracite Health and Welfare Fund from 30 cents to 50 cents per net ton. The Wage Stabilization Board has advised the Union and the industry that "prior Board approval is not required before the affected employers may increase their contributions to the Anthracite Health and Welfare Fund from 30¢ per ton to 50¢ per ton, provided that such increase in contributions is necessary to maintain the level of benefits prevailing on January 25, 1951. Any increase in benefit levels or the institution of additional benefits requires Board approval."

Increases in the ceiling prices for some sizes of anthracite were recently authorized by the Office of Price Stabilization in

Amendment 4. The increase authorized by that amendment was intended to permit the industry to recover substantially the amount to which it was entitled under the Industry Earnings Standard. On the basis of the industry earnings survey, and information received for the period January-July, 1952, this industry has demonstrated that the need for relief is immediate. So as not to delay this relief, the Agency is permitting an increase generally sufficient to cover the amount of increase in the welfare fund agreement. If the anthracite industry demonstrates that there is need for further relief so as to bring the level of the earnings of the industry up to the 85% level warranted by the Industry Standard, the Agency will take whatever action is deemed appropriate.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

In the judgment of the Director of Price Stabilization this amendment is generally fair and equitable and is necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

1. The ceiling prices in Appendix A, provision 1, as amended, are further amended by an increase of 20 cents per net ton on all sizes so that provision 1 to Appendix A will read as follows:

1. The following ceiling prices, subject to the exceptions set forth in this regulation, are established for Anthracite f. o. b. mine:

	Per net ton
Broken.....	\$14.40
Egg coal.....	14.65
Stove.....	14.90
Chestnut.....	14.80
Pea.....	11.60
No. 1 Buckwheat.....	8.95
Rice.....	7.35
Barley.....	6.05
Buckwheat No. 4 and smaller.....	5.05

2. The ceiling prices for "sub-standard" anthracite in Appendix A, provision 3, as amended, are further amended by an increase of 20 cents per net ton on all sizes so that provision 3 of Appendix A will read as follows:

3. The ceiling prices for anthracite (including anthracite for which a ceiling price has been established by any special order issued under this regulation, or otherwise), which does not meet the quality standards and price specifications set forth in Appendix B hereof, shall be the applicable ceiling price set forth below:

	Per net ton
Broken.....	\$13.25
Egg coal.....	13.50
Stove.....	13.75
Chestnut.....	13.65
Pea.....	10.60
No. 1 Buckwheat.....	8.25
Rice.....	6.75
Barley.....	5.55
Buckwheat No. 4 and smaller.....	4.65

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Supp. 2154)

Effective date. This amendment 5 to CPR 4 shall become effective as of October 1, 1952.

TIGHE E. WOODS,
Director of Price Stabilization.

OCTOBER 3, 1952.

THEORY OF THE EARTH

1. The Earth is a sphere. 2. The Earth is composed of different layers. 3. The layers are the crust, mantle, and core.	4. The crust is the outermost layer. 5. The mantle is the layer below the crust. 6. The core is the innermost layer.	7. The crust is made of rocks. 8. The mantle is made of molten material. 9. The core is made of molten iron and nickel.
10. The crust is divided into plates. 11. The plates move around. 12. The movement of the plates causes earthquakes.	13. The mantle is divided into the upper mantle and the lower mantle. 14. The upper mantle is the layer between the crust and the lower mantle. 15. The lower mantle is the layer between the upper mantle and the core.	16. The core is divided into the outer core and the inner core. 17. The outer core is the layer between the lower mantle and the inner core. 18. The inner core is the innermost layer.
19. The crust is the thinnest layer. 20. The mantle is the thickest layer. 21. The core is the hottest layer.	22. The crust is made of solid rock. 23. The mantle is made of molten material. 24. The core is made of molten iron and nickel.	25. The crust is the layer closest to the surface. 26. The mantle is the layer below the crust. 27. The core is the layer at the center of the Earth.
28. The crust is the layer that we live on. 29. The mantle is the layer that we cannot see. 30. The core is the layer that we cannot see.	31. The crust is the layer that we can see. 32. The mantle is the layer that we cannot see. 33. The core is the layer that we cannot see.	34. The crust is the layer that we can see. 35. The mantle is the layer that we cannot see. 36. The core is the layer that we cannot see.

Adjustments on All Sizes

(Amending App. A)

Ceiling Price Regulation 4**Amendment 6**

NOVEMBER 14, 1952

OFFICE OF PRICE STABILIZATION**WASHINGTON****TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 4, Amdt. 6]

**CPR 4—ANTHRACITE DELIVERED FROM
MINE OR PREPARATION PLANT****ADJUSTMENTS ON ALL SIZES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment 6 to Ceiling Price Regulation 4 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 4 increases the ceiling prices on all sizes of anthracite by amounts ranging from 40 cents to \$1.35 per net ton, f. o. b. the mines. These increases are necessary to permit the anthracite-producing industry to meet the Industry Earnings Standard.

An industry earnings survey of the anthracite-producing industry was made earlier this year at the request of the Anthracite Industry Advisory Committee. As a result of the findings of the survey the ceiling prices of the industrial sizes (buckwheat No. 1 and smaller) were adjusted in the amount of 75 cents per ton, becoming effective on August 12, 1952. This interim adjustment did not exhaust the entire amount of entitlement of the industry under the Industry Earnings Standard.

Further study of industry earnings shows that the industry is entitled to an additional price increase averaging 35.5 cents per ton to permit it to meet the industry earnings standard. The increases provided in this amendment include that amount.

On October 3, the ceiling prices of all sizes of anthracite were increased in the amount of 20 cents per net ton, reflecting the additional payment into the Anthracite Health and Welfare Fund agreed to by the industry and the United Mine Workers of America. The increase in the welfare payment was included in an interim agreement pending the completion of negotiations on wage and other matters.

On November 1, 1952, the representatives of the anthracite industry and

UMW of A reached an agreement on wage increases to be paid the miners, effective November 16, 1952, as well as further changes in the terms and conditions of employment. The agreement sets forth in detail a method of applying the wage increases which have been granted to employees paid daily and on piece-work rates.

The anthracite industry wage agreement has been submitted to the Wage Stabilization Board for approval and is now being considered by that Agency. An increase of at least \$1.50 per day for the anthracite industry, paralleling that already approved for bituminous will be effective retroactive to November 16, 1952, upon formal approval by the Wage Stabilization Board. Thus the anthracite producers will begin to incur substantially higher production costs beginning November 16, which the industry cannot absorb under the Industry Earnings Standard.

The increases included in this price action, therefore, reflect the amount to which the industry is entitled under the Industry Earnings Standard including a cost increase based on an average wage increase of \$1.50 per day, amounting to a total of \$1.047 per net ton. If a higher rate increase is hereafter authorized a further adjustment may be required.

Prices on the smaller sizes of anthracite coal have traditionally been lower than on the larger prepared sizes. This reflects strong competition with other forms of solid fuels and with oil and gas. In order to permit the industry to obtain earnings to which it is entitled under the Industry Earnings Standard, the various sizes of anthracite are being increased by amounts ranging from 40 cents per net ton on buckwheat Nos. 4 and 5 and smaller to \$1.35 on broken size.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

In the judgment of the Director of Price Stabilization this amendment is generally fair and equitable and is necessary to effectuate the purposes of Title IV of the Defense Production Act, as amended.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

1. The ceiling prices in Appendix A, provision 1, as amended, are further amended by an increase on all sizes so that provision 1 to Appendix A will read as follows:

1. The following ceiling prices, subject to the exceptions set forth in this regulation, are established for Anthracite f. o. b. mine:

	Per net ton
Broken.....	\$15.75
Egg.....	16.00
Stove.....	16.25
Chestnut.....	16.15
Pea.....	12.85
Buckwheat No. 1.....	10.10
Rice.....	8.35
Barley.....	6.55
Buckwheat No. 4 and smaller.....	5.45

2. The ceiling prices for "sub-standard" anthracite in Appendix A, provision 3, as amended, are further amended by an increase on all sizes so that provision 3 of Appendix A will read as follows:

3. The ceiling prices for anthracite (including anthracite for which a ceiling price has been established by any special order issued under this regulation, or otherwise), which does not meet the quality standards and price specifications set forth in Appendix B hereof, shall be the applicable ceiling price set forth below:

	Per net ton
Broken.....	\$14.60
Egg.....	14.85
Stove.....	15.10
Chestnut.....	15.00
Pea.....	11.85
Buckwheat No. 1.....	9.40
Rice.....	7.75
Barley.....	6.05
Buckwheat No. 4 and smaller.....	5.05

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 6 to CPR 4 shall become effective November 16, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.
NOVEMBER 14, 1952.

Ceiling Price Regulation 4

Supplementary Regulation 1

MARCH 3, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency[Ceiling Price Regulation 4, Supplementary
Regulation 1]CPR 4—ANTHRACITE DELIVERED FROM
MINE OR PREPARATION PLANTSR 1—ANTHRACITE BRIQUETS PRODUCED AT
OR MADE AT PLANTS IN PENNSYLVANIA
ANTHRACITE FIELD

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation No. 1 to Ceiling Price Regulation No. 4 (16 F. R. 1011) is hereby issued.

STATEMENT OF CONSIDERATIONS

Anthracite briquet manufacturing plants are located in the Anthracite Region of Pennsylvania. For the most part these plants are adjuncts of anthracite preparation plants.

The product, a domestic fuel, consists of 80 percent anthracite, 7 to 8 percent asphalt as a binder, and 12-13 percent bituminous coal.

Total production of anthracite briquets in 1950 was 359,000 net tons. The product is made in one size and sold at one price.

Cost increases over January 1, 1951, have resulted from the new wage agreement with U. M. W. A. negotiated January 26, 1951. Material costs, principally anthracite and bituminous coal, have advanced pursuant to the authority of Ceiling Price Regulations Nos. 3 and 4 made effective on February 1, 1951. Asphalt, the third principal ingredient, has advanced sharply in price since 1950.

The labor increase amounts to \$0.1731 per net ton, Social Security and old age benefits \$0.0095, materials \$0.4095, or a total cost increase of \$0.5921 per ton, which practically eliminates the \$0.64 net income per ton before taxes realized on the entire 1950 business.

This supplementary regulation is intended to offset the actual cost increase cited above.

FINDINGS OF DIRECTOR OF PRICE
STABILIZATION

In the judgment of the Director of Price Stabilization the provisions of Supplementary Regulation No. 1 to Ceiling Price Regulation No. 4 are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives 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.

In formulating this supplementary regulation the Director has consulted with representatives of the industry to the extent practicable under the circumstances, and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.

1. Applicability of supplementary regulation.
2. Definitions.
3. Authority to increase ceiling prices.
4. Miscellaneous.

AUTHORITY: Sections 1 to 4 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret, or apply Title IV, Pub. Law 774, 81st Cong., Executive Order 10161, September 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. Applicability of supplementary regulation. This supplementary regulation grants authority to a person engaged in the business of manufacturing briquets, made principally from anthracite coal, located in the Pennsylvania anthracite field to increase the ceiling price on briquets sold by them, or their agents, f. o. b. the plant.

SEC. 2. Definitions. When used in this supplementary regulation, the term:

(a) "Producer" means a person engaged in the business of manufacturing briquets, principally from anthracite coal, and any person acting as an agent of a producer.

(b) "Distributor" means a person who purchases briquets at or for delivery from a briquet plant, for resale, and resells the same in not less than cargo or railroad carload lots, or the equivalent thereof, without physically handling such briquets, and any person acting as an agent of such distributor in the sale of briquets.

(c) "Briquets" means briquets made principally from anthracite coal, which are manufactured at plants located in the Pennsylvania anthracite field.

(d) "Ground storage facility" means a storage facility not operated as an adjunct of a briquet plant, which is customarily used by a producer or distributor for storage of briquets in transit from a briquet plant to a purchaser.

SEC. 3. Prohibition against selling or delivering anthracite briquets at prices above the ceiling. On and after the 3d day of March 1951, regardless of any

contract, agreement, lease, or other obligation:

(a) No person who is a producer or distributor shall sell, dispose, deliver, or ship anthracite briquets from a briquet plant at prices higher, f. o. b. the plant, than the ceiling price set forth in Appendix A, attached hereto and by this reference made a part hereof.

(b) No person shall, in the course of trade or business, buy or receive anthracite briquets so delivered or shipped at a price higher than the ceiling price set forth in Appendix A, attached hereto and by this reference made a part hereof.

(c) No person shall agree, offer, solicit, or attempt to do anything prohibited under this supplementary regulation.

SEC. 4. Miscellaneous. (a) The producers subject to this supplementary regulation shall be subject to all other provisions of Ceiling Price Regulation No. 4 which are not inconsistent with the provisions hereof.

(b) Each producer, sales agent or distributor shall furnish to each retail coal dealer to whom he sells briquets a statement showing the exact dollar-and-cents amount the producer has added to the price of his briquets as authorized under this supplementary regulation.

(c) Upon the effective date of this Supplementary Regulation No. 1 to Ceiling Price Regulation No. 4 the producers subject to this supplementary regulation shall no longer be subject to the provisions of the General Ceiling Price Regulation issued by the Director on January 26, 1951 (16 F. R. 809), except as to activities not covered by this supplementary regulation. Such exemption, however, shall not relieve the producers hereunder from any obligation or liability incurred under the General Ceiling Price Regulation prior to the effective date of this supplementary regulation.

Effective date. This Supplementary Regulation No. 1 to Ceiling Price Regulation No. 4 shall become effective on the 3d day of March 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

MARCH 2, 1951.

APPENDIX A

The following ceiling price subject to the exceptions set forth in this supplementary regulation are established for anthracite briquets, f. o. b. manufacturing plants.

	Ceiling price per net ton
Anthracite briquets-----	\$10.95

NOTE: Persons subject to the regulation shall continue to observe their customary and standard cash discount practices.

**Adjustment of Ceiling Price
Anthracite Briquets**
(Amending Appendix A)

**Ceiling Price Regulation 4
Supplementary Regulation 1
Amendment 1**
NOVEMBER 28, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 4, Supplementary
Regulation 1, Amdt. 1]

**CPR 4—ANTHRACITE DELIVERED FROM
MINE OR PREPARATION PLANT**

**SR 1—ANTHRACITE BRIQUETS PRODUCED AT
OR MADE AT PLANTS IN PENNSYLVANIA
ANTHRACITE FIELD**

ADJUSTMENT OF CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment 1 to SR 1 to CPR 4, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 1 adjusts the ceiling price of anthracite briquets by an amount which has been shown to be required under the Industry Earnings Standard.

Anthracite briquets are manufactured by two single-line companies operating in the anthracite coal field. Both companies have submitted a petition for amendment to the Office of Price Stabilization requesting relief under the Industry Earnings Standard. This

standard requires that an industry whose current earnings are less than 85 percent of its average earnings during the three best years 1946-1949, with adjustments made for any changes in the net worth, is entitled to have its ceiling prices adjusted so as to permit it to earn at least 85 percent of its average during the base period.

A survey of the anthracite briquet industry was conducted by this office and, as of the end of 1951, the industry's earnings indicated that it was entitled to relief. Since the end of 1951 there have been various increases in the costs of raw materials (anthracite, bituminous coal and asphalt). The available information indicates that the industry is entitled to an increase of one dollar in its ceiling price. This adjustment will increase the ceiling price of anthracite briquets to \$11.95 per ton, f. o. b. the plant.

In the judgment of the Director of the Office of Price Stabilization, this amendment is generally fair and equitable and will effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

As far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production

Act of 1950, as amended, and to relevant factors of general applicability.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Supplementary Regulation 1 to CPR 4 is amended in the following respect:

1. Appendix A to Supplementary Regulation 1 to CPR 4, is amended as follows:

APPENDIX A

The following ceiling price subject to the exceptions set forth in this supplementary regulation is established for anthracite briquets, f. o. b. manufacturing plants.

	<i>Ceiling price per net ton</i>
Anthracite briquets.....	\$11.95

NOTE: Persons subject to the regulation shall continue to observe their customary and standard cash discount practices.

(Sec. 704, 64 Stat 812 as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 1 to SR 1, CPR 4 shall become effective November 28, 1952.

TIGHE E. WOODS,
Director of Price Stabilization.

NOVEMBER 28, 1952.

Retail Ceilings on Petroleum Products

Ceiling Price Regulation 13

MARCH 21, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabilization,
Economic Stabilization Agency

[Ceiling Price Regulation 13]

CPR 13—RETAIL CEILINGS ON PETROLEUM
PRODUCTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 13 is hereby issued.

STATEMENT OF CONSIDERATIONS

The rapidity with which the inflationary pressures incident to the outbreak in Korea and the announced stepped up rearmament program were being reflected in price increases throughout the economy during the latter part of 1950 required immediate action in the field of direct controls. Accordingly, a General Ceiling Price Regulation was issued on January 26, 1951. However, it was realized at the time that a single regulation covering a multitude of prices and the diverse practices of many sellers and industries should be replaced as rapidly as possible by specific regulations tailored to the needs of different industries. This regulation is one of several designed to cover all marketing segments and products of the petroleum industry. It provides for the establishment of ceiling prices for certain petroleum products at service stations and other retail establishments.

Petroleum products are distributed at the retail level mainly through service stations of which there are an estimated 400,000 throughout the United States. Generally speaking, these service stations are relatively small establishments, and it is therefore essential that any regulation attempting to control the prices of products distributed through these channels be as clear and concise as possible and readily understandable. It is believed that the subject regulation accomplishes this purpose.

The salient features of this regulation are concerned principally with the pricing methods. The individual seller determines his own ceiling price which is the highest price charged for a product during the base period of December 19, 1950, to January 25, 1951, inclusive. This will result essentially in margins which have existed since before the beginning of the Korean war. In the event the seller had no base period sales, alternative methods of determining ceiling prices are provided. The regulation also provides for establishing ceiling prices for new products, as well as in cases where a new retail outlet has been established

or where a change of ownership takes place.

The administrative procedure for resolving problems that may arise has been greatly simplified in that it contains provisions for automatic partial relief of hardship cases and permits the solution of other problems at the regional level with the exception of those arising out of local shortages and depressed price areas. Sellers whose ceiling price results in a margin less than they enjoyed during the base period or four cents are permitted to adjust their ceiling prices to reflect either their base period margins or four cents per gallon. This provision has been included to give immediate partial relief to dealers in certain areas where depressed prices exist causing considerable hardship on dealers involved. According to figures furnished by the American Petroleum Institute of dealer margins in fifty representative cities, this four cent margin is the lowest margin existing during the selected base period at any of these points. Except for cities in which price wars exist the margins are no greater than those in the period immediately before the beginning of the Korean war. The adoption of this margin provision is tentative pending a more complete survey of area margins by the Office of Price Stabilization. The regulation treats all marketers equally, and tends to preserve the customary marketing practices insofar as they are consonant with the provisions of the Defense Production Act. The regulation attempts to keep to a minimum the work of record keeping.

Prior to the formulation of this regulation the Director of Price Stabilization advised with a large number of persons representing a substantial part of the industry and the regulation has been reviewed by the National Petroleum Advisory Committee established by the Director of the Office of Price Stabilization.

FINDINGS OF THE DIRECTOR OF PRICE
STABILIZATION

In the judgment of the Director of Price Stabilization the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives 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

SCOPE OF REGULATION

Sec.

1. What this regulation does.
2. Geographical coverage.
3. Compliance with this regulation required.

PRICING METHOD

4. Specific prices.
5. Base period sales.
6. No base period sales.
7. Group pricing.
8. Special pricing methods for automotive gasoline for tank wagon purchasers.
9. Special pricing methods for automotive gasoline not purchased at the tank wagon price-level.
10. Increases and reductions in ceiling prices.

GENERAL PROVISIONS

11. Federal and State taxes.
12. Records, receipts, statement and posting of ceiling prices.
13. Transfer of business or stock in trade.
14. Definitions.
15. Petitions for amendment.
16. Adjustments because of Fair Trade Acts.
17. Applications for adjustment.

CEILING PRICES ESTABLISHED BY APPLICATION

18. Sellers who cannot determine ceiling prices under other sections.

AUTHORITY: Sections 1 to 18 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

SCOPE OF REGULATION

SECTION 1. What this regulation does. It establishes ceiling prices for all sales and deliveries at service stations and other retail establishments including transactions through stationary retail facilities which are in conjunction with bulk plants, terminals or refineries, of the following products:

- (a) Motor Fuel.
- (b) Motor Lubricating Oil, including automotive, aviation and marine.
- (c) Greases.
- (d) Gear Oils and Transmission Lubricants.
- (e) Kerosene, Range Oil, Stove Oil or Heater Oils; all other distillate burning, heating and fuel oils.
- (f) Stove and Lamp Gasoline and Pressure Appliance Fuel.
- (g) Petroleum Naphthas and Solvents.
- (h) Liquefied Petroleum Gas (L. P. G.).

SEC. 2. Geographical coverage. This regulation is applicable to the forty-eight States of the United States, the District of Columbia, and the territories and possessions of the United States, except the Panama Canal Zone.

SEC. 3. Compliance with this regulation required—(a) *Prohibition against selling or delivery of petroleum products at prices above the ceiling.* On and after the effective date of this regulation, regardless of any contract or other obligation, no person shall sell or deliver and no person shall buy or receive in the course of trade or business any petroleum product covered by this regulation at prices higher than the ceiling prices fixed by this regulation, and no person shall agree, offer, solicit, or attempt to do anything prohibited in this section.

Prices lower than the ceiling prices may be charged, demanded, paid or offered.

(b) *Evasion.* The ceiling prices established by this regulation shall not be evaded either by direct or indirect methods in connection with the purchase, sale, delivery or transfer of petroleum products alone or in conjunction with any other materials, or by way of any commission, service, transportation, or any other charge, or discount, premium or other privilege, or by tie in agreement or other trade understanding, or by a change in the quality of the product or otherwise, except when such change in quality takes place in compliance with a regulation issued by an agency of the United States Government.

(c) *Enforcement.* Any person who violates any provision of this regulation is subject to the criminal penalties, civil enforcement actions, and suits for damage provided for by the Defense Production Act of 1950.

PRICING METHODS

SEC. 4. *Specific prices.* If the Office of Price Stabilization establishes specific ceiling prices for a particular grade of product for the area or community in which you are located, then those prices so spelled out in this regulation or other regulations or orders issued pursuant thereto are your ceiling prices for the particular grade (or grades) of product.

SEC. 5. *Base period sales.* If no specific ceiling prices are established by the Office of Price Stabilization, then your ceiling price is the highest price you charged for each grade of product to a purchaser of the same class at each of the service stations or retail establishments you operated during the period from December 19, 1950, to January 25, 1951, inclusive.

SEC. 6. *No base period sales.* If you cannot determine your ceiling prices under section 4 or section 5 of this regulation, you are required to adopt the ceiling price for the grade of product involved of any seller of your class located within a radius of one mile.

SEC. 7. *Group pricing.* If you operated several service stations or retail establishments and had an established practice of centrally determining uniform prices by areas during the base period for some or all of your products, you may treat all retail establishments in each such customary separate price area as one seller for the purpose of (a) computing ceiling prices for the grades of products for which this practice existed and (b) complying with the record keeping, reporting and filing provisions of this regulation. The ceiling prices shall be the uniform-centrally determined prices for each separate price area. Records shall be centrally kept, listing the names and addresses of the retail establishments of each group. If you determine ceiling prices under this section, each retail outlet included in the group must continue to abide by the ceiling prices determined under this section. The permission granted by this section may be withdrawn by the Director of Price Stabilization from any sellers upon

consideration of the price records maintained by such sellers and such reports as he may require.

SEC. 8. *Special pricing methods for automotive gasoline for tank wagon purchasers.* (a) A seller of automotive gasoline at a retail establishment may, if he chooses, fix a ceiling price for each grade of automotive gasoline by either of the following methods:

(1) By adding to the tank wagon ceiling price for regular grade gasoline of your supplier 4 cents per gallon plus or minus your customary retail differential for premium or third grade gasoline; or

I have on _____ (date) determined my ceiling price under section 8 (a) (2) of the Retail Ceiling Price Regulation of Petroleum Products to be the following:

Ceiling Price Established:

Regular Grade	_____	(Brand) _____	¢ per gal.
Premium Grade	_____	(Brand) _____	¢ per gal.
_____ Grade	_____	(Brand) _____	¢ per gal.

Computation of ceiling prices:

	Premium	Regular	(Brand)
My purchase price ¹ on _____ (date) _____	_____ \$	_____ \$	_____ \$
My retail price on same date _____	_____ \$	_____ \$	_____ \$

My margins on _____ (date) _____	_____ \$	_____ \$	_____ \$
My present supplier's tank wagon ceiling price _____	_____ \$	_____ \$	_____ \$
My margins as above _____	_____ \$	_____ \$	_____ \$
My ceiling price _____	_____ \$	_____ \$	_____ \$

Signature: _____

¹ Purchase price means the net price you pay for a product after giving effect to allowances or discounts you receive, except cash discounts.

(b) For purpose of computing margins, the tank wagon ceiling price of the supplying company shall be considered the purchase price with respect to company operated retail establishments determining ceilings under this section.

SEC. 9. *Special pricing methods for automotive gasoline not purchased at the tank wagon price level.* If you are not a tank wagon purchaser of automotive gasoline at the retail establishment involved, and therefore, cannot use the margins permitted certain tank wagon purchasers under the preceding section, you may fix a ceiling price for each grade of automotive gasoline by either of the following methods:

I have on _____ (date) determined my ceiling price under section 9 (b) of the Retail Ceiling Price Regulation of Petroleum Products to be the following:

Ceiling Price Established:

Regular Grade	_____	(Brand) _____	¢ per gal.
Premium Grade	_____	(Brand) _____	¢ per gal.
_____ Grade	_____	(Brand) _____	¢ per gal.

Computation of ceiling prices:

	Premium	Regular	(Brand)
My laid down cost ¹ on _____ (date) _____	_____ \$	_____ \$	_____ \$
My retail price on same date _____	_____ \$	_____ \$	_____ \$

My margins on _____ (date) _____	_____ \$	_____ \$	_____ \$
My laid down cost _____	_____ \$	_____ \$	_____ \$
My margins as above _____	_____ \$	_____ \$	_____ \$
My ceiling price _____	_____ \$	_____ \$	_____ \$

¹ "Laid down cost" means the cost of the product in your storage tanks. It includes only the cost of the product (including taxes) and transportation expense. For example: If you purchase on a "delivered at destination" basis the delivered price of your supplier is your "laid down cost". If you purchase on an f. o. b. shipping point basis your laid down cost is your f. o. b. shipping point price plus transportation expense incurred. The transportation expense incurred is the amount you pay to the commercial carrier or if a commercial carrier is not utilized the amount you customarily considered as transportation expense, provided, however, such latter amount shall be no higher than the established commercial rate for the shipment involved.

(2) By adding to the tank wagon ceiling price for regular grade gasoline of your supplier the margin you had in the base period. This method of pricing can be used only if 50 percent of your sales during the base period reflected that margin. Furthermore, you must continue to use this ceiling unless a change in ceiling price is subsequently ordered by the Office of Price Stabilization and you must file this price with the District office of the Office of Price Stabilization for the District in which each retail establishment is located. Your filing should be as follows:

(a) By adding to your current laid down cost 4 cents per gallon for regular grade gasoline, plus or minus your customary retail differentials for premium or third grade gasoline; or

(b) By adding to your current laid down cost the margin you had in the base period. This method of pricing can be used only if 50 percent of your sales during the base period reflected that margin. Furthermore, you must continue to use this ceiling price unless a change in ceiling price is subsequently ordered by the Office of Price Stabilization, and you must file this price with the District office of the Office of Price Stabilization in which each retail establishment is located. Your filing should be as follows:

SEC. 10. Increases and reduction in ceiling prices. You may add to your ceiling price the amount of any increase authorized by the Office of Price Stabilization in the ceiling price of your supplier.

GENERAL PROVISIONS

SEC. 11. Federal and State taxes—(a) Taxes in effect during base period. If during the base period you included a tax (either directly or by separate statement and collection) as a part of your price for a petroleum product, you may include such tax (either directly or by separate statement and collection in the same manner you included such tax in your price during the base period) as a part of any ceiling price established under this regulation for that product or for a new product you are now selling which is subject to the same tax.

(b) *Taxes or increases in taxes effective after January 25, 1951.* Any tax increase or new tax imposed after January 25, 1951, upon or incident to the sale, delivery or use of any petroleum product covered by this regulation may be collected by you in addition to the ceiling prices established under this regulation, if you are by law required to collect or pay such tax.

SEC. 12. Records, receipts, statement and posting of ceiling prices—(a) Records. Every person selling petroleum products subject to this regulation shall:

(1) Preserve for examination by the Office of Price Stabilization all your existing records relating to the prices which you charged for such petroleum products as you sold during the base period. In addition, you must prepare within 30 days after the effective date of this regulation and preserve a statement of any of your customary allowances, discounts and other price differentials.

(2) Keep for a period of two years and make available for examination by the Office of Price Stabilization records of the same kind as you customarily kept, relating to the prices which you charged for such petroleum products as you sold, after January 25, 1951, and the records of the same kind relating to products sold hereafter.

(b) *Sales slips and receipts.* If you have customarily given a purchaser a sales slip, receipt or similar evidence of purchase, you shall continue to do so. Upon request from a purchaser, you shall give the purchaser a receipt showing the date, your name and address, the kind, grade, and quantity of the petroleum product or products sold and the price received for each product.

(c) *Statement of ceiling prices.* Prepare within 30 days after the effective date of this regulation on the basis of all available information and records and thereafter keep for examination by the Office of Price Stabilization during ordinary business hours, a statement showing your ceiling prices on each grade of product and the basis on which you determined such ceiling prices.

(d) *Posting of ceiling prices.* You shall post the ceiling price for each grade of motor fuel and each motor lubricating oil in a manner plainly visible to and understandable by each purchaser. Such postings shall be marked

"ceiling prices" or "our ceiling", beneath which shall be marked each grade of the product offered for sale and opposite each grade shall be stated the ceiling price for that grade. Every person whose ceiling prices are subsequently increased under sections 4, 10, 11 (b), 16 or 17 pursuant to authorization by the Office of Price Stabilization shall indicate separately in such postings either for 60 days after such authorization or for so long as the increase remains effective, whichever period is shorter, the amount by which the ceiling price of each product was increased and the fact that such increase was authorized by the Office of Price Stabilization. The postings shall use the following language: "----- cents increase per gallon—approved by the Office of Price Stabilization effective ----- date" or any other statement supplying the same information.

(e) *General Ceiling Price Regulation records.* Compliance with the record-keeping provisions of this section shall be deemed compliance with the record-keeping requirements of the General Ceiling Price Regulation during the period when petroleum products were covered by that regulation.

SEC. 13. Transfer of business or stock in trade. This section applies to you if:

(a) After January 26, 1951 you purchase or otherwise acquire all or a substantial part of the business assets or stock in trade of any business which sells or sold any articles covered by this regulation at retail; and

(b) You carry on the business or continue to sell at retail the same type of product as sold by your predecessor; and

(c) You carry on the business in a retail establishment separate from any other retail establishment previously owned or operated by you; and

(d) Your predecessor was a seller of your class.

If this section applies to you, your ceiling prices are the same as your predecessor and your obligation to keep records sufficient to verify such prices shall be the same as those of your predecessor. Your predecessor must either preserve and make available to you or turn over to you all records of transactions before the transfer which you need to comply with this regulation.

If either or both paragraphs (a) and (b) of this section apply to you but not paragraphs (c) or (d) of this section you shall adopt the ceiling price for each grade of product of a seller of your class in your same general area. Ceiling prices determined in this way shall be filed with the Petroleum Branch of the Office of Price Stabilization, Washington 25, D. C., and shall be your ceiling prices until disapproved or revised by the Director of Price Stabilization of the Office of Price Stabilization.

SEC. 14. Definitions. (a) "Motor fuel" means liquid fuel used for the propulsion of motor vehicles or motor boats or aircraft, including Diesel fuel and liquefied petroleum gas, and including any liquid fuel to which Federal gasoline taxes apply.

(b) "Retail establishment" means a store, shop, garage, service station (land

or marine) or other stationary place of business at which the major portion of the sales of petroleum products are sold in customary small quantities to consumers. Any facility making deliveries of fuel into fuel tanks of aircraft at an airport (or other landing area), shall be considered a retail establishment for the purpose of this regulation.

(c) "Service Station" means any place of business or part thereof where motor fuel is delivered into the fuel supply tanks of motor vehicles or motor boats.

(d) "You." The pronoun "you" as used in this regulation indicates the person subject to the regulation.

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

(f) "Seller of your class" means a seller whose operations in all respects customarily compare with your operations in all of the following respects:

(1) You both sell comparable products.

(2) You both sell in the same manner through similar facilities.

(3) You both sell at comparable price levels.

(g) "Purchaser of the same class" refers to your practice in setting different prices for a product for sales to purchasers located in different areas or buying in different quantities or grades or under different conditions of sale.

(h) "Base period" means the period from December 19, 1950, to January 25, 1951, inclusive.

(i) "Tank wagon purchaser" means a person purchasing at the tank wagon price.

(j) "Tank wagon price" means a particular price level customarily established by a seller regardless of the type or size of equipment that may be used for making deliveries, as distinguished from the "tank car" price, or other large lot quantity price levels. The tank wagon price is a delivered-at-destination price.

SEC. 15. Petitions for amendment. Any person seeking an amendment of this regulation may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1.

SEC. 16. Adjustments because of Fair Trade Acts. Ceiling prices established under this regulation may be adjusted by order of the Office of Price Stabilization in the case of any seller at retail who shows:

(a) Either that his ceiling price for any product established under this regulation is less than the minimum price at which he was lawfully required to sell the product during the base period pursuant to the provisions of a State Fair Trade Act; or that he had been permanently enjoined by a court from selling the product at less than such minimum price; and also

(b) That the product was generally sold at retail during the base period at

prices no lower than such minimum price within the locality in which his selling establishment is located. In such cases, the ceiling price of the seller will be increased to such minimum price. Applications for adjustment shall be filed in accordance with Price Procedural Regulation No. 1.

Each Regional Director of the Office of Price Stabilization and such District Directors of the Office of Price Stabilization as may be designated by the appropriate Regional Director are hereby authorized to make adjustments or act upon applications for adjustment under this section.

SEC. 17. Applications for adjustment. Applications for adjustment for local shortage and depressed price areas shall be filed in Washington, D. C., in accordance with Price Procedural Regulation No. 1. The Office of Price Stabilization may adjust by order any ceiling price established under this regulation for any seller or group of sellers when it appears:

(a) *Local shortages.* (1) That there exists or threatens to exist in a particular locality a shortage in the supply of a petroleum product which aids directly in the present defense program or is essential to a standard of living consistent with the maintenance of the defense program; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the ceiling prices of such seller and of like sellers for such product; and

(3) That such adjustment will not create or tend to create a shortage or a need for increase in prices, in another locality, and will effectuate the purposes of the Defense Production Act of 1950.

(b) *Depressed price areas and price inequities.* (1) That due to temporary conditions, a seller has a ceiling price which is lower than a price that would

maintain such seller's customary price relationship with other sellers in the same marketing area or

(2) That prices charged for petroleum products in a particular area have customarily followed the pattern of prices in nearby or surrounding areas but due to temporary conditions ceiling prices have been established by this regulation which are below the level of prices which would have prevailed had the area been free to adjust itself to normal conditions.

The seller in applying under subparagraph (1) or subparagraph (2) of this paragraph shall present to the satisfaction of the Office of Price Stabilization:

(i) The basis upon which it is concluded that the ceiling prices are below normal.

(ii) The ceiling prices proposed.

(iii) Information showing why the proposed ceiling prices would be normal.

(iv) A statement that the proposed ceiling prices will not be above the level of ceiling prices otherwise established by the regulation.

CEILING PRICES ESTABLISHED BY APPLICATION

SEC. 18. Sellers who cannot determine ceiling prices under other sections. (a)

Your ceiling price for a petroleum product sold at a retail establishment which cannot be priced under the other provisions of this regulation shall be a price in line with the level of ceiling prices established by this regulation and shall be determined in the following manner:

You or a person authorized by you shall, prior to making a sale, file with the District Office of the Office of Price Stabilization for the district in which your retail establishment is located an application for the establishment of a ceiling price, containing the following information:

(1) An explanation of the reasons why the product cannot be priced under the other provisions of this regulation.

(2) The method by which the proposed ceiling price was calculated.

(3) The reasons why such proposed ceiling price is believed to be in line with the level of ceiling prices otherwise established by this regulation. For this purpose information shall be included in the application showing:

(i) Ceiling prices for similar products having the same end-use and serviceability which are currently sold by you, together with a statement of the cost of each;

(ii) Ceiling prices for the same product, or similar products having the same end-use and serviceability, which are sold by others of your same class of seller in the same or surrounding area.

(b) You shall also furnish such additional information as the Office of Price Stabilization may require.

(c) Upon filing, the proposed price shall be your ceiling price until it is revised or disapproved by the Office of Price Stabilization.

(d) The Office of Price Stabilization may, at any time by notice in writing approve or disapprove or revise ceiling prices filed, proposed, or established under this section so as to bring them into line with the level of ceiling prices otherwise established by this regulation.

Effective date. This Ceiling Price Regulation shall become effective on March 26, 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.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

MARCH 21, 1951.

**Miscellaneous
Amendments**

**Ceiling Price Regulation 13
Amendment 1
APRIL 24, 1951**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 13, Amdt. 1]

**CPR 13—RETAIL CEILINGS ON PETROLEUM
PRODUCTS**

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 13, Amdt. 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

The accompanying amendment to Ceiling Price Regulation 13 clarifies sections 8 and 9:

The provision of sections 8 (1) and 9 (a) permitting 4 cents per gallon to be added to the tank wagon ceiling price

for regular grade gasoline of a dealer's supplier plus or minus the customary retail differential for premium or third grade gasoline does not reflect the pricing method used in the territories, since margins are customarily lower than 4 cents in such areas. Such an addition would result in increased prices in these areas. Therefore, it is desirable that the territories and possessions of the United States be excluded from this pricing method.

The further purpose of this amendment is to make it clear that the filing required by section 8 (2) and 9 (b) is to be made within 60 days after the effective date of Ceiling Price Regulation 13, or within 15 days after a seller puts this method of pricing into effect.

AMENDATORY PROVISIONS

Ceiling Price Regulation 13 is amended in the following respects:

1. Section 8 (1) is amended by adding, at the beginning of the sentence, the following: "Except in the territories and possessions of the United States,".

2. Section 9 (a) is amended by adding, at the beginning of the sentence, the following: "Except in the territories and possessions of the United States,".

3. Section 8 (2) is amended by adding "within 60 days after the effective date of this regulation or within 15 days after you determine your ceiling price by this method" to the last sentence following the word, "located."

4. Section 9 (b) is amended by adding "within 60 days after the effective date of this regulation or within 15 days after you determine your ceiling price by this method" to the last sentence following the word, "located."

Effective date. This amendment, except as otherwise herein stated, shall become effective April 30, 1951.

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

MICHAEL V. DiSALLE,

Director,

Office of Price Stabilization.

APRIL 24, 1951.

**Adjustment of Ceiling
Prices Due to Changes in
Taxes and Transportation Rates**

(Amending Secs. 8(a),
9(f) and 10; adding
Sec. 11(c))

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**Ceiling Price Regulation 13
Amendment 2
DECEMBER 19, 1952**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 13, Amdt. 2]

**CPR 13—RETAIL CEILINGS ON PETROLEUM
PRODUCTS**

**ADJUSTMENT OF CEILING PRICES DUE TO
CHANGES IN TAXES AND TRANSPORTATION
RATES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 2 to Ceiling Price Regulation 13 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 13 makes three changes. One change deals with two of the provisions permitting the establishment of ceilings by a formula, another requires reduction in ceilings where taxes have been reduced, and the third deals with increases in transportation rates.

Sections 8 and 9 of Ceiling Price Regulation 13 permit retail sellers of automotive gasoline to establish ceiling prices for these products by adding to the cost of product at the time of calculation the gross margin the seller obtained during the base period. However, it was not intended to permit sellers to repeatedly redetermine their ceiling price by use of these sections. This amendment is designed to eliminate any confusion as to the proper use of sections 8 and 9. Increases in product cost may be passed through in accordance with section 10 of the regulation, which is specifically designed to maintain customary margins.

Most of the automotive gasoline purchased by service stations in this country is bought on a delivered basis, at what is termed the tank wagon price. The tank wagon ceiling price of automotive gasoline is regulated by the provisions of Ceiling Price Regulation 17 which permit an increase in the tank wagon ceiling prices, where there has been an increase in transportation rates. Where the tank wagon ceiling price is properly increased, the retailer may increase his ceiling price by the amount of increase in his supplier's ceiling. However, there are some retailers of automotive gasoline who do not purchase at the tank wagon level. These retail sellers of automotive gasoline purchasing at the tank car level or on an f. o. b. basis have been required to absorb increased costs resulting from increased transportation rates, although they were competing with tank wagon purchasers who can pass on the increases. This has had a tendency to disrupt price relationships in some retail

marketing areas. The corrective change included in this amendment, permitting an increase in prices, will have comparatively little effect because of the very slight percentage of the total of automotive gasoline sold to service stations at other than tank wagon level.

The third part of this amendment requires that a retail seller who has a ceiling price which includes taxes incident to the sale, use or delivery of a petroleum product, reduce his ceiling price by the amount of any reduction in these taxes. Where a tax of this nature is reduced or repealed, this benefit should be passed on to the public upon whom the burden of the tax previously rested.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

In the judgment of the Director of Price Stabilization, the changes set forth in these amendatory provisions are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 13 is amended in the following respects:

1. The text of section 8 (a) (2) is amended to read as follows:

(2) By adding to the tank wagon ceiling price for each grade of gasoline of your supplier the margin you had in the base period. This method of pricing can be used only if 50 percent of your sales during the base period reflected that margin. Having determined ceiling prices by using the base period margin method, you may not again use this method to redetermine your ceiling price. You must file these prices with the District Office of the Office of Price Stabilization for the District in which each retail establishment is located. Your filing should be as follows:

2. The text of section 9(b) is amended to read as follows:

(b) By adding to your current laid-down cost for each grade of gasoline the margin you had in the base period. This method of pricing can be used only if 50 percent of your sales during the base period reflected that margin. Having determined ceiling prices by using the base period margin method, you may not again use this method for redetermining your ceiling price. You must file these prices with the District Office of the Office of Price Stabilization for the District in which each retail establishment is located. Your filing should be as follows:

3. Section 10 is amended to read as follows:

SEC. 10. Increases in ceiling prices.
(a) You may increase your ceiling price determined in accordance with any of the provisions of this regulation by the amount of increase in the ceiling prices of your supplier which has been authorized by the Office of Price Stabilization.

(b) If you are not a tank wagon purchaser of automotive gasoline and if you incur transportation costs in distributing such product at your service stations, you may increase your ceiling prices:

(1) By the amount of increase in unit cost of transportation you incur as a result of transportation rate increases effective after January 25, 1951, which have been permitted by Federal or State regulatory bodies or by the Office of Price Stabilization. Such increases may include excise taxes which are a part of, or are applicable to, such increases. The higher ceiling prices may be made effective as of the date of the increase in transportation rate.

(2) Where transportation of product in facilities which you own or control is in lieu of transportation by a regulated carrier, by the amount of unit increase that would be permitted you in paragraph (b) (1) of this section, had you used such regulated carrier.

(c) If you increase your ceiling prices in accordance with the provisions of this regulation you may round to the nearest fraction of a cent per gallon in accordance with your customary practices. If you elect to round on one product you must round all your ceiling prices increased under this section to reflect decreases as well as increases.

(d) The provisions of paragraph (b) (1) and (2) of this section may not be used to increase your ceiling prices where the increased transportation costs you have incurred are the result of changes in sources of supply.

4. Section 11 is amended by adding a new paragraph designated (c) to read as follows:

(c) If the taxes referred to in paragraphs (a) and (b) of this section are included in the ceiling prices you have established under the provisions of this regulation, and such tax is reduced or repealed after January 25, 1951, you must reduce your ceiling price by the amount of the tax reduction. You must also reduce your ceiling price by the amount of the reduction in the ceiling price of your supplier due to a repeal or reduction of such tax.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective December 24, 1952.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

DECEMBER 19, 1952.

INTERPRETATIONS
CPR 13, Sec. 5

BRANDED AND UNBRANDED GASOLINE
Different grades for pricing purposes

Assuming that an unbranded gasoline is of the same quality as a branded gasoline, or even a better quality, the question is raised as to whether a seller, who sold branded regular gasoline in the base period, and now shifts to unbranded regular, has a ceiling price established under section 5 for the new gasoline.

Grades of gasoline are not necessarily distinguished by the chemical contents of the product. In branded products there may be some variation in quality between one brand and another, and this variation could even occur within the same brand. Where customary sales practices at the retail level have made the various branded gasolines equivalent by virtue of equal or equivalent prices, a grade of gasoline exists for the purposes of CPR 13. In most areas of United States competition, advertising or other factors have resulted in creating a distinction between branded and unbranded products. Dealers in unbranded gasoline generally are in the position that, despite the chemical similarity or even superiority of their gasoline, their prices have customarily been established at levels lower than those which prevailed for branded.

Because of this general differentiation it is to be concluded that branded regular gasoline and unbranded regular gasoline are different grades from a pricing standpoint.

Thus, where a seller, who sold branded regular gasoline in the base period subsequently shifts to unbranded regular he has no ceiling price under section 5 of CPR 13 and should set his ceiling price in accordance with section 6, or other appropriate sections of the regulation.

(2-1-52 No. 6)

**Retail Margins on Gasoline
in Counties of Orange and
Los Angeles, California**

**Ceiling Price Regulation 13
Supplementary Regulation 1**

JULY 26, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 13, Supplementary
Regulation 1]

**CPR 13—RETAIL CEILINGS ON PETROLEUM
PRODUCTS**

**SR 1—RETAIL MARGINS ON GASOLINE IN THE
COUNTIES OF ORANGE AND LOS ANGELES,
CALIFORNIA**

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 1 to Ceiling Price Regulation 13 (16 F. R. 2626) is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to Ceiling Price Regulation 13, provides a special pricing method for retail sellers of motor gasoline in Los Angeles and Orange Counties of California. These two counties produce 36 per cent of the crude oil supply of the Pacific Coast, have approximately 25 refineries representing 59 per cent of the five Western states' refining capacity, and distribute gasoline through over 9,500 retail service station outlets. The gasoline sold by them supplies about 3.5 to 4 per cent of the total United States gasoline demand, and fully 35 per cent of the demand for this product in the Pacific Coast states. The magnitude of this operation indicates that any interruption in the flow of gasoline from refineries to the motor-ing public through the medium of retail establishments could be damaging to the defense effort.

The coincident inauguration of price control with the ending of a "price war" which had been in existence in this area resulted in the freezing at abnormally low levels of retail margins of a large segment of these retail establishments. It is the purpose of this supplementary regulation to restore to this segment its normal margin of $4\frac{1}{2}\text{¢}$ per gallon on regular grade gasoline, with customary differentials for premium and third grade gasolines. This $4\frac{1}{2}\text{¢}$ margin for regular grade gasoline has customarily existed in this area since 1948 and while it is available under present provisions of Ceiling Price Regulation 13 to the majority of retail establishments in this area, it is not uniform.

A survey of the area involved by the Retail Advisory Committee and the Regional Petroleum Consultant establishes that the customary differential between suppliers' tank truck prices or dealers'

laid down cost and the retail price is $4\frac{1}{2}\text{¢}$ per gallon on regular grade gasoline and 5¢ per gallon on premium grade. Information has been secured which shows that approximately 94 percent of the volume in this area customarily is sold at these margins. During the "price war" period, however, approximately 20 percent of the total retailers were obliged to sell at margins from 3 to $3\frac{1}{2}\text{¢}$ per gallon.

Inasmuch as normal margins were not possible of attainment for this segment in the base period and the 4¢ margin provision available under section 8 (a) (1) is not equivalent to the normal margin, the Los Angeles dealers have petitioned to be relieved from the resultant margin squeeze. The requested margin of $4\frac{1}{2}\text{¢}$ per gallon for regular grade gasoline compares with the average margin in the United States of 4.89¢ per gallon as reported by the June 6, 1951 issue of National Petroleum News, and compares with other margins on the Pacific Coast of 4.8¢ per gallon at San Francisco, 5¢ per gallon at Reno, 5.5¢ per gallon at Portland, and 5¢ per gallon at Spokane. Not only is this margin, therefore, consistent with margins in other areas of the United States, but it is reasonable as related to costs on the basis of information which was obtained and filed in connection with the survey made by the Office of Price Stabilization.

Although the survey of retail prices in these counties indicated a normal retail margin of $4\frac{1}{2}\text{¢}$ per gallon on regular grade and 5¢ per gallon on premium grade gasoline, petitioners have asked for a spelled out margin only for regular grade gasoline while for premium grade they suggest following the wording of Ceiling Price Regulation 13. Specifically, they ask for $4\frac{1}{2}\text{¢}$ per gallon to be added to the tank wagon price or laid down cost for regular grade gasoline, plus or minus the customary retail differential for premium and third grade gasoline.

It is alleged by the petitioners and supported by the evidence that adoption of the recommendation will have no significant effect upon the current retail price level at about 90 percent of the sales outlets in the Los Angeles basin. The effect, however, upon sales of 6 to 10 percent of the volume will be to increase prices to the consumers to the extent of 1¢ to $1\frac{1}{2}\text{¢}$ per gallon. It has also been alleged and supported by evidence that unless ceiling price relief of the type petitioned for is granted, this segment of sellers will disappear from the market. In recognition of the need to correct the price inequity and to restore the customary margin of this segment of sellers in this area, this supplementary regulation is issued.

**FINDINGS OF THE DIRECTOR OF PRICE
STABILIZATION**

In the judgment of the Director of Price Stabilization, the prices established by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Applicability of supplementary regulation.
2. Authority to change margins.
3. Miscellaneous.

AUTHORITY: Sections 1 to 3 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply title IV, Pub. Law 774, 81st Cong., Executive Order 10161, September 9, 1950, F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. Applicability of supplementary regulation. This supplementary regulation is applicable to persons engaged in selling automotive or marine gasoline from a retail establishment in the Counties of Orange and Los Angeles, California.

SEC. 2. Authority to change margins. Notwithstanding any provisions of Ceiling Price Regulation 13, if you are a seller of automotive or marine gasoline at a retail establishment you may, if you choose, fix a ceiling price for each grade of automotive or marine gasoline by adding to the tank wagon ceiling price for regular grade gasoline of your supplier $4\frac{1}{2}\text{¢}$ per gallon plus or minus your customary retail differential for premium or third grade gasoline.

SEC. 3. Miscellaneous. (a) The sellers subject to this supplementary regulation shall be subject to all other provisions of Ceiling Price Regulation 13 which are not inconsistent with the provisions hereof.

(b) Notwithstanding any provision of Ceiling Price Regulation 13 which requires that once you have established your ceiling price you must continue using that ceiling price, you may, if you elect to determine your ceiling prices, under the provisions of section 2 of this supplementary regulation, change your ceiling price in accordance therewith; but having made such change and established a new ceiling price in accordance with the provisions of section 2 of this supplementary regulation you must continue to use this ceiling price unless a change in ceiling price is subsequently ordered by the Office of Price Stabilization.

Effective date. This Supplementary Regulation 1 to Ceiling Price Regulation 13 shall become effective on the 31st day of July, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

JULY 26, 1951.

Gasolines, Naphthas, Fuel Oils
and Liquefied Petroleum Gases,
Natural Gas, Petroleum Gas,
Casinghead Gas and Refinery Gas

Ceiling Price Regulation 17
Collation 1
(Including Amendments 1-4)
DEC. 6, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 17, Collation 1]

CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM GASES,
NATURAL GAS, PETROLEUM GAS, CASING-
HEAD GAS AND REFINERY GAS

Ceiling Price Regulation 17 is repub-
lished to incorporate the texts of Amend-
ments 1 through 4, inclusive. Ceiling
Price Regulation 17 was issued April 5,
1951 (16 F. R. 3033). Statements of
Consideration for Ceiling Price Regula-
tion 17, and for Amendments 1-4, in-
clusive, as previously published, are
applicable to this republication. The
effective dates of this regulation, and of
the amendments are shown in a note
preceding the first section of the regu-
lation.

REGULATORY PROVISIONS

INTRODUCTION

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- 17 Aviation Gasoline.
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ARTICLE III—INCREASES PERMITTED OR
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- 25 Transportation.
- 26 Taxes.
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ARTICLE IV—FINAL PRICING METHOD

28 Seller unable to determine ceiling price.

AUTHORITY: Sections 1 to 28 issued under 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, 16 F. R. 6105; 3 CFR, 1950 Supp.

DERIVATION: Sections 1 to 28 contained in Ceiling Price Regulation 17, April 5, 1951 (16 F. R. 3033), except as otherwise noted in brackets following text affected.

EFFECTIVE DATES: CPR 17, April 10, 1951, 16 F. R. 3033.

Amendment 1, April 16, 1951, 16 F. R. 3215.

Amendment 2, June 4, 1951, 16 F. R. 5319.

Amendment 3, July 24, 1951, 16 F. R. 7148.

Amendment 4, October 27, 1951, 16 F. R. 10774.

ARTICLE I

SECTION 1. *Products covered.* This regulation covers the following products:

Any fraction of crude petroleum which is a source of or is used to produce any of the products listed below.

Any fraction of petroleum which is sold for the same end use as any of the products listed below.

Liquefied petroleum gases

Natural gasoline

Aviation gasoline

Automotive and marine gasoline

All petroleum naphthas and solvents

Benzene, toluenes and xylenes

Stove and lamp gasoline and pressure ap-
pliance fuel

Condensate or distillates extracted in nat-
ural gasoline or cycling plants or not
moved as crude petroleum

Jet propulsion fuel

Tractor fuel

Kerosene

Range oil, stove oil or heater oil

All other distillate burning, heating or fuel
oils

Diesel fuels

Gas oils

Gas enrichment oil

Residual fuel oils and blends thereof with
distillate fuel oils

Natural gas, petroleum gas, casinghead
gas, and refinery gas

[Above item added by Amdt. 1]

Special hydrocarbon fractions used in
manufacturing synthetic rubber, avia-
tion gasoline, benzene, toluene, or xylene
or their components

[Above item added by Amdt. 4]

Crude petroleum when sold: (1) to a
processor for use as gas enrichment oil,
(2) to a tank wagon reseller by sellers
other than crude oil producers for resale
to a consumer for a purpose other than
the production of more than one petro-
leum fraction therefrom, or (3) to a con-
sumer for a purpose other than the
production of more than one petroleum
fraction therefrom; provided, however,
this regulation shall not be applicable to

sales of crude petroleum to a refiner or
to a person using such crude petroleum
in oil and gas field operations.

SEC. 2. *Transactions and persons cov-
ered.* This regulation covers all types of
sales and deliveries of the products listed
in Sec. 1 either by refiners, producers,
processors, natural gasoline or cycling
plant operators, blenders, resellers, or any
other person, with the following excep-
tions:

(a) Retail sales at retail establish-
ments, including transactions through
stationary retail facilities which are in
conjunction with bulk plants, terminals
or refineries.

(b) Exchanges of petroleum products
between refiners or other petroleum sell-
ers, provided prices at which such sales
are made do not affect the level of ex-
isting ceiling prices.

(c) Sales between corporations when
one is a wholly owned subsidiary of the
other, or when both are wholly owned
subsidiaries of a third corporation, and
sales between such other affiliated or
controlled corporations as are especially
excepted by order in writing of the Di-
rector of Price Stabilization or his duly
authorized representative, provided
prices at which such sales are made do
not affect the level of existing ceiling
prices.

(d) Sales of aviation gasoline of 100
octane ASTM or higher when made to a
defense agency or to any person for use
in connection with a defense contract
or subcontract.

(e) All sales of benzene, toluene and
xylenes.

[Paragraph (e) amended by Amdt. 4]

(f) Interrefinery sales of petroleum
fractions when such sales are made at
the direction of the Petroleum Admin-
istration for Defense.

(g) Sales of special hydrocarbon
fractions or liquefied petroleum gas
when sold for use in manufacturing the
following products or components of
such products:

(1) Synthetic rubber.

(2) Aviation gasoline of 100 octane
ASTM or higher, toluene, benzene or
their components, when sold to a de-
fense agency or to any person for use in
connection with a defense contract or
subcontract.

[Subparagraph (2) amended by Amdt. 4]

SEC. 3. *Geographical coverage.* The
provisions of this regulation are applica-
ble to the United States, its territories
and possessions and the District of Co-
lumbia, except the Canal Zone.

SEC. 4. *Products and transactions ex-
cepted from the General Ceiling Price*

Regulation and Ceiling Price Regulation
22. Any products or transactions excepted from the coverage of this regulation by section 2 are also excepted from the provisions of the General Ceiling Price Regulation and Ceiling Price Regulation 22.

[Section 4 amended by Amdt. 4]

SEC. 5. Exports. The ceiling price at which a person may export any product covered by this regulation shall be determined by this regulation plus the additions permitted for export sales of the commodities covered by this regulation by any applicable export regulation which may hereafter be issued.

SEC. 6. Imports. Ceiling prices in this regulation shall apply even though the product involved originated outside of the area covered by the regulation and was imported into such area.

SEC. 7. Secret contracts. The provisions of this price regulation shall not apply to sales of any product pursuant to a contract which is officially classified as "secret" or above.

SEC. 8. Transfers of business or stock in trade. If the business, assets or stock in trade of any business are sold or otherwise transferred after January 26, 1951, and the transferee carries on the business, or continues to deal in the same type of products, in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation. If the prices for the establishment are not in line with prices which would be arrived at under the in-line ceiling price method of Article II, the transferee may nevertheless arrive at his ceiling prices by use of this "in-line method."

SEC. 9. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the ceiling price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Stabilization, deliver at prices to be adjusted upward in accordance with action taken by the Director after delivery. Such authorization may be given when a request for a change in the applicable ceiling price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Defense Production Act of 1950, as amended. The authorization may be given by the Director or by any official of the Office of Price Stabilization to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision

will be the granting of an individual application for adjustment.

[Section 9 amended by Amdt. 4]

SEC. 10. Petitions for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1.

SEC. 11. Applications for adjustment. (a) The Director of Price Stabilization may adjust by order any ceiling price established under this regulation for a seller or group of sellers or for a general area when it appears:

(1) *Local shortages.*

(i) That there exists or threatens to exist in a particular locality a shortage in the supply of a petroleum product which aids directly in the present defense program or is essential to a standard of living consistent with the maintenance of the defense program;

(ii) That such local shortage will be substantially reduced or eliminated by adjusting the ceiling prices of such seller and of like sellers for such product; and

(iii) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Defense Production Act of 1950.

(iv) Applications for adjustment for local shortages shall be filed with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C.

(2) *Depressed price areas and price inequities.*

(i) That due to temporary conditions a seller has a ceiling price which is not in line with his customary pricing practice or with his customary price relationship with other sellers in the same marketing area, or

(ii) That prices charged for petroleum products in a particular area have customarily followed the pattern of prices in nearby or surrounding areas, but due to temporary conditions ceiling prices have been established by this regulation which are not in line with the level of prices which would have prevailed had the area been free to adjust itself to normal conditions.

(b) The seller in applying under (a) (2) (i) or (a) (2) (ii) above shall show to the satisfaction of the Director:

(1) The basis upon which it is concluded that the ceiling prices are below normal, with a statement of how long the inequity has been in existence.

(2) The ceiling prices proposed.

(3) Information supporting why the proposed ceiling prices would be normal.

(4) A statement that the proposed ceiling prices will be in line with the level of ceiling prices otherwise established by the regulation.

(5) Applications for adjustment for depressed price areas and price inequities shall be filed with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C.

(c) *Government contracts.* Any person who has entered into or proposes to enter into a contract with an agency of the United States Government who believes that a ceiling price contained in

this regulation impedes or threatens to impede production, manufacture or distribution of a commodity essential to the defense program may file an application for adjustment with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C.

SEC. 12. Price revisions incident to orders establishing specific prices. The Director of Price Stabilization may by supplementary regulation or by special order establish specific ceiling prices or otherwise modify the provisions of this regulation with respect to certain products, transactions or geographical area.

[Section 12 amended by Amdt. 4]

SEC. 13. Shifts which must be reported. Where a seller has established a ceiling price on a delivered-at-destination basis at a given point for a particular petroleum product to a purchaser and thereafter sells such purchaser on an f. o. b. shipping point price basis, he shall report such shift to the Director of Price Stabilization within thirty days after the date such sale is made if the effect of selling on an f. o. b. shipping point price basis is to increase the laid-down cost to the purchaser above the seller's delivered-at-destination ceiling price to such purchaser. However, a seller may not shift to an f. o. b. shipping point price basis unless he has an f. o. b. shipping point ceiling price properly determined under the appropriate provisions of this regulation. The Director of Price Stabilization may by special order modify the terms and provisions applicable to such sales when in his judgment, the reported shift constitutes an evasion of the purposes of this regulation.

[Section 13 amended by Amdt. 4]

SEC. 14. Records. (a) The following records must be preserved and kept available for examination by the Director of Price Stabilization:

(1) Records in the seller's possession showing the prices charged by him for the petroleum products which he sold or offered for sale in the base period. In addition, the seller must prepare within 90 days after the effective date of this regulation and preserve a statement of any of his customary allowances, discounts, and other price differentials.

(2) Records indicating clearly the basis upon which the seller determined the ceiling price for any petroleum product not sold or offered for sale by him during the base period.

(3) Records, for a period of two years, of the kind the seller customarily keeps, showing the prices which the seller charges on sales of products covered by this regulation.

(b) Compliance with these record keeping provisions shall be deemed compliance with the record keeping requirements of the General Ceiling Price Regulation during the period when petroleum products were covered by that regulation.

SEC. 15. Compliance with this regulation required. (a) *Prohibitions against selling or delivery of petroleum products at prices above the ceiling.* On and after the effective date of this regulation regardless of any contract or other obliga-

tion, no person shall sell or deliver and no person shall buy or receive in the course of trade or business any petroleum product covered by this regulation at prices higher than the ceiling prices fixed by this regulation, and no person shall agree, offer, solicit, or attempt to do anything prohibited by this section. Prices lower than the ceiling prices may be charged, demanded, paid, or offered.

(b) *Evasion.* The ceiling prices established by this regulation shall not be evaded either by direct or indirect methods in connection with the purchase, sale, delivery or transfer of petroleum products alone or in conjunction with any other materials, or by way of any commission, service, transportation, or any other charge, or discount, premium or other privilege, or by tie-in agreement or other trade understanding, or by a change in the quality of the product, or otherwise, except when such change in quality results from order of an agency of the United States Government.

(c) *Enforcement.* Any person who violates any provision of this regulation is subject to the criminal penalties, civil enforcement actions, and suits for damage provided for by the Defense Production Act of 1950.

SEC. 16. *Definitions.* (a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successors and representatives 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.

(b) "Product of the same grade." For a product of a particular seller to be regarded as of the same grade as the product of another seller it must customarily have been so regarded in trade practice in the general area where such products are sold.

(c) "Contract" means an agreement, the existence of which is established by written evidence.

(d) "Base Period" means the period from December 19, 1950 to January 25, 1951, inclusive.

(e) "Tank Wagon Price" means a particular price level as customarily established by a seller, regardless of the type or size of equipment that may be used for making deliveries, as distinguished from the retail service station price, or the "tank car" price, or other large lot quantity price levels. The tank wagon price is a delivered-at-destination price. However, if at a particular bulk plant or terminal the operator had a tank wagon price to consumers who picked up their supply at such bulk plant or terminal then the operator thereof may continue to charge or offer the tank wagon price to consumers at the particular bulk plant or terminal.

(f) "Retail establishment" means a store, shop, garage, service station (land or marine) or other stationary place of business at which the major portion of the sales of petroleum products is sold in customary small quantities to consumers. Any facility making deliveries of fuel into fuel tanks of aircraft at an

airport (or other landing area) shall be considered a retail establishment for the purpose of this regulation.

(g) "Defense Agency." This term as used in this regulation means the Department of Defense (including the Department of the Army, the Department of the Navy, and the Department of the Air Force), the Maritime Administration of the Department of Commerce, the United States Coast Guard, and the Atomic Energy Commission.

(h) "Defense contract" means any purchase order or written agreement with a Defense Agency.

(i) "Subcontract" means any purchase order, or agreement to perform all or any part of the work required under a defense contract or to make or furnish any commodity needed for the performance of a defense contract.

(j) "Delivery point" for sales made at the tank wagon price level whenever referred to in this regulation means the customary tank wagon price area of the seller. If a seller customarily maintains different price areas within the area customarily supplied from a bulk or distributing plant, such price areas being reflected by the seller on a stated price or differential basis, then each such price area shall be interpreted as a delivery point and the ceiling price of each seller in each such price area shall reflect his customary differentials or differences in prices.

(k) "Offering price." The price at which a product was offered means the price shown in the seller's price list, or if a particular price was not included therein, or if he had no price list, the price at which he offered products in any other written manner. Such prices shall be subject to seller's customary allowances, discounts, and price differentials.

(l) "Sale." This term for purposes of using the "ceiling price based on sales" method of Article II shall include:

(1) Sales in the base period pursuant to oral or written contracts, including spot sales, made during such period.

(2) Written contracts made during the base period whether or not any deliveries were made thereunder, and written contracts made during the period June 1, 1950, to December 19, 1950, inclusive, under which no deliveries were made in the base period but which provided for performance to begin during or after the base period.

(3) Deliveries made during the base period under a contract made between June 1, 1950, and December 19, 1950, if such contracts were adjustable to reflect market conditions during the base period, or in the case of tank wagon resellers if such contracts provided for varying the price to the reseller in accordance with a stipulated posted market price (or prices) at the point or points where such buyer resells.

Provided, however, that in all cases deliveries made in the base period under contracts entered into prior to June 1, 1950, shall not be considered as a "sale," unless the buyer and seller agree to continue such contracts, in which case the ceiling price may be established on the basis of such contracts.

(m) "Purchaser of same class" refers to the practice adopted by the seller in setting different prices for a product for sales to purchasers performing different functions (for example, refiner; jobber; distributor, commercial, industrial or private consumer; service station tank car dealer; divided or undivided tank wagon dealer; etc.), or for purchasers performing the same functions but located in different areas, or buying in different quantities or grades or under different conditions of sale. Price is prima facie evidence but not conclusive evidence to be considered in determining if a purchaser belongs to a particular class; however, a lower price to a particular purchaser which was to meet competition and was otherwise inconsistent with the seller's practice in setting the same price to purchasers in the same functional class shall neither result in placing the particular purchaser in a lower price class nor be considered in determining a seller's ceiling price.

(n) "Posted purchase price" means a price schedule posted by a purchaser who, during the period December 19, 1950, to January 25, 1951, inclusive, actually purchased any of the products covered in Sec. 23 produced from any field, or delivered or tendered by a natural gasoline or cycling plant operator, refiner, blender, reseller or any other person and to which purchase the posted price was applicable.

(o) "Natural gas," "petroleum gas," "casinghead gas" and "refinery gas" as used in this regulation means any natural or petroleum gas which is sold to be processed for the extraction of vapors and liquids, or for consumption either directly as fuel or to be consumed in the production of any other commodity or for use in gas lift, pressure maintenance or repressuring operations, and includes such gas when delivered directly from wells, and the residue gas resulting from extraction operations.

[Paragraph (o) added by Amdt. 1]

ARTICLE II—CEILING PRICES

NOTE: In determining ceiling price the ceiling price shall reflect customary discounts, allowances and differentials based upon terms and conditions of sale or delivery.

SEC. 17. *Aviation gasoline.* (a) *Specific prices.* (Reserved.)

(b) *Formula prices:*

(1) *Ceiling price based on sales.* The ceiling price for each seller at each shipping or delivery point shall be the highest price charged at that point by him during the period December 19, 1950, to January 25, 1951, inclusive, for a sale of a particular grade of aviation gasoline to a purchaser of the same class.

(2) *Ceiling price based on offering price.* If a seller is unable to determine a ceiling price under (1), the ceiling price for such seller at each shipping or delivery point shall be the highest offering price at the shipping or delivery point during the period December 19, 1950, to January 25, 1951, for a sale of a particular grade of aviation gasoline to a purchaser of the same class.

(3) *Ceiling price based on competitive or in-line ceiling price.*

(i) *Ceiling price of another seller.* When a seller at a given shipping or delivery point is unable to determine a ceiling price for aviation gasoline under (1) or (2) above, his ceiling price at the particular shipping or delivery point shall be the highest ceiling price of any seller of the same class to a purchaser of the same class for the shipping or delivery point. This method of determining a ceiling price cannot be used unless the seller's records show that for the purpose of such sale he has adopted as his ceiling the ceiling price of such other seller.

(ii) *In-line ceiling price.* If under this method (i) of pricing a seller arrives at a ceiling price for aviation gasoline which is not in line with the price he would have arrived at by use of his customary pricing practices in the same general area during the base period December 19, 1950, to January 25, 1951, he may nevertheless sell at a price in line with his price for the product at other comparable points which reflects his customary pricing practices. The seller shall within 15 days after making a sale file this in-line price with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., stating his proposed ceiling price and in what way the ceiling price determined according to the price of a competitive seller of the same class is inconsistent with the customary pricing practices of the seller. Such price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a substitute price is established by the Office of Price Stabilization. A ceiling price established under this section may be changed at any time by order of the Office of Price Stabilization.

(4) *Final pricing method.* See Section 28 of this regulation.

SEC. 18. *Automotive and marine gasoline.* (a) *Specific prices.* (Reserved.)

(b) *Formula prices:*

(1) *Ceiling price based on sales.* The ceiling price for each seller at each shipping or delivery point shall be the highest price charged at that point by him during the period December 19, 1950, to January 25, 1951, inclusive, for a sale of a particular grade of automotive or marine gasoline to a purchaser of the same class.

(2) *Ceiling price based on offering price.* If a seller is unable to determine a ceiling price under (1), the ceiling price for such seller at each shipping or delivery point shall be the highest offering price at the shipping or delivery point during the period December 19, 1950, to January 25, 1951, for a sale of a particular grade of automotive or marine gasoline to a purchaser of the same class.

(3) *Ceiling price based on competitive or in-line ceiling price.*

(i) *Ceiling price of another seller.* When a seller at a given shipping or delivery point is unable to determine a ceiling price for automotive or marine gasoline under (1) or (2) above, his ceiling price at the particular shipping or delivery point shall be the highest ceiling price of any seller of the same class

to a purchaser of the same class for the same shipping or delivery point. This method of determining a ceiling price cannot be used unless the seller's records show that for the purpose of such sale he has adopted as his ceiling the ceiling price of such other seller.

(ii) *In-line ceiling price.* If under this method (i) of pricing a seller arrives at a ceiling price for automotive or marine gasoline which is not in line with the price he would have arrived at by use of his customary pricing practices in the same general area during the base period December 19, 1950, to January 25, 1951, inclusive, he may nevertheless sell at a price in line with his price for the product at other comparable points which reflects his customary pricing practices. The seller shall within 15 days after making a sale file this in-line price with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., stating his proposed ceiling price and in what way the ceiling price determined according to the price of a competitive seller of the same class is inconsistent with the customary pricing practices of the seller. Such price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a substitute price is established by the Office of Price Stabilization. A ceiling price established under this section may be changed at any time by order of the Office of Price Stabilization.

(4) *Final pricing method.* See Section 28 of this regulation.

SEC. 19. *Petroleum naphthas and solvents.* (a) *Specific prices.* (Reserved.)

(b) *Formula prices:*

(1) *Ceiling price based on sales.* The ceiling price for each seller at each shipping or delivery point shall be the highest price charged at that point by him during the period December 19, 1950, to January 25, 1951, inclusive, for a sale of a particular grade of petroleum naphthas or solvents to a purchaser of the same class.

(2) *Ceiling price based on offering price.* If a seller is unable to determine a ceiling price under (1) the ceiling price for such seller at each shipping or delivery point shall be the highest offering price at the shipping or delivery point during the period December 19, 1950, to January 25, 1951, for a sale of a particular grade of petroleum naphthas or solvents to a purchaser of the same class.

(3) *Ceiling price based on competitive or in-line ceiling price.*

(i) *Ceiling price of another seller.* When a seller at a given shipping or delivery point is unable to determine a ceiling price for petroleum naphthas or solvents under (1), or (2) above, his ceiling price at the particular shipping or delivery point shall be the highest ceiling price of any seller of the same class to a purchaser of the same class for the same shipping or delivery point. This method of determining a ceiling price cannot be used unless the seller's records show that for the purpose of such sale he has adopted as his ceiling the ceiling price of such other seller.

(ii) *In-line ceiling price.* If under this method (i) of pricing a seller arrives

at a ceiling price for petroleum naphthas or solvents which is not in line with the price he would have arrived at by use of his customary pricing practices in the same general area during the base period December 19, 1950, to January 25, 1951, he may nevertheless sell at a price in line with his price for the product at other comparable points which reflects his customary pricing practices. The seller shall within 15 days after making a sale file this in-line price with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., stating his proposed ceiling price and in what way the ceiling price determined according to the price of a competitive seller of the same class is inconsistent with the customary pricing practices of the seller. Such price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a substitute price is established by the Office of Price Stabilization. A ceiling price established under this section may be changed at any time by order of the Office of Price Stabilization.

(4) *Final pricing method.* See Section 28 of this regulation.

SEC. 20. *Kerosenes, Tractor Fuels, Distillates and Heating Oils.* (a) *Specific prices.* (Reserved.)

(b) *Formula prices:*

(1) *Ceiling price based on sales.* The ceiling price for each seller at each shipping or delivery point shall be the highest price charged at that point by him during the period December 19, 1950, to January 25, 1951, inclusive, for a sale of a particular grade of kerosene, tractor fuel, distillate or heating oil to a purchaser of the same class.

(2) *Ceiling price based on offering price.* If a seller is unable to determine a ceiling price under (1), the ceiling price for such seller at each shipping or delivery point shall be the highest offering price at the shipping or delivery point during the period December 19, 1950, to January 25, 1951, for a sale of a particular grade of kerosene, tractor fuel, distillate or heating oil to a purchaser of the same class.

(3) *Ceiling price based on competitive or in-line ceiling price.*

(i) *Ceiling price of another seller.* When a seller at a given shipping or delivery point is unable to determine a ceiling price for kerosene, tractor fuel, distillate or heating oil under (1) or (2) above, his ceiling price at the particular shipping or delivery point shall be the highest ceiling price of any seller of the same class to a purchaser of the same class for the same shipping or delivery point. This method of determining a ceiling price cannot be used unless the seller's records show that for the purpose of such sale he has adopted as his ceiling the ceiling price of such other seller.

(ii) *In-line ceiling price.* If under this method (i) of pricing a seller arrives at a ceiling price for kerosene, tractor fuel, distillate or heating oil which is not in line with the price he would have arrived at by use of his customary pricing practices in the same general area during the base period December 19, 1950, to January 25, 1951, he may nevertheless sell at a price in line with his price for

the product at other comparable points which reflects his customary pricing practices. The seller shall within 15 days after making a sale file this in-line price with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., stating his proposed ceiling price and in what way the ceiling price determined according to the price of a competitive seller of the same class is inconsistent with the customary pricing practices of the seller. Such price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a substitute price is established by the Office of Price Stabilization. A ceiling price established under this section may be changed at any time by order of the Office of Price Stabilization.

(4) *Final pricing method.* See Section 28 of this regulation.

SEC. 21. Residual fuel oils and blends thereof with distillate fuel oils.—(a) Specific prices.—(1) No. 6 Commercial Standard Specifications Fuel Oil. The ceiling prices for sales of No. 6 Commercial Standard Specifications Fuel Oil in bulk lots delivered into ships' bunkers (ex lighterage) and delivered into barge and tank car or transport trucks, f. o. b. refineries and tanker terminals shall be as follows at the enumerated points below:

Atlantic coast ports	Dollars per 42-gallon barrel	
	Ships' bunkers (ex lighterage) or barge	Tank car or transport truck
Searsport, Maine.....	2.51	2.54
Portland, Maine.....	2.51	2.54
Portsmouth, New Hampshire.....	2.51	2.54
Everett, Massachusetts.....	2.51	2.51
Boston Harbor Area.....	2.51	2.51
Fall River, Massachusetts.....	2.47	2.47
Tiverton, Rhode Island.....	2.47	2.47
Providence Harbor Area.....	2.47	2.47
New London, Connecticut.....	2.47	2.47
New Haven, Connecticut.....	2.47	2.47
Bridgeport, Connecticut.....	2.47	2.47
New York Harbor Area.....	2.45	2.45
Philadelphia Harbor Area.....	2.45	2.48
Baltimore, Maryland.....	2.45	2.48
Norfolk, Virginia.....	2.40	2.43
Morehead City, North Carolina.....	2.34	2.37
Charleston, South Carolina.....	2.31	2.34
Savannah, Georgia.....	2.31	2.34
Jacksonville, Florida.....	2.28	2.31
Miami, Florida.....	2.22	2.25
Tampa, Florida.....	2.16	2.19
Port St. Joe, Florida.....	2.16	2.19
Panama City, Florida.....	2.16	2.19

(2) *Other residual fuel oil products.* Any seller who during the base period maintained a customary differential between No. 6 Commercial Standard Specifications Fuel Oil and other residual fuel oil products, such as low sulphur (maximum 1 per cent) No. 6 fuel oil, residual gas enrichment oils, residual No. 4 and 5 fuel oils and special No. 4 residual fuel oils may add such base period differentials to the ceiling prices determined under subparagraph (1) of this paragraph.

(3) *Preservation of discounts, differentials, and allowances.* The ceiling prices determined under subparagraphs (1) and (2) of this paragraph shall reflect customary discounts, differentials and allowances in effect in the base period to all classes of purchasers.

[Paragraph (a) added by Amdt. 2; amended by Amdt. 3]

(b) *Formula prices:*

(1) *Ceiling price based on sales.* The ceiling price for each seller at each shipping or delivery point shall be the highest price charged at that point by him during the period December 19, 1950, to January 25, 1951, inclusive, for a sale of a particular grade of residual fuel oil to a purchaser of the same class.

(2) *Ceiling price based on offering price.* If a seller is unable to determine a ceiling price under (1), the ceiling price for such seller at each shipping or delivery point shall be the highest offering price at the shipping or delivery point during the period December 19, 1950, to January 25, 1951, for a sale of a particular grade of residual fuel oil to a purchaser of the same class.

(3) *Ceiling price based on competitive or in-line ceiling price*

(i) *Ceiling price of another seller.* When a seller at a given shipping or delivery point is unable to determine a ceiling price for residual fuel oil under (1) or (2) above, his ceiling price at the particular shipping or delivery point shall be the highest ceiling price of any seller of the same class to a purchaser of the same class for the same shipping or delivery point. This method of determining a ceiling price cannot be used unless the seller's records show that for the purpose of such sale he has adopted as his ceiling the ceiling price of such other seller.

(ii) *In-line ceiling price.* If under this method (i) of pricing a seller arrives at a ceiling price for residual fuel oil which is not in line with the price he would have arrived at by use of his customary pricing practices in the same general area during the base period December 19, 1950, to January 25, 1951, he may nevertheless sell at a price in line with his price for the product at other comparable points which reflects his customary pricing practices. The seller shall within 15 days after making a sale file this in-line price with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., stating his proposed ceiling price and in what way the ceiling price determined according to the price of a competitive seller of the same class is inconsistent with the customary pricing practices of the seller. Such price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a substitute price is established by the Office of Price Stabilization. A ceiling price established under this section may be changed at any time by order of the Office of Price Stabilization.

(4) *Final pricing method.* (See Section 28 of this regulation.)

SEC. 22. Liquefied petroleum gases. (a) *Specific prices.* (Reserved.)

(b) *Formula prices.*

(1) *Ceiling price based on sales.* The ceiling price for each seller at each shipping or delivery point shall be the highest price charged at that point by him during the period December 19, 1950, to January 25, 1951, inclusive, for a sale of a particular grade of liquefied petro-

leum gas to a purchaser of the same class.

(2) *Ceiling price based on offering price.* If a seller is unable to determine a ceiling price under (1), the ceiling price for such seller at each shipping or delivery point shall be the highest offering price at the shipping or delivery point during the period December 19, 1950, to January 25, 1951, for a sale of a particular grade of liquefied petroleum gas to a purchaser of the same class.

(3) *Ceiling price based on competitive or in-line ceiling price.*

(i) *Ceiling price of another seller.* When a seller at a given shipping or delivery point is unable to determine a ceiling price for liquefied petroleum gas under (1) and (2) above, his ceiling price at the particular shipping or delivery point shall be the highest ceiling price of any seller of the same class to a purchaser of the same class for the same shipping or delivery point. This method of determining a ceiling price cannot be used unless the seller's records show that for the purpose of such sale he has adopted as his ceiling the ceiling price of such other seller.

(ii) *In-line ceiling prices.* If under this method (i) of pricing a seller arrives at a ceiling price for a liquefied petroleum gas which is not in line with the price he would have arrived at by use of his customary pricing practices in the same general area during the base period December 19, 1950, to January 25, 1951, he may nevertheless sell at a price in line with his price for the product at other comparable points which reflects his customary pricing practices. The seller shall within 15 days after making a sale file this in-line price with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., stating his proposed ceiling price and in what way the ceiling price determined according to the price of a competitive seller of the same class is inconsistent with the customary pricing practices of the seller. Such price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a substitute price is established by the Office of Price Stabilization. A ceiling price established under this section may be changed at any time by order of the Office of Price Stabilization.

(4) *Final pricing method.* See Section 28 of this regulation.

SEC. 23. Natural gasoline. (a) *Specific prices.* (Reserved.)

(b) *Posted prices:*

(1) In areas where natural gasoline is customarily purchased and sold on the basis of posted purchase prices the ceiling price for natural gasoline so sold and purchased shall be:

(i) *Posted purchase price.* The ceiling price for natural gasoline from any given field shall be the posted purchase price as of January 25, 1951, for said field.

(ii) *Two or more posted purchase prices.* Where there was for any field more than one posted purchase price, the ceiling price for natural gasoline shall be the highest of the posted purchase prices.

(iii) *Contract in excess of posted purchase price.* Notwithstanding (i) and (ii), above where a contract was in effect on January 25, 1951, and was made prior to December 9, 1950, for the purchase of natural gasoline at the receiving tank at a price in excess of the highest posted purchase price for the given field and deliveries were made prior to January 25, 1951, in accordance with such contract, then the price actually charged on January 25, 1951, shall be the ceiling price for the natural gasoline covered by the contract. On termination of the contract establishing the ceiling price for the production involved, any purchaser may purchase the production involved at the price charged under the contract on January 25, 1951, regardless of any posted purchase price.

(c) *Formula prices:*

(1) *Ceiling price based on sales.* The ceiling price for each seller at each shipping or delivery point shall be the highest price charged at that point by him during the period December 19, 1950, to January 25, 1951, inclusive, for a sale of a particular grade of natural gasoline to a purchaser of the same class.

(2) *Ceiling price based on offering price.* If a seller is unable to determine a ceiling price under (1), the ceiling price for such seller at each shipping or delivery point shall be the highest offering price at the shipping or delivery point during the period December 19, 1950, to January 25, 1951, for a sale of a particular grade of natural gasoline to a purchaser of the same class.

(3) *Ceiling price based on competitive or in-line ceiling price.*

(i) *Ceiling price of another seller.* When a seller at a given shipping or delivery point is unable to determine a ceiling price for natural gasoline under (1) or (2) above, his ceiling price at the particular shipping or delivery point shall be the highest ceiling price of any seller of the same class to a purchaser of the same class for the same shipping or delivery point. This method of determining a ceiling price cannot be used unless the seller's records show that for the purpose of such sale he has adopted as his ceiling the ceiling price of such other seller.

(ii) *In-line ceiling price.* If under this method (i) of pricing a seller arrives at a ceiling price for natural gasoline which is not in line with the price he would have arrived at by use of his customary pricing practices in the same general area during the base period December 19, 1950, to January 25, 1951, he may nevertheless sell at a price in line with his price for the product at other comparable points which reflects his customary pricing practices. The seller shall within 15 days after making a sale file this in-line price with the Petroleum Branch, Office of Price Stabilization, Washington, D. C., stating his proposed ceiling price and in what way the ceiling price determined according to the price of a competitive seller of the same class is inconsistent with the customary pricing practices of the seller. Such price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a substitute price is

established by the Office of Price Stabilization. A ceiling price established under this section may be changed at any time by order of the Office of Price Stabilization.

(4) *Final pricing method.* See Section 28 of this regulation.

SEC. 23a. *Natural gas, petroleum gas, casinghead gas and refinery gas.*—(a) *Exemption.* Nothing in this section shall be construed to authorize the regulation of a rate that is exempt from control by the Office of Price Stabilization under the Defense Production Act of 1950.

(b) *Specific prices.* In cases where there were published rate schedules, or offering prices, of a seller during or within one year prior to the base period, then the highest of such published rates or prices shall be the ceiling prices of the seller as to the classes of purchasers to whom such rate schedules or offering prices relate in any particular market or producing area. In order for a seller to price under this section his published rates, or offering prices, shall be filed with the Petroleum Branch of the Office of Price Stabilization, Washington 25, D. C., on or before May 15, 1951.

(c) *Formula prices.*—(1) *Ceiling prices based on sales.* In the absence of a specific price determined under paragraph (b) of this section, the ceiling price for each seller at each delivery point in a particular market or producing area shall be the highest price charged by him in such particular market or producing area during the period December 19, 1950, to January 25, 1951, inclusive, for a sale of a particular type of gas to a purchaser of the same class. In the case of sales of natural gas, petroleum gas, casinghead gas, and refinery gas, the definition of sale contained in the definitions section of this regulation shall not apply. For these products sale shall include:

(i) Sales in the base period pursuant to oral or written contracts, including spot sales, made during such period.

(ii) (Deleted)

[Subdivision (ii) deleted by Amdt. 4]

(iii) Written contracts made in the base period whether or not any deliveries were made thereunder, and written contracts made during the period June 1, 1950, to December 18, 1950, inclusive, under which no deliveries were made in the base period but which provided for performance to begin during or after the base period.

(iv) Deliveries made during the base period under a written contract made prior to December 19, 1950, and after June 1, 1950, if the prices reflected current market conditions.

(2) *Existing contracts.* (i) Where a buyer and seller have entered into a contract prior to January 25, 1951 such contract may be carried out in accordance with its terms, notwithstanding any other provisions of this regulation.

(ii) All long term written contracts in effect in the base period may be used, in accordance with the terms of such contracts, as the basis for determining ceiling prices for all purchasers of the same class notwithstanding the provi-

sions of subparagraph (1) of this paragraph.

[Subparagraph (2) amended by Amdt. 4]

(3) *Competitive or in-line ceiling price.*—(i) *Ceiling price of another seller.* When a seller at a given shipping or delivery point is unable to determine a ceiling price for a particular gas under subparagraph (1) of this paragraph or in cases falling under subparagraph (2) the seller does not choose to determine his ceiling under subparagraph (2), his ceiling price at the delivery point shall be the highest ceiling price of any seller of the same class for gas of the particular type to a purchaser of the same class in the same market or producing area. This method of determining a ceiling price cannot be used unless the seller's records show that for the purpose of such sale he has adopted as his ceiling the ceiling price of such other seller under similar contract terms.

[Subdivision (1) amended by Amdt. 4]

(ii) *In-line ceiling price.* If under this method (3) (i) of pricing, a seller arrives at a ceiling price for a particular gas which is not in line with the price he would have arrived at by use of his customary pricing practices in the same market or producing area during the base period December 19, 1950, to January 25, 1951, he may nevertheless sell at a price in line with his price for the particular gas at other comparable points which reflects his customary pricing practices. The seller shall within 15 days after making a sale file this in-line price with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., stating his proposed ceiling price and in what way the ceiling price determined according to the price of a competitive seller of the same class is inconsistent with the customary pricing practices of the seller. Such price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a substitute price is established by the Office of Price Stabilization. A ceiling price established under this section may be changed at any time by order of the Office of Price Stabilization.

(4) *Final pricing method.* See section 28 of this regulation.

[Section 23a added by Amdt. 1]

SEC. 24. *All other petroleum products included under this Regulation.* (a) *Specific prices.* (Reserved.)

(b) *Formula prices:*

(1) *Ceiling price based on sales.* The ceiling price for each seller at each shipping or delivery point shall be the highest price charged at that point by him during the period December 19, 1950, to January 25, 1951, inclusive, for a sale of a particular grade of any other petroleum product included under this Regulation but not listed under one of the foregoing sections to a purchaser of the same class.

(2) *Ceiling price based on offering price.* If a seller is unable to determine a ceiling price under (1), the ceiling price for such seller at each shipping or delivery point shall be the highest offering price at the shipping or delivery point during the period December 19

1950, to January 25, 1951, for a sale of a particular grade of any other petroleum product included under this Regulation but not listed under any of the foregoing sections to a purchaser of the same class.

(3) *Ceiling price based on competitive or in-line ceiling price.*

(i) *Ceiling price of another seller.* When a seller at a given shipping or delivery point is unable to determine under (1) or (2) above a ceiling price for any other petroleum product included under this Regulation but not listed under any of the foregoing sections, his ceiling price at the particular shipping or delivery point shall be the highest ceiling price of any seller of the same class to a purchaser of the same class for the same shipping or delivery point. This method of determining a ceiling price cannot be used unless the seller's records show that for the purpose of such sale he has adopted as his ceiling the ceiling price of such other seller.

(ii) *In-line ceiling prices.* If under this method (i) of pricing a seller arrives at a ceiling price for a petroleum product included under this Regulation but not listed under any of the foregoing sections which is not in line with the price he would have arrived at by use of his customary pricing practices in the same general area during the base period December 19, 1950, to January 25, 1951, he may nevertheless sell at a price in line with his price for the product at other comparable points which reflects his customary pricing practices. The seller shall within 15 days after making a sale file this in-line price with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., stating his proposed ceiling price and in what way the ceiling price determined according to the price of a competitive seller of the same class is inconsistent with the customary pricing practices of the seller. Such price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a substitute price is established by the Office of Price Stabilization. A ceiling price established under this section may be changed at any time by order of the Office of Price Stabilization.

(4) *Final Pricing method.* See Section 28 of this regulation.

ARTICLE III—INCREASES PERMITTED OR REDUCTIONS REQUIRED

SEC. 25. *Transportation.* (a) There may be added to the applicable ceiling prices determined under other sections of this Regulation an amount not in excess of the following:

(1) The increased costs to the seller or his reseller customer resulting from transportation rate increases after January 25, 1951, permitted by Federal or State regulatory bodies or by the Office of Price Stabilization.

(2) Where transportation is in facilities owned or controlled by the seller the same increases as provided in (1) above where the movement involved is in lieu of transportation by such regulated carrier.

Provided, however, there may be added by the seller to the applicable ceiling price established herein an amount not in excess of the transportation tax imposed by Section 620 of the Revenue Act of 1942 if the seller incurred such tax.

(b) A seller adding transportation increases may round out fractions of cents per gallon in line with his customary base period practices.

[Paragraph (b) added by Amdt. 4]

SEC. 26. *Taxes.* Any tax increase, or new tax after January 25, 1951, imposed upon or incident to the sale, production, gathering, severance, transportation, delivery, processing or use of any petroleum product covered by this regulation, excepting import duties, may be collected by a seller in addition to the ceiling prices established under this regulation, if the seller is required by law to collect or pay such tax.

SEC. 27. *Increases permitted for designated areas—*(a) *Export sales and sales in the territories of the United States.* Any export regulation which may hereafter be issued shall be applicable to export sales and sales for export of commodities covered by this regulation. Sellers of commodities covered by this regulation who during the base period treated purchasers in the territories of the United States as purchasers of a separate class from purchasers located in the continental United States may continue to apply on their sales to these purchasers their customary differentials. Such customary differentials may include charges for special packing if it was the sellers' practice to include such charges on their sales to purchasers in the territories during the base period.

(b) *Puerto Rico and the Virgin Islands.* On deliveries of residual fuel oil or blends thereof in Puerto Rico and the Virgin Islands, a seller may add to his f. o. b. or delivered ceiling price 7¢ per barrel plus any duty actually paid by him in excess of 10½¢ per barrel, unless the seller has already added increased duty charges pursuant to paragraph (a) of this section.

(c) *Delivered cargo ceiling prices for residual fuel oil and blends thereof with distillate fuel oils at Atlantic Coast ports—*(1) *No. 6 Commercial Standard Specifications Fuel Oil.* The delivered cargo ceiling prices of all sellers for sales of No. 6 Commercial Standard Specifications Fuel Oil applicable to all classes of purchasers in effect prior to June 4, 1951, shall be increased by the amounts per

barrel indicated at the points enumerated in the table below:

Atlantic coast ports	Dollars per 42-gallon barrel
	Increases in delivered cargo prices
Searspoint, Maine.....	\$0.31
Portland, Maine.....	.31
Portsmouth, New Hampshire.....	.31
Everett, Massachusetts.....	.31
Boston Harbor Area.....	.31
Fall River, Massachusetts.....	.295
Tiverton, Rhode Island.....	.295
Providence Harbor Area.....	.295
New London, Connecticut.....	.295
New Haven, Connecticut.....	.32
Bridgeport, Connecticut.....	.32
New York Harbor Area.....	.30
Philadelphia Harbor Area.....	.30
Baltimore, Maryland.....	.30
Norfolk, Virginia.....	.25
Morehead City, North Carolina.....	.22
Charleston, South Carolina.....	.21
Savannah, Georgia.....	.21
Jacksonville, Florida.....	.19
Miami, Florida.....	.17
Tampa, Florida.....	.17
Port St. Joe, Florida.....	.17
Panama City, Florida.....	.17

(2) *Other residual fuel oil products.* Any seller who during the base period maintained a customary differential between No. 6 Commercial Standard Specifications Fuel Oil and other residual fuel oil products, such as low sulphur (maximum 1 per cent) No. 6 fuel oil, residual gas enrichment oils, residual No. 4 and 5 fuel oils and special No. 4 residual fuel oils may add such base period differentials to the ceiling prices determined under subparagraph (c) (1) of this section.

(3) *Increases for other transactions and at other points.* An f. o. b. or delivered ceiling price, in effect prior to June 4, 1951, of any seller of residual fuel oil or blends thereof, whose ceiling price is not established in section 21 (a) (1) and (2), shall be increased to each class of purchaser by the amount of the increase specified in the table in paragraph (c) (1) of this section in the following cases:

(i) On sales at any point where the purchaser is of a class which was customarily, and is presently, supplied from the points designated in the table in paragraph (c) (1) of this section.

(ii) On sales at any point where the seller's price of residual fuel oil, or blends thereof, was customarily based upon the price at a point set forth in the table in paragraph (c) (1) of this section, in which case the increase can be added irrespective of where the product originates.

(4) *Preservation of discounts, differentials, and allowances.* The ceiling prices determined under this section shall reflect customary discounts, differentials and allowances in effect in the base period to all classes of purchasers.

[Section 27 amended by Amdt. 3]

ARTICLE IV—FINAL PRICING METHOD

SEC 28. *Seller unable to determine ceiling price.* (a) If under other provisions of this regulation, a seller is unable to determine his ceiling price at a given shipping or delivery point for any product covered by this regulation, then the seller may nevertheless make a sale of such product at that point. If a seller wishes, he may file a ceiling price before making a sale. If the ceiling price is not filed in advance he must within 15 days after making the sale file with the Petroleum Branch of the Office of Price Stabilization, Washington 25, D. C. a written report of the ceiling price including a statement setting forth:

(1) The sale price with careful details of the sale, or if no sale is made the ceiling price which is requested.

(2) An explanation as to why the

seller is unable to establish a ceiling price under preceding articles of this regulation.

(3) Whenever applicable, that the ceiling price is in line with his own ceiling price for the same product at three other points nearest the point at which the sale is made.

(4) Whenever (3) is not applicable, an explanation, supplemented by specifications as to how the particular product differs from the two products having the most nearly similar specifications for which ceiling prices are established under preceding articles of this Regulation, the ceiling prices of such products and a statement showing the method of evaluating the product used by the seller.

[Paragraph (a) amended by Amdt. 41]

(b) The price filed shall be the seller's

ceiling price at the shipping point or delivery point for the particular product unless or until a substitute ceiling price is established.

[Paragraph (b) amended by Amdt. 41]

(c) If a seller shall fail to report a sale as required by this section, the Office of Price Stabilization may at any time upon written notice to the seller establish his ceiling price for the particular product at the particular point effective retroactively to a date 15 days after the making of the sale.

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,
Office of Price Stabilization.

Deposits on Containers

Ceiling Price Regulation 17

Amendment 5

MARCH 10, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTONTITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 17, Amdt. 5]

CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM GASES,
NATURAL GAS, PETROLEUM GAS, CASING-
HEAD GAS, AND REFINERY GAS

DEPOSIT ON CONTAINERS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 5 to Ceiling Price Regulation 17 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 17 adds a new section to Article III, fixing the terms under which deposit charges may be made on steel containers. This new section is the same as the deposit section in Ceiling Price Regulation 63 covering lubricating oils and greases and similar to the deposit section in Ceiling Price Regulation 66 covering asphaltic products. While gasolines, naphthas and distillates are sold less frequently in containers than are lubricating oils and greases, sales of products covered by Ceiling Price Regulation 17 in containers are quite extensive in certain areas and to certain classes of purchasers.

During the early history of the Office of Price Stabilization, when Ceiling Price Regulation 17 was being written, it was intended to include a section dealing with container deposit charges. However, such a section was intentionally omitted from the final draft because the Agency policy on deposit arrangements had not been fully developed. Consultations with members of industry were still in process at that time for the purpose of developing a deposit arrangement which would be most satisfactory and workable.

The advantages of having a deposit arrangement for steel containers are well recognized in the marketing of petroleum products. Early in the defense program the scarcity of steel containers was an increasingly serious problem. It became imperative months ago that drums be returned to sellers as rapidly as possible in order that petroleum products could be distributed by customary methods and in adequate volume. In August 1951 this Agency issued General Interpretation 2 which permitted marketers not only to retain deposit arrangements which were in effect in the base period but also to institute deposit charges in cases where none had been in effect in the base period.

While marketers of petroleum products are permitted, therefore, to utilize deposit arrangements, the terms thereof are not specific when related to products covered by Ceiling Price Regulation 17. To reduce the administrative burden on the Office of Price Stabilization Regional and District Offices and to remove the uncertainty on the part of sellers as to whether their deposit arrangements conform to the conditions of General Interpretation 2, Ceiling Price Regulation 17 is amended to specify the terms of deposit arrangements applicable to products subject to this regulation. The new section also prescribes the ceiling price adjustment required when sellers shift from a non-returnable to a returnable drum basis.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, to the extent practicable. As mentioned above, when the formal Industry Advisory Committee discussed the provisions of Ceiling Price Regulation 17, the deposit problem was studied, and consideration has been given the recommendations made at that time.

In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act.

AMENDATORY PROVISIONS

Ceiling Price Regulation 17 is amended in the following respect:

A new section 27a is added immediately following section 27 to read as follows:

SEC. 27a. Containers—(a) *Deposits.* Any seller subject to the provisions of this regulation may place deposit charges not to exceed the following amounts on the enumerated shipping containers, not including I. C. C. 5 or 5B drums. Such deposit charges shall be subject to the seller's customary practice with respect to condition of drum and time allowed for return:

55-gallon or 400-pound, 16-20-gauge steel drum.....	\$10.00
30-gallon or 200-pound, 16-20-gauge steel drum.....	6.00
15-gallon or 100-pound, 19-24-gauge steel drum.....	4.00

(b) *Reduction in ceiling price when shifting from a non-returnable to a returnable drum basis.* Any seller who during the base period sold on a non-returnable drum basis and subsequent to the base period shifts to a returnable drum basis shall deduct at least the following amounts from his ceiling prices to his purchasers in all States except California, Washington and Oregon.

55-gallon or 400-pound, 16-20-gauge steel drum.....	\$1.75
30-gallon or 200-pound, 16-20-gauge steel drum.....	1.50
15-gallon or 100-pound, 19-24-gauge steel drum.....	1.00

In the States of California, Washington and Oregon, the minimum deductions from ceiling prices shall be the amounts set forth above plus an additional \$0.25.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. 2154)

Effective date. This amendment to Ceiling Price Regulation 17 shall become effective March 15, 1952.

ELLIS ARNALL,

Director of Price Stabilization.

MARCH 10, 1952.

Exclusion of Territories and Possessions

(Amending Secs. 3 and 27(a);
deleting Sec 27(b))

OFFICE OF PRICE STABILIZATION WASHINGTON

Ceiling Price Regulation 17 Amendment 6 MAY 20, 1952

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 17, Amdt. 6]

CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM PROD-
UCTS, NATURAL GAS, PETROLEUM GAS,
CASINGHEAD GAS AND REFINERY GAS

TERRITORIES AND POSSESSIONS

Pursuant to the Defense Production
Act of 1950, as amended, Executive Order
10161, and Economic Stabilization
Agency General Order No. 2, this amend-
ment to Ceiling Price Regulation 17 is
hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment excludes from the
coverage of Ceiling Price Regulation 17
the territories and possessions of the
United States. This will place the sales
of these petroleum products in the ter-
ritories and possessions under the pro-
visions of Ceiling Price Regulation 9
which was specifically written to cover
sales of all types of commodities within
the territories and possessions of the
United States.

When Ceiling Price Regulation 17 was
issued, it was considered to be a workable

ceiling price regulation for the territories
and possessions as well as the Continen-
tal United States. However, because
most of its provisions were designed to
meet marketing conditions as they
existed within the 48 States experience
has proved this expectation incorrect.
For example, Ceiling Price Regulation 17
has already had to be amended to meet
specific problems that arose in Puerto
Rico and the Virgin Islands. Territorial
problems have arisen under CPR 17 be-
cause most of the petroleum products
used in places like Virgin Islands and
Puerto Rico are imported into these is-
lands from foreign countries and by
means of foreign-owned transportation
facilities.

Ceiling Price Regulation 9, on the
other hand, was tailored to insure a
maximum of price stabilization com-
mensurate with the physical location,
economic problems and marketing prac-
tices of the territories and possessions.
Transfer of sales of petroleum products
in the territories and possessions from
CPR 17 to CPR 9 not only is expected
to solve most of the industry's currently
pressing price problems but will also be
more convenient both for OPS and the
industry.

The Director of Price Stabilization has
consulted with trade association repre-
sentatives and members of the industry
affected by this supplementary regula-

tion and consideration has been given
to the information and suggestions re-
ceived from them.

AMENDATORY PROVISIONS

Ceiling Price Regulation 17 is amended
in the following respects:

1. Section 3 is amended to read as
follows:

SEC. 3. *Geographical coverage.* The
provisions of this regulation are appli-
cable to the 48 States of the United
States and the District of Columbia.

2. Section 27 (a) is amended to read
as follows:

(a) *Export sales.* Any export regula-
tion which may hereafter be issued shall
be applicable to export sales and sales
for export of commodities covered by
this regulation.

3. Section 27 is further amended by
deleting the present paragraph (b) and
redesignating paragraph (c) as para-
graph (b).

(Sec. 704, 64 Stat. 816, as amended; 50
U. S. C. App. Sup. 2154)

Effective date. This amendment shall
become effective May 26, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MAY 20, 1952.

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**Area Adjustment of Tank Wagon
Ceiling Prices of Fuel Oil Distributors**
(Paragraph 11(d) added)

**Ceiling Price Regulation 17
Amendment 7**
AUG. 8, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 17, Amdt. 7]

**CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM PROD-
UCTS, NATURAL GAS, PETROLEUM GAS,
CASINGHEAD GAS AND REFINERY GAS**

**AREA ADJUSTMENT OF TANK WAGON CEILING
PRICES OF FUEL OIL DISTRIBUTORS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to Ceiling Price Regulation 17 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 17 provides for area adjustments of the ceiling prices of tank wagon distributors of heating oils in a retail marketing area when the net margins of these distributors are reduced to such an extent that their earnings fall below the level of their earnings in the year ended May 31, 1950.

While it does not appear that distributors' gross margins are less than those required by section 402 (k) of the Defense Production Act, distributors in certain retail marketing areas have submitted data to show that increased costs have substantially reduced their net earnings. The industry earnings standard, the basic standard by which OPS measures the need for ceiling price adjustments, provides that relief may be considered if an industry can show that its current earnings are less than 85 percent of its earnings in the best three of the four years 1946-1949.

Experience has demonstrated that the industry earnings standard is difficult to apply in the wholesaling and retailing of heating oil. There are many thousands of heating oil marketers at the tank wagon level—too many to consider in one data collection project. Moreover, the need and the scope of relief required are not uniform, and may be very different in one area than in another. Consequently it appears preferable in this case to provide for adjustments on

an area rather than an industry wise basis. In addition, the bookkeeping records of many of these heating oil jobbers are entirely inadequate to supply the information for the years 1946-1949 required for a direct application of the industry earnings standard. Analysis of available data shows that the granting of area adjustments on the basis of earnings in the year ended May 31, 1950, as provided in this amendment, will yield results in this field consistent with results that would be obtained by use of the industry earnings standard. This approach is adopted as the best means of measuring the relief to be granted in the absence of complete data for the years 1946-1949.

A reporting form is provided for use by the heating oil distributors requiring the submission of income data for the base period year and comparative data for the fiscal year ended May 31, 1952.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

In the judgment of the Director of Price Stabilization the method of ceiling price adjustment established by this amendment is generally fair and equitable and is consistent with the purpose of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Section 11 to Ceiling Price Regulation 17 is amended by adding a new paragraph (d) to read as follows:

(d) *Area adjustments of tank wagon ceiling prices for fuel oil distributors.* The Director of Price Stabilization may adjust the tank wagon ceiling prices for Heating Oils (kerosene, No. 1 and No. 2 Oil, Furnace Oil, Range Oil and Stove Oil) sold by tank wagon distributors in a retail marketing area when the net margins of such distributors in the area are insufficient to maintain their level of earnings in the fiscal year ended May 31, 1950. Such area adjustment shall be made only after sufficient information has been received for comparison of current earnings with the earnings of the fiscal year ended May 31, 1950. Applications for area adjustments shall be filed with the OPS District Office hav-

ing jurisdiction over the area for which an adjustment is requested. The data supporting such an application shall then be filed on OPS Public Form No. 151 which will be furnished by the OPS District Office when OPS determines that a survey of the area is appropriate. Application for the institution of an area survey shall be filed with the OPS District or Regional Office having jurisdiction over the majority of the population of the area for which adjustment is requested. Such applications shall contain the following information:

- (1) Name and address.
- (2) Type of operation, e. g., bulk plant, tank-wagon distributor, etc.
- (3) A statement identifying the application as one made under CPR 17, Amdt. 7.
- (4) An identification of the market area for which you believe a ceiling price adjustment to be necessary.
- (5) Gallonage of light fuel oils delivered at tank wagon level in the periods June 1949-May 1950 and June 1951-May 1952 showing separately, for each period, the gallonage delivered to resellers and to ultimate consumers.
- (6) Net operating income derived from the sale of light fuel oils in each of the periods specified in subparagraph (5) of this paragraph.
- (7) A statement as to why you believe an area ceiling price adjustment to be necessary for the market area identified in subparagraph (4) of this paragraph. This statement should be based upon information readily available to you; any systematic collection of data from other firms will, where needed, be done by OPS and should not be undertaken by an applicant under this section.

If OPS determines that an area survey is appropriate, the survey will be conducted by the use of OPS Public Form 151.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective August 13, 1952.

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

ELLIS ARNALL,
Director of Price Stabilization.

AUGUST 8, 1952.

Amending Provisions of
Section 23a, Etc.

Ceiling Price Regulation 17
Amendment 8

NOVEMBER 12, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 17, Amdt. 8]

CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM PROD-
UCTS, NATURAL GAS, PETROLEUM GAS,
CASINGHEAD GAS, AND REFINERY GAS

AMENDING PROVISIONS OF SECTION 23A TO
PREVENT INCREASES IN GENERAL LEVELS OF
AREA CEILING PRICES

Pursuant to the Defense Production
Act of 1950 (Pub. Law 774, 81st Cong.),
as amended, Executive Order 10161 (15
F. R. 6105), and Economic Stabilization
Agency General Order No. 2 (16 F. R.
738), this amendment to Ceiling Price
Regulation 17 (16 F. R. 3033) is hereby
issued.

STATEMENT OF CONSIDERATIONS

Price provisions in many contracts for
the purchase of natural gas from pro-
ducers and gatherers contain escalator
clauses calling for increases in prices at
stated intervals or under stated condi-
tions. For reasons set forth in the State-
ment of Considerations accompanying
Amendment 1 to CPR 17 (effective April
16, 1951), the regulation permitted the
operation of such escalator clauses in
contracts in existence prior to January
25, 1951, the date of price control, and
permitted the escalated prices to be used
by other sellers in establishing competi-
tive and in-line ceiling prices. It also
permitted the operation of so-called
"favored nation" clauses, which bind
buyers who pay an increased price to one
of their sellers to pay an increased price
to some or all of their other sellers.

The large scale financing of gas pro-
duction and interstate pipe lines was
based in some measure on contracts call-
ing for initially low prices subject to
escalation. For that reason the Director
has concluded that fairness to both buy-
ers and sellers and stability in the indus-

try make it desirable to continue to per-
mit the unfettered operation of such of
those contracts as were executed prior to
the imposition of price control. How-
ever, to permit sellers who did not base
their planning and operations on such
contracts to use them by reference to
secure prices higher than the general
levels of ceiling prices, which levels are
generally fair and equitable, would be
incompatible with the stabilization pro-
gram. Therefore, since it now appears
that escalator clauses calling for prices
higher than the current general level of
ceiling prices will shortly take effect, this
amendment to CPR 17 is issued.

The amendment permits the escalator
clauses in contracts entered into prior
to or during the base period to operate.
At the same time it prevents escalator
clauses from establishing ceiling prices
higher than base period ceilings for any
sales other than those made under the
particular contracts containing such
clauses. It does this by limiting the use
of "most favored nation" clauses in con-
tracts and the use of the in-lining pro-
visions of section 23a (c) of CPR 17 to
those instances where their use will not
result in piercing the general area ceil-
ing, which is the highest price for com-
parable sales of gas during the base
period.

This amendment has the further effect
of preventing sellers from in-lining their
prices with sellers whose prices may be
increased pursuant to state minimum
price regulations. While OPS is required
to recognize such minimum prices as
ceilings under section 402 (1) of the De-
fense Production Act, it need not and
should not give the regulations or orders
establishing minimum prices greater
scope than the state itself does. This
is especially true since those regulations
and orders are based on state purposes
and policies not necessarily consonant
with those of the Defense Production
Act.

In the formulation of this amend-
ment there has been consultation with
industry representatives, and considera-

tion has been given to their recom-
mendations.

In the judgment of the Director of
Price Stabilization ceiling prices estab-
lished by this amendment will be gen-
erally fair and equitable and consistent
with the purpose of Title IV of the De-
fense Production Act of 1950, as
amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 17 is amend-
ed in the following respects:

1. Section 23a (c) (2) (i) is amended
to read as follows:

(2) *Existing contracts.* (i) Where a
buyer and seller have entered into a
contract prior to January 25, 1951 such
contract may be carried out in accord-
ance with its terms, except that no term
of any such contract providing for an
increase in price based on an increase
in price under any other contract, may
be carried out if to carry it out will
result in a price above the highest price
paid during the base period for gas of
the same particular type by a purchaser
of the same class in the same market or
producing area.

2. Section 23a (c) (4) is amended to
read as follows:

(4) *Limitation on in-line pricing.*
Notwithstanding any other provisions of
this regulation, no ceiling prices shall be
established under sections 23a (c) (2)
(ii), or 23a (c) (3) (i), or 23a (c) (3)
(ii), above the highest price paid during
the base period for gas of the same par-
ticular type by a purchaser of the same
class in the same market or producing
area.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C.
App. Sup. 2154)

Effective date. This amendment shall
become effective November 17, 1952.

TIGHE E. WOODS,
Director of Price Stabilization.

NOVEMBER 12, 1952.

Transportation

Ceiling Price Regulation 17

Amendment 9

JANUARY 15, 1953

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 17, Amdt. 9]

CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM GASES,
NATURAL GAS, PETROLEUM GAS, CASING-
HEAD GAS AND REFINERY GAS

TRANSPORTATION AND TAXES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 9 to Ceiling Price Regulation 17 is hereby issued.

STATEMENT OF CONSIDERATIONS

The accompanying amendment to Ceiling Price Regulation 17 clarifies the section dealing with transportation and also makes certain increases in ceiling prices permissible where transportation factors would otherwise disrupt normal industry practice.

Some difficulties have arisen under the regulation because of the stipulation that increases in ceiling prices shall not be in excess of increased transportation costs actually incurred. Strict adherence to this provision necessitates elaborate and burdensome accounting procedures where inventories were on hand before the transportation increase occurred. This amendment permits the ceiling price to reflect increased transportation costs as of the day the transportation increases are effective or on the effective date of this regulation if the transportation increase has already become effective.

The transportation section was not intended to permit increased ceiling prices based on higher transportation rates on crude or semi-finished stocks. The language of the amendment specifically excludes such increases as a basis of increasing ceiling prices. However, it is recognized that certain sellers must be permitted to reflect increases in inbound freight rates if a disruptive effect on the market is not to result. The great percentage of the products covered by this regulation are produced and sold by the major integrated petroleum companies. The transportation costs incurred by these sellers in the main are for outbound transportation. However, some blenders and resellers who must purchase their blending stocks or finished materials from these integrated companies incur inbound freight costs. The inbound freight they incur parallels the outbound freight of the integrated producers, who account for the greater part of the production, and who are in competition with the smaller independ-

ent resellers and blenders. To permit these smaller operators to retain their customary price relationship with those sellers supplying the bulk of these products, Ceiling Price Regulation 17 has permitted inbound freight increases on finished products as a basis for increased ceilings. This amendment extends this permission for these same reasons to those few sellers who incur inbound freight on products to be blended or further refined.

In the marketing of petroleum there are many instances where the market price of a product at a delivery point, while reflecting some elements of transportation, will not reflect the exact amount of freight that the individual seller incurs in making delivery to that point. Thus, a particular seller may use his freight cost in shipping product to one point in a pricing area for establishing prices throughout the pricing area. Again the seller may have had to absorb some freight because he has sold at a market price based on product shipped from a basing point. Conversely, he may have had an advantage in selling in a market where the price reflected freight from a point farther than his point of supply. In another situation a seller's market price may customarily reflect the rates for a means of transportation other than the means he actually uses, but which is the means normally used by most other sellers in that area. In order to maintain the stability of the market this regulation permits increases in ceiling prices based on the amount of increases in the transportation rate customarily used by the seller as a factor in his price if his base period prices reflected such customary rate. In this way sellers may not increase their ceiling prices more than they would have in ordinary practice, nor would those who had no or a lesser increase in transportation rates find themselves with ceiling prices that do not reflect their customary price relationship with other sellers in the market.

Instances have come to the attention of the Office of Price Stabilization where sellers have undertaken to raise ceiling prices because of a shift from a normal method of transportation or normal source of supply to a higher cost method of transportation or a source of supply incurring a higher transportation cost. It was not intended to provide for adjustment of ceiling prices because of cost increases resulting from shifts in source of supply. It is stated explicitly in the amendment that such abnormal supply situations do not qualify the seller for an increase in his ceiling prices under the transportation section of the regulation.

The section of Ceiling Price Regulation 17 dealing with taxes is amended to require a reduction of ceiling prices cor-

responding to tax reduction where ceiling prices include taxes, as well as permitting ceiling prices to increase where taxes are increased.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

In the judgment of the Director of Price Stabilization the changes set forth in these amendatory provisions are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

1. Section 25 of Ceiling Price Regulation 17 is amended to read as follows:

SEC. 25. *Transportation.* (a) A seller may add to the applicable ceiling prices determined under other sections of this regulation an amount calculated in accordance with whichever of the following three methods conforms to his customary practice in the base period:

(1) A seller may add the increase in his unit cost resulting from transportation rate increases after January 25, 1951 permitted by Federal or State regulatory bodies or by the Office of Price Stabilization. Such increases may include excise taxes, which are a part of or are applicable to the increase. If the increase in transportation rates occurs after the effective date of this regulation the higher ceiling prices may be made effective on or after the day that the increased transportation rate goes into effect.

(2) Where the transportation of the product is in facilities owned or controlled by the seller and is in lieu of movement by a regulated carrier, he may add the unit increase that would be permitted him in subparagraph (1) of this paragraph, had he used such regulated carrier.

(3) Where a seller in accordance with his customary pricing practice included in his selling price during the base period the transportation rate from a point other than his own source of supply, or the transportation rate to a point in a pricing area other than the rate to the actual point of delivery, or the rate of a means of transportation other than that actually used by him, he may add the unit increase permitted by Federal or State regulatory bodies or by the Office of Price Stabilization in such transportation rate.

(b) A seller may round the additions to his ceiling price determined under this section to the nearest cent or fraction of a cent in accord with his customary practice. If a seller elects to round one ceiling price he must similarly

round all his ceiling prices increased under this section to reflect decreases as well as increases.

(c) Under this section blenders or refiners may increase the ceiling price of a finished product or for a product which has been further processed only up to an amount which will reflect the proportionate freight increases of the various components or the proportionate freight increases for each refined product, except that increases in the cost of transporting crude petroleum and increases in the cost of transporting, for further processing, semi-finished materials between units or controlled subsidiaries of the same company shall in no case be used as the basis of increasing ceiling prices under this section.

(d) Nothing in this section shall authorize a seller to increase his ceiling prices as a result of higher transportation costs (including excise taxes thereon) caused by a change from the normal source of supply or a change to a different method of transportation.

(e) A seller adjusting his ceiling price under this section shall maintain a record of his adjustment and such records must substantiate that the adjustments relate directly to base period practice.

2. Section 26 is amended by adding to the section the following undesignated paragraph:

If such taxes are included in the ceiling prices established under the provisions of this regulation, and such tax is

reduced or repealed after January 25, 1951, you must reduce your ceiling price by the amount of the tax reduction. You must also reduce your ceiling price by the amount of reduction in the ceiling price of your supplier due to a repeal or reduction of such a tax.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective January 20, 1953.

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

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 15, 1953.

S. O. 1CPR 17, SEC. 11 (d)
NOVEMBER 4, 1952**OFFICE OF PRICE STABILIZATION
WASHINGTON****ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization**[Ceiling Price Regulation 17, Section 11 (d),
Special Order 1]**OLYMPIA-TENINO MARKETING AREA
ADJUSTMENT OF TANK WAGON CEILING
PRICES**

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (kerosene, No. 1 and 2 oils, furnace oil, range oil and stove oil) by tank wagon distributors in the Olympia-Tenino marketing area.

The Office of Price Stabilization was requested by distributors in the Olympia-Tenino marketing area to conduct a survey to determine whether increased costs have reduced the net margins in the area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of that survey show that an upward adjust-

ment is necessary to bring earnings to that level.

There are hundreds of heating oil sellers at the tank wagon level in this region and the need for relief is not uniform but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis, rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area of reseller competition, which is the same as the area of the free delivery zones.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is therefore consistent with the provisions of Section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority 72, *It is ordered:*

1. That the ceiling price of heating oil distributors in the Olympic-Tenino marketing area for tank wagon sales of heating oils (kerosene, Nos. 1 and 2 oils, furnace oil, range oil and stove oil) to consumers shall be increased by \$0.004 per gallon. The Olympia-Tenino marketing area is defined as the Olympia-Tenino free delivery zone.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on November 5, 1952.

HAROLD WALSH,
Regional Director,
Office of Price Stabilization,
Region XIII.

NOVEMBER 4, 1952.

S. O. 2

CPR 17, SEC. 11 (d)

AMDT. 1

JANUARY 15, 1953

OFFICE OF PRICE STABILIZATION WASHINGTON

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 17, as amended,
Section 11 (d), Special Order 2, Amdt. 1]

WASHINGTON, D. C., METROPOLITAN AREA

AREA ADJUSTMENT OF TANK WAGON CEILING
PRICES OF FUEL OIL DISTRIBUTORS; READ-
JUSTMENT OF PRICES

Statement of considerations. As the Statement of Considerations accompanying Special Order 2 makes clear, that order was designed to restore the net earnings of heating oil distributors in the Washington, D. C., metropolitan area to the level of the fiscal year ending May 31, 1950. In arriving at the adjustment in ceiling prices necessary to accomplish this result consideration was given to the fact that under the provisions of Supplementary Regulation 10 to Ceiling Price Regulation 17 fuel oil distributors on the East Coast, which included the Washington, D. C., area, were granted as of June 30, 1952, a ceiling price increase of \$0.0015 per gallon over and above the spelled-out increases in their product cost effected by SR 10. This increase of \$0.0015 was granted pursuant to instructions from Dr. J. R. Steelman, then Acting Director of the Office of Defense Mobilization, simul-

taneously with the grant of a ceiling price increase of \$0.0065 per gallon to those who supplied product to the Washington area distributors. Dr. Steelman's instructions, which were made part of the Statement of Considerations in SR 10, intended this \$0.0015 per gallon to compensate local distributors for the additional expenses which they would incur in handling higher priced product. Recent representations by and conferences with representatives of the Washington area distributors have convinced the Office of Price Stabilization that this intention was not fully carried out in Special Order 2, since the computations that resulted in the adjustment granted in Special Order 2 treated the \$0.0015 as additional net income to the fuel oil distributors rather than as compensation for increased costs. Therefore this amendment first increases the amount of the adjustment in Special Order 2 by \$0.0015 per gallon. Amendment 7 contemplates the rounding of adjustment to the nearest tenth of a cent. Accordingly, the amendment includes also an additional \$0.0015. This brings the total adjustment granted by this amendment to \$0.002 per gallon. With the \$0.001 granted in the original special order the result is a total increase in ceiling price under section 11 (d) of CPR 17 of \$0.003 per gallon.

Amendatory provisions. For the reasons set forth in the statement of considerations accompanying this amendment and the statement of considerations in Special Order 2 and pursuant to the provisions of section 11 (d) to Ceiling Price Regulation 17, as amended, *It is ordered:*

1. That paragraph 1 of Special Order 2 issued under Section 11 (d) of Ceiling Price Regulation 17, as amended, is amended to read as follows:

1. That the tank wagon ceiling price for Heating Oils (Kerosene, No. 1 and No. 2 Oil, Furnace Oil, Range Oil and Stove Oil) sold by tank wagon distributors in the Washington, D. C., metropolitan area, may be increased \$0.003 per gallon.

2. All provisions of Ceiling Price Regulation 17, as amended, except as inconsistent with the provisions of this order and all provisions of Special Order 2, except as amended herein, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified or revoked by this Office at any time.

Effective date. This Special Order shall become effective January 15, 1953.

VINCENT A. HOLMES,
District Director.

JANUARY 15, 1953.

ОТДЕЛЕНИЕ
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WASHINGTON D C, METROPOLITAN AREA
AND ALL STATEMENT OF TANK WAGON CHILLING
PRICE OF THE OLD DISTRIBUTION, READ-
ATTENTION OF PRICE

Statement of Considerations As the Statement of Considerations accompanying Special Order 7 makes clear, that only was assigned to restore the net earnings of testing oil installations in the Washington D. C. metropolitan area to the level of the fiscal year ending May 31, 1955. In arriving at the estimate by which prices necessary to accomplish this result consideration was given to the fact that under the provisions of Department Regulation 10-60 (which was amended in April all distribution on the East Coast, which included the Washington D. C. area - was suspended as of June 30, 1953; a call for price increase of \$0.011 per gallon was made effective on July 1, 1953 and hence the specified increases in West Coast cost effected by such price increase of \$0.011 was further increased to \$0.012 from Dec 1, 1953 to Jan 1, 1954. The Director of the

S. O. 3CPR 17, SEC. 11 (d)
NOVEMBER 12, 1952**OFFICE OF PRICE STABILIZATION
WASHINGTON****ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization**[Ceiling Price Regulation 17, Section 11 (d),
Special Order 3]**BREMERTON-PORT ORCHARD MARKETING
AREA****ADJUSTMENT OF TANK WAGON CEILING PRICES
OF FUEL OIL DISTRIBUTORS**

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil, and Stove Oil) by tank wagon distributors in the Bremerton-Port Orchard marketing area.

The Office of Price Stabilization was requested by distributors in the Bremerton-Port Orchard marketing area to conduct a survey to determine whether increased costs have reduced the net margins in the area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of that survey show that an up-

ward adjustment is necessary to bring earnings to that level.

There are hundreds of heating oil sellers at the tank wagon level in this Region and the need for relief is not uniform but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area of reseller competition, which is the same as the free delivery zones.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is, therefore, consistent with the provisions of Section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, It is ordered:

1. That the ceiling price of heating oil distributors in the Bremerton-Port

Orchard marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.005 per gallon. The Bremerton-Port Orchard marketing area is defined as that area in which dealers located in Bremerton and Port Orchard make deliveries without an additional charge.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on November 13, 1952.

PAUL A. VOLPE,
Acting Regional Director, Office of Price Stabilization, Region XIII.

NOVEMBER 12, 1952.

Date	Description	Amount
1/1/2020	Initial deposit	\$10,000.00
1/15/2020	Withdrawal for rent	-\$2,500.00
2/1/2020	Deposit from client	\$5,000.00
2/15/2020	Withdrawal for utilities	-\$1,000.00
3/1/2020	Deposit from client	\$7,500.00
3/15/2020	Withdrawal for salaries	-\$3,000.00
4/1/2020	Deposit from client	\$6,000.00
4/15/2020	Withdrawal for taxes	-\$1,500.00
5/1/2020	Deposit from client	\$8,000.00
5/15/2020	Withdrawal for insurance	-\$1,200.00

2. The second part of the document provides a detailed breakdown of the company's expenses for the first quarter of 2020.

3. The third part of the document discusses the company's revenue for the same period.

4. The fourth part of the document provides a summary of the company's financial performance for the first quarter of 2020.

5. The fifth part of the document discusses the company's outlook for the second quarter of 2020.

6. The sixth part of the document provides a detailed breakdown of the company's assets and liabilities as of the end of the first quarter of 2020.

7. The seventh part of the document discusses the company's cash flow for the first quarter of 2020.

8. The eighth part of the document provides a summary of the company's financial performance for the first quarter of 2020.

9. The ninth part of the document discusses the company's outlook for the second quarter of 2020.

10. The tenth part of the document provides a detailed breakdown of the company's assets and liabilities as of the end of the first quarter of 2020.

S. O. 4, Revised

CPR 17, SEC. 11 (d)
FEBRUARY 6, 1953

OFFICE OF PRICE STABILIZATION WASHINGTON

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 17, Section 11 (d),
Special Order No. 4, Revised]

BELLINGHAM MARKETING AREA

ADJUSTMENT OF TANK WAGON CEILING PRICES OF FUEL OIL DISTRIBUTORS

Statement of considerations. This revision of Special Order No. 4 extends the coverage of the Bellingham-Ferndale marketing area to include certain additional cities and towns. The Statement of Considerations accompanying Special Order No. 4, being equally applicable to

the extended area, is incorporated herein by reference.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, *It is ordered:*

1. That the ceiling price of heating oil distributors in the Bellingham marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.004 per gallon. The Bellingham marketing area is defined as that area in which dealers located in Bellingham, Ferndale, Blaine, Lynden, Sumas, Everson and Deming

make deliveries without an additional charge.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this revised order, shall remain in full force and effect as to the commodities covered by this revised order.

3. This revised order may be amended, modified, or revoked at any time.

Effective date. This revised Special Order shall become effective on February 7, 1953.

MURIEL MAWER,
Acting Regional Director, Region XIII, Office of Price Stabilization.

FEBRUARY 6, 1953.

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S. O. 5CPR 17, SEC. 11 (d)
NOVEMBER 12, 1952**OFFICE OF PRICE STABILIZATION
WASHINGTON****ECONOMIC STABILIZATION -
AGENCY****Office of Price Stabilization**(Ceiling Price Regulation 17, Section 11 (d),
Special Order 5)**MT. VERNON-SEDRO WOOLLEY-BURLING-
TON AND ANACORTES MARKETING AREA****ADJUSTMENT OF TANK WAGON CEILING
PRICES OF FUEL OIL DISTRIBUTORS**

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Mt. Vernon-Sedro Woolley-Burlington and Anacortes marketing area.

The Office of Price Stabilization was requested by distributors in the Mt. Vernon-Sedro Woolley-Burlington and Anacortes marketing area to conduct a survey to determine whether increased costs have reduced the net margins in the area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of that survey show that an upward ad-

justment is necessary to bring earnings to that level.

There are hundreds of heating oil sellers at the tank wagon level in this Region and the need for relief is not uniform but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area of reseller competition, which is the same as the free delivery zones.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is, therefore, consistent with the provisions of Section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, It is ordered:

1. That the ceiling price of heating oil distributors in the Mt. Vernon-Sedro

Woolley-Burlington and Anacortes marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.002 per gallon. The Mt. Vernon-Sedro Woolley-Burlington and Anacortes marketing area is defined as that area in which dealers located in Mt. Vernon, Sedro Woolley, Burlington and Anacortes make deliveries without an additional charge.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on November 13, 1952.

PAUL A. VOLPE,
Acting Regional Director, Office
of Price Stabilization, Region
XIII.

NOVEMBER 12, 1952.

1. Introduction

2. Methodology

3. Results and Discussion

S. O. 6CPR 17, SEC. 11 (d)
DECEMBER 9, 1952**OFFICE OF PRICE STABILIZATION
WASHINGTON****ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization**[Ceiling Price Regulation 17, Section 11 (d),
Special Order No. 6]**ADJUSTMENT OF TANK WAGON CEILING
PRICES IN THE WAHKIAKUM COUNTY
MARKETING AREA**

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Wahkiakum County, Washington, marketing area.

The Office of Price Stabilization was requested to conduct a survey to determine whether increased costs have reduced the net margins of heating oil distributors in the Wahkiakum County, Washington, marketing area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950.

The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There is a large number of heating oil sellers at the tank wagon level in this region and the need for relief is not uniform, but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis, rather than on a region-wide basis. For the purpose of this special order the boundaries of the market area have been determined to be the same as the boundaries of Wahkiakum County, Washington.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is therefore consistent with the provisions of section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 11 (d) of Ceiling Price Regula-

tion 17 and Delegation of Authority No. 72, *It is ordered:*

1. That the ceiling price of heating oil distributors in the Wahkiakum County marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.003 per gallon. The Wahkiakum County marketing area is defined as the area within the boundaries of Wahkiakum County, Washington.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this Order shall remain in full force and effect as to the commodities covered by this Order.

3. This Order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on December 10, 1952.

HAROLD WALSH,
Regional Director, Office of Price
Stabilization, Region XIII.

DECEMBER 9, 1952.

S. O. 7CPR 17, SEC. 11 (d)
DECEMBER 9, 1952**OFFICE OF PRICE STABILIZATION
WASHINGTON****ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization**[Ceiling Price Regulation 17, Section 11 (d),
Special Order No. 7]**ADJUSTMENT OF TANK WAGON CEILING
PRICES IN THE WASCO AND SHERMAN
COUNTIES, OREGON, AND KLICKITAT
COUNTY, WASHINGTON MARKETING AREA**

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the marketing area of Wasco and Sherman Counties, Oregon, and Klickitat County, Washington.

The Office of Price Stabilization was requested to conduct a survey to determine whether increased costs have reduced the net margins of heating oil distributors in the above named marketing area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of

that survey show that an upward adjustment is necessary to bring earnings to that level.

There is a large number of heating oil sellers at the tank wagon level in this region and the need for relief is not uniform, but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis, rather than on a region-wide basis. For the purpose of this special order the boundaries of the market area have been determined as Wasco and Sherman Counties, Oregon, and Klickitat County, Washington.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is therefore, consistent with the provisions of section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority 72, *It is ordered:*

1. That the ceiling price of heating oil distributors in the Wasco and Sherman Counties, Oregon, and Klickitat County, Washington, marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.001 per gallon. The Wasco and Sherman Counties, Oregon, and Klickitat County, Washington, marketing area is defined as the area within the boundaries of the respective counties.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this Order shall remain in full force and effect as to the commodities covered by this Order.

3. This Order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on December 10, 1952.

HAROLD WALSH,
Regional Director, Office of
Price Stabilization, Region
XIII.

DECEMBER 9, 1952.

S. O. 8CPR 17, SEC. 11 (d)
JANUARY 6, 1953**OFFICE OF PRICE STABILIZATION
WASHINGTON****ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization**[Ceiling Price Regulation 17, Section 11 (d),
Special Order No. 8]**WASHINGTON****ADJUSTMENT OF TANK WAGON CEILING
PRICES OF FUEL OIL DISTRIBUTORS, EVER-
ETT - MARYSVILLE - SNOHOMISH - ARLING-
TON-MONROE AND STANWOOD MARKETING
AREA**

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Everett-Marysville-Snohomish-Arlington-Monroe and Stanwood marketing area.

The Office of Price Stabilization was requested by distributors in the Everett-Marysville - Snohomish - Arlington - Monroe and Stanwood marketing area of the State of Washington to conduct a survey to determine whether increased costs have reduced the net margins in the area below a point sufficient to maintain the level of earnings in the year end-

ing May 31, 1950. The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There are hundreds of heating oil sellers at the tank wagon level in this Region and the need for relief is not uniform but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area of reseller competition, which is the same as the free delivery zones.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is, therefore, consistent with the provisions of Section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, it is ordered:

1. That the ceiling price of heating oil distributors in the Everett-Marysville-

Snohomish-Arlington-Monroe and Stanwood marketing area of the State of Washington for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.002 per gallon. The Everett-Marysville-Snohomish-Arlington-Monroe and Stanwood marketing area is defined as that area in which dealers located in the communities of Everett, Marysville, Snohomish, Arlington, Monroe and Stanwood customarily make deliveries without an additional charge.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on January 7, 1953.

HAROLD D. WALSH,
*Regional Director, Office of
Price Stabilization Region
XIII.*

JANUARY 6, 1953

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S. O. 9CPR 17, SEC. 11 (d)
JANUARY 23, 1953**OFFICE OF PRICE STABILIZATION
WASHINGTON****ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization**[Ceiling Price Regulation 17, Section 11(d),
Special Order No. 9]**CLATSOP COUNTY, OREG., MARKETING AREA****ADJUSTMENT OF TANK WAGON CEILING
PRICES**

Statement of consideration. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Clatsop County, Oregon, marketing area.

The Office of Price Stabilization was requested to conduct a survey to determine whether increased costs have reduced the net margins of heating oil distributors in the Clatsop County, Oregon, marketing area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of that survey show that an upward ad-

justment is necessary to bring earnings to that level.

There is a large number of heating oil sellers at the tank wagon level in this region and the need for relief is not uniform, but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis, rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area within the boundaries of Clatsop County, Oregon.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is therefore consistent with the provisions of section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, *It is ordered:*

1. That the ceiling price of heating oil distributors in the Clatsop County, Oregon, marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil, and Stove Oil) to consumers shall be increased by \$0.004 per gallon. The Clatsop County marketing area is defined as the area within the boundaries of Clatsop County, Oregon.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on January 24, 1953.

(s) HAROLD WALSH,
*Regional Director, Office of
Price Stabilization, Region
XIII.*

JANUARY 23, 1953.

S. O. 10CPR 17, SEC. 11 (d)
JANUARY 23, 1953**OFFICE OF PRICE STABILIZATION
WASHINGTON****ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization**[Ceiling Price Regulation 17, Section 11 (d),
Special Order No. 10]**COWLITZ COUNTY, WASH., MARKETING
AREA****ADJUSTMENT OF TANK WAGON CEILING
PRICES**

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Cowlitz County, Washington, marketing area.

The Office of Price Stabilization was requested to conduct a survey to determine whether increased costs have reduced the net margins of heating oil distributors in the Cowlitz County, Washington, marketing area below a point sufficient to maintain the level of earnings in the year ending May 31,

1950. The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There is a large number of heating oil sellers at the tank wagon level in this region and the need for relief is not uniform, but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis, rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area within the boundaries of Cowlitz County, Washington.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is therefore consistent with the provisions of section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to the provisions of section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority 72, *It is ordered:*

1. That the ceiling price of heating oil distributors in the Cowlitz County, Washington, marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.004 per gallon. The Cowlitz County marketing area is defined as the area within the boundaries of Cowlitz County, Washington.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified or revoked at any time.

Effective date. This special order shall become effective on January 24, 1953.

HAROLD WALSH,
*Regional Director, Office of
Price Stabilization Region
XIII.*

JANUARY 23, 1953.

S. O. 11CPR 17, SEC. 11 (d)
JANUARY 26, 1953**OFFICE OF PRICE STABILIZATION****WASHINGTON****ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization**[Ceiling Price Regulation 17, Section 11 (d),
Special Order No. 11]**LINN COUNTY, OREGON, MARKETING AREA****ADJUSTMENT OF TANK WAGON CEILING
PRICES**

Statement of Considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil, and Stove Oil) by tank wagon distributors in the Linn County, Oregon, marketing area.

The Office of Price Stabilization was requested to conduct a survey to determine whether increased costs have reduced the net margins of heating oil distributors in the Linn County, Oregon, marketing area below a point sufficient to maintain the level of earnings in the

year ending May 31, 1950. The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There is a large number of heating oil sellers at the tank wagon level in this region and the need for relief is not uniform, but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis, rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area within the boundaries of Linn County, Oregon.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is therefore consistent with the provisions of Section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority 72, it is ordered:

1. That the ceiling price of heating oil distributors in the Linn County, Oregon, marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.004 per gallon. The Linn County marketing area is defined as the area within the boundaries of Linn County, Oregon.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on January 27, 1953.

E. R. THISSEN,
Acting Regional Director,
Office of Price Stabilization,
Region XIII.

JANUARY 26, 1953.

S. O. 12CPR 17, SEC. 11 (d)
JANUARY 26, 1953**OFFICE OF PRICE STABILIZATION
WASHINGTON****ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization**[Ceiling Price Regulation 17, Section 11 (d),
Special Order No. 12]**WENATCHEE-LEAVENWORTH AND CASHMERE,
WASHINGTON MARKETING AREA****ADJUSTMENT OF TANK WAGON CEILING PRICES**

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Wenatchee-Leavenworth and Cashmere, Washington Marketing Area.

The Office of Price Stabilization was requested by distributors in the Wenatchee-Leavenworth and Cashmere, Washington marketing area to conduct a survey to determine whether increased costs have reduced the net margins in the area below a point sufficient to maintain the level of earnings in the year ending May

31, 1950. The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There are hundreds of heating oil sellers at the tank wagon level in this Region and the need for relief is not uniform but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area of reseller competition, which is the same as the free delivery zones.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is, therefore, consistent with the provisions of section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72. *It is ordered:*

1. That the ceiling price of heating oil distributors in the Wenatchee-Leavenworth and Cashmere, Washington

marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.002 per gallon. The Wenatchee-Leavenworth and Cashmere, Washington marketing area is defined as that area in which dealers located in Wenatchee, Leavenworth and Cashmere, Washington, make deliveries without an additional charge.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on January 27, 1953.

E. R. THISSEN,
Acting Regional Director,
Office of Price Stabilization,
Region XIII.

JANUARY 26, 1953.

UNIVERSITY OF CYPRUS

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Author	Title	Year
A. B. C.	The History of the World	1998
D. E. F.	The History of the World	2000
G. H. I.	The History of the World	2002
J. K. L.	The History of the World	2004
M. N. O.	The History of the World	2006
P. Q. R.	The History of the World	2008
S. T. U.	The History of the World	2010
V. W. X.	The History of the World	2012
Y. Z. A.	The History of the World	2014

S. O. 13CPR 17, SEC. 11 (d)
JANUARY 26, 1953**OFFICE OF PRICE STABILIZATION
WASHINGTON****ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization**[Ceiling Price Regulation 17, Section 11 (d),
Special Order No. 13]**JACKSON COUNTY, OREGON, MARKETING
AREA****ADJUSTMENT OF TANK WAGON CEILING
PRICES**

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Jackson County, Oregon, marketing area.

The Office of Price Stabilization was requested to conduct a survey to determine whether increased costs have reduced the net margins of heating oil distributors in the Jackson County, Oregon, marketing area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950.

The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There is a large number of heating oil sellers at the tank wagon level in this region and the need for relief is not uniform, but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis, rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area within the boundaries of Jackson County, Oregon.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is therefore consistent with the provisions of section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority 72, it is ordered:

1. That the ceiling price of heating oil distributors in the Jackson County, Oregon, marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.004 per gallon. The Jackson County marketing area is defined as the area within the boundaries of Jackson County, Oregon.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this Order, shall remain in full force and effect as to the commodities covered by this Order.

3. This Order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on January 27, 1953.

E. R. THISSEN,
Acting Regional Director,
Office of Price Stabilization,
Region XIII.

JANUARY 26, 1953.

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S. O. 14CPR 17, SEC. 11 (d)
JANUARY 29, 1953**OFFICE OF PRICE STABILIZATION
WASHINGTON****ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization.**[Ceiling Price Regulation 17, Section 11 (d),
Special Order No. 14]**JOSEPHINE COUNTY, OREGON, MARKETING
AREA****ADJUSTMENT OF TANK WAGON CEILING
PRICES OF FUEL OIL DISTRIBUTORS**

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Josephine County, Oregon, Marketing Area.

The Office of Price Stabilization was requested by distributors in the Josephine County, Oregon, Marketing Area to conduct a survey to determine whether increased costs have reduced the net margins in the area below a point sufficient to maintain the level of

earnings in the year ending May 31, 1950. The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There is a large number of heating oil sellers at the tank wagon level in this region and the need for relief is not uniform, but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis, rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area within the boundaries of Josephine County, Oregon.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is therefore, consistent with the provisions of section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to the provisions of section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, It is ordered:

1. That the ceiling price of heating oil distributors in the Josephine County, Oregon, Marketing Area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.003 per gallon. The Josephine County Marketing Area is defined as the area within the boundaries of Josephine County, Oregon.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on January 30, 1953.

E. R. THISSEN,
Acting Regional Director,
Region XIII,
Office of Price Stabilization.

JANUARY 29, 1953.

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S. O. 15CPR 17, SEC. 11 (d)
JANUARY 29, 1953**OFFICE OF PRICE STABILIZATION
WASHINGTON****ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization**[Ceiling Price Regulation 17, Section 11 (d),
Special Order No. 15]**WALLA WALLA, WASHINGTON, MARKETING
AREA****ADJUSTMENT OF TANK WAGON CEILING PRICES
OF FUEL OIL DISTRIBUTORS**

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Walla Walla Marketing Area.

The Office of Price Stabilization was requested by distributors in the Walla Walla Marketing Area to conduct a survey to determine whether increased costs have reduced the net margins in the area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of that sur-

vey show that an upward adjustment is necessary to bring earnings to that level.

There are hundreds of heating oil sellers at the tank wagon level in this Region and the need for relief is not uniform but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area of reseller competition, which is the same as the free delivery zones.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is, therefore, consistent with the provisions of section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, it is ordered:

1. That the ceiling price of heating oil distributors in the Walla Walla marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.005 per gallon. The Walla Walla marketing area is defined as the area in which dealers located in Walla Walla and College Place make deliveries without an additional charge.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on January 30, 1953.

E. R. THISSEN,
Acting Regional Director,
Region XIII,
Office of Price Stabilization.

JANUARY 29, 1953.

S. O. 16CPR 17, SEC. 11 (d)
JANUARY 29, 1953**OFFICE OF PRICE STABILIZATION**

WASHINGTON

**ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization**[Ceiling Price Regulation 17, Section 11 (d),
Special Order No. 16]**YAKIMA, WASHINGTON, MARKETING AREA
ADJUSTMENT OF TANK WAGON CEILING
PRICES OF FUEL OIL DISTRIBUTORS**

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Yakima marketing area.

The Office of Price Stabilization was requested by distributors in the Yakima marketing area to conduct a survey to determine whether increased costs have reduced the net margins in the area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There are hundreds of heating oil sellers at the tank wagon level in this Region and the need for relief is not uniform but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area of reseller competition, which is the same as the free delivery zones.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is, therefore, consistent with the provisions of section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, It is ordered:

1. That the ceiling price of heating oil distributors in the Yakima market-

ing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.004 per gallon. The Yakima marketing area is defined as that area in which dealers located in Yakima, Union Gap, and Selah make deliveries without an additional charge.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on January 30, 1953.

E. R. THISSEN,
Acting Regional Director,
Region XIII,
Office of Price Stabilization.

JANUARY 29, 1953.

S. O. 17CPR 17, SEC. 11 (d)
FEBRUARY 6, 1953**OFFICE OF PRICE STABILIZATION****WASHINGTON****ECONOMIC STABILIZATION
AGENCY****Office of Price Stabilization**[Ceiling Price Regulation 17, Section 11 (d),
Special Order No. 17]**SPOKANE, WASHINGTON, MARKETING
AREA****ADJUSTMENT OF TANK WAGON CEILING
PRICES OF FUEL OIL DISTRIBUTORS**

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Spokane, Washington, Marketing Area.

The Office of Price Stabilization was requested by distributors in the Spokane, Washington, marketing area to conduct a survey to determine whether increased costs have reduced the net margins in the area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of that survey show that an upward ad-

justment is necessary to bring earnings to that level.

There are hundreds of heating oil sellers at the tank wagon level in this Region and the need for relief is not uniform but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area of reseller competition, which is the same as the free delivery zones.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is therefore, consistent with the provisions of section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, it is ordered:

1. That the ceiling price of heating oil distributors in the Spokane marketing

area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.0003 per gallon. The Spokane marketing area is defined as that area surrounded by the cities and towns of Spokane, Deepcreek, Denison, Chattaroy, Four Lakes and Mica, together with the immediately adjacent areas in which dealers in the named cities and towns make deliveries without additional charge.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on February 7, 1953.

MURIEL MAWER,
Acting Regional Director, Re-
gion XIII, Office of Price
Stabilization.

FEBRUARY 6, 1953.

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INTERPRETATIONS
CPR 17, Sec. 15

EVASION**Contract deferring payment of overcharge until after termination of price controls**

An agreement between a producer and a buyer of natural gas provides that upon the expiration or repeal of price stabilization the seller's prices shall be increased, to the extent that such can be done lawfully, to make up any price decrease which he has been forced to take under price regulation.

Any agreement to buy or sell at more than the ceiling price is prohibited by Section 15 of CPR 17. The agreement provides that the buyer shall ultimately pay the contract rate for all deliveries. If at any time the ceiling price is lower than the contract rate, the buyer agrees, subject to this arrangement being lawful, to pay the ceiling price at the time of delivery and the balance of the price, computed at the contract rate, in installments after price control has ended.

This agreement falls squarely within the prohibitions of Section 15 even though payment of that part of the price which would be over ceiling is deferred until after the termination of price controls.

Accordingly, it is to be concluded that the provisions calling for increased payments by the buyer after price control has ended are unlawful.
(4-1-52 No. 36)

MEMORANDUM

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FROM : [illegible]

SUBJECT : [illegible]

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INTERPRETATIONS
CPR 17, Sec. 25

"UNREGULATED" COMMON CARRIER

1. Status as common carrier unaffected
2. Increases "permitted" when rates are exempt

The questions posed are:

"Does the fact that a common carrier is exempt from Interstate Commerce Commission regulations with respect to its hauling of bulk petroleum, change its status as a common carrier with respect to such hauling?

"If the answer to question one is no, does the fact that the common carrier is exempt from Interstate Commerce Commission regulations with respect to hauling bulk petroleum mean that its rate increase of March 5, 1951, was "permitted by a federal or state regulatory body" so that the shipper may pass on the increase to its distributors pursuant to Sec. 25 (a)(1) of CPR 17?"

The exemption from Interstate Commerce Commission rate regulation does not change the status of a common carrier. This carrier's operations as described were those of an "unregulated" common carrier.

It was questioned whether the use of the word "permitted" in Sec. 25 of CPR 17 contemplates some affirmative action rate-wise on the part of OPS or a federal or state regulatory body, and does not refer to the failure or legal incapacity of these bodies to exercise authority. This is too strict a reading of the section. The intent of Sec. 25 was to recognize valid rate increases. The statute itself in effect validates rate increases by "unregulated" common carriers inasmuch as it denies OPS the power to control them. Sec. 14(f) of the GCPR does the same thing, and this, of course, is undeniably an action by OPS.
(11-29-51 No. 12)

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Sales of Gasoline in
Certain Areas of California

Ceiling Price Regulation 17
Supplementary Regulation 1
JULY 26, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 17, Supplementary
Regulation 1]

CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM PROD-
UCTS

SR 1—SALES OF GASOLINE IN CERTAIN AREAS
OF CALIFORNIA

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 1 to Ceiling Price Regulation 17 (16 F. R. 2626) is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to Ceiling Price Regulation 17 establishes dollars-and-cents prices for tank wagon and "rack" sales of automotive gasoline in the Los Angeles Basin area of the State of California. The prices normally charged by wholesalers of motor gasoline in this area for tank wagon sales have been at substantially uniform prices for several years antedating the issuance of Ceiling Price Regulation 17. Similarly, there is a substantial volume of automotive gasoline sold at the refineries or refinery facilities at a customary differential below the prevailing tank wagon price for the area involved. For convenience in terminology, this type of discount transaction is referred to as the sale of "rack gasoline" or "rack price gasoline." This gasoline is sold either f. o. b. the refinery with transportation provided by the ultimate consumer or buyer, or is sold on a delivered-at-destination basis which consists of the "rack price" plus customary transportation charges.

Examination of prices on "rack transactions" back to 1948 shows that the customary level has been from 2.0¢ to 2.7¢ per gallon below the prevailing tank wagon price in each area involved, and that the weighted average discount has been 2.5¢ per gallon off tank wagon. However, the retail price war which broke out in Los Angeles basin early in 1950 caused "rack prices" also to weaken, and the Office of Price Stabilization regulations froze these "rack prices" at 3¢ to 3½¢ below tank wagon ceiling prices. Thus the discounts on "rack prices," as frozen into the area price structure, are from ½¢ to 1.0¢ per gallon below the normal differentials.

It is the purpose of this supplementary regulation to restore the customary differential between the tank wagon price and the "rack price" in order to relieve

the sellers who now have their ceilings frozen at abnormally low levels.

The ceiling price relief to be afforded by this supplementary regulation is essential to the maintenance of gasoline supplies through customary channels of distribution. With the depletion of gasoline inventories in late 1950 and early 1951 and the resultant tight supply situation on gasoline currently existing in the Pacific Coast, many re-sellers of gasoline are having extreme difficulty in securing their requirements of the product.

The customary pricing practice on the Pacific Coast is to relate prices for deliveries other than by tank wagon in terms of discounts or premiums over or under the tank wagon price. It is, therefore, essential to establish, coincident with the restoration of the normal differential for "rack" transactions, the prevailing tank wagon price in the area involved as the ceiling price. Evidence is on file to show that the posted tank wagon price of sellers in this area is the prevailing price and, because of the existence of uniform prices, the establishment of dollars and cents prices is facilitated. The tank wagon prices which are spelled out by this supplementary regulation were in effect in the latter part of 1950, and are regarded by the Pacific Coast Industry Advisory Committee as fair and equitable. Moreover, the establishment of dollars and cents ceiling prices for tank wagon deliveries is in accordance with the announced policy of this agency to establish specific ceiling prices, which situation is desirable from the standpoint of the consuming public, sellers, and the government.

FINDINGS OF THE DIRECTOR OF PRICE
STABILIZATION

In the judgment of the Director of Price Stabilization, the prices established by this supplementary regulation are at the minimum levels which will permit the continued supply of gasoline, are generally fair and equitable, and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

- Sec.
1. Applicability of supplementary regulation.
 2. Definitions.
 3. Ceiling prices for tank wagon deliveries in the Los Angeles basin.
 4. Rack gasoline.

AUTHORITY: Sections 1 to 4 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., Executive Order 10161. September 9, 1950, F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Applicability of supplementary regulation.* This supplementary regulation sets specific prices for tank wagon sales of regular, automotive and marine gasoline in the Los Angeles basin area, and sets a specific

2.5¢ differential in sales of "rack gasoline."

SEC. 2. *Definitions.* When used in the supplementary regulation, the term "Los Angeles basin" means that area enclosed by a line beginning at the southerly limits of Laguna Beach, extending north to Irvine, thence northerly to base of Sierra Madre mountains at Altadena, thence along Foothill Boulevard to intersection of San Fernando Road and Foothill Boulevard, including the site of the Newhall Refinery, thence southwesterly to north boundary of Malibu Beach and Pacific Ocean, thence southeasterly along shoreline of Pacific Ocean to point of commencement.

SEC. 3. *Ceiling prices for tank wagon deliveries in the Los Angeles basin.* (a) Ceiling prices for tank wagon deliveries in the Los Angeles basin area for regular grade gasoline are hereby established as follows:

CEILING PRICES PER GALLON	
Quantity of gasoline per delivery:	Cents
40 to 199 gallons.....	21.0
200 to 399 gallons.....	20.5
400 and over gallons.....	20.0

(b) Premium grade gasoline in the aforementioned area shall be the price for regular grade gasoline as listed in paragraph (a) of this section, plus each seller's customary differential between regular and premium grade gasolines delivered by tank wagon.

(c) Third grade gasoline in the aforementioned area shall be the price for regular grade gasoline as listed in paragraph (a) of this section, minus each seller's customary differential between regular and third grade gasolines delivered by tank wagon.

SEC. 4. *Rack gasoline.* The ceiling price for regular grade gasoline f.o.b. refineries or refinery facilities to that class of purchaser buying "rack price gasoline" in the Los Angeles basin shall be 2.5¢ per gallon below the specified tank wagon ceiling price for quantities as established in section 3 of this regulation. For "delivery-at-destination" sales of rack price gasoline there may be added to the f.o.b. refineries ceiling prices established by this section the seller's customary transportation charge. For premium grades of gasoline, the seller's customary wholesale differential between regular and premium grades may be added. For third grade gasoline the seller's customary wholesale differential between regular and third grade gasoline shall be deducted.

Effective date. This supplementary regulation shall become effective on the 31st day of July, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

JULY 26, 1951.

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Resellers of Los Angeles
"Rack Price Gasoline"
Outside Los Angeles Basin

Ceiling Price Regulation 17
Supplementary Regulation 1
Amendment 1
DEC. 29, 1951

OFFICE OF PRICE STABILIZATION WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 17, Amdt. 1 to
Supplementary Regulation 1]

CPR 17—GASOLINE, NAPHTHAS, FUEL OILS
AND LIQUEFIED PETROLEUM GASES, NAT-
URAL GAS, PETROLEUM GAS, CASINGHEAD
GAS AND REFINERY GAS

SR 1—SALES OF GASOLINE IN CERTAIN
AREAS OF CALIFORNIA

RESELLERS OF LOS ANGELES "RACK PRICE
GASOLINE" OUTSIDE LOS ANGELES BASIN

Pursuant to the Defense Production
Act of 1950 (Pub. Law 774, 81st Cong.),
as amended, Executive Order 10161 (15
F. R. 6105), and Economic Stabilization
Agency General Order No. 2 (16 F. R.
738), this Amendment 1 to Supplemen-
tary Regulation 1 to Ceiling Price Regu-
lation 17 is hereby issued.

STATEMENT OF CONSIDERATIONS

The purpose of Supplementary Regu-
lation 1 to Ceiling Price Regulation 17
was to rectify an unsatisfactory ceiling
price situation in the Los Angeles Basin
which had resulted from a prolonged
price war that was terminating during
the base period. The supplementary
regulation confined its coverage to a spe-
cific geographical area. In doing so it
failed to take into account a small per-
centage of "rack price gasoline", which
is purchased at the rack in the Los An-
geles Basin area, and then transported out-
side that area for sale either directly to
retailers at service stations, or to bulk
plants for resale to retail outlets.

To prevent ceiling prices from creating
an economic situation which would dis-
rupt normal supplies of gasoline, Sup-
plementary Regulation 1 established the
differential between the tank wagon
price on deliveries in the Los Angeles
Basin area and the rack price at 2.5¢ per
gallon. In many cases this resulted in a
reduction of differentials which had the
result of raising the rack price of gaso-
line. However, when this "rack price
gasoline", in the course of distribution,
reaches areas outside the Los Angeles
Basin, Supplementary Regulation 1 to
Ceiling Price Regulation 17 ceases to be

applicable, and the ceilings are set by
Ceiling Price Regulation 17, which per-
mits no pass through of this sort. This
results in a squeeze on independent
marketers reselling Los Angeles rack
gasoline outside the Los Angeles Basin.
This squeeze is measured by the extent
that Supplementary Regulation 1 per-
mitted an increase in "rack price gaso-
line" in the Los Angeles Basin.

Under this amendment resellers who
purchase "rack price gasoline" that origi-
nates under the rack in the Los An-
geles Basin may adjust their ceiling
prices to pass on any increase in costs
resulting from the issuance of Supple-
mentary Regulation 1 to Ceiling Price
Regulation 17, regardless of whether
they sell within or without the Los An-
geles Basin area. Prior to the issuance
of this regulation the Director of Price
Stabilization has consulted with Pacific
Coast Wholesale Petroleum Industrial
Advisory Committees, and has given con-
sideration to their recommendations.

This amendment also adds a section to
Supplementary Regulation 1 which in-
corporates therein all the provisions of
Ceiling Price Regulation 17 that are not
inconsistent with the supplementary
regulation, such as the record-keeping,
compliance, transportation and tax pro-
visions.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of
Price Stabilization this amendment to
Supplementary Regulation 1 to Ceiling
Price Regulation 17 is generally fair and
equitable and is necessary to effectuate
the purposes of Title IV of the Defense
Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 1 to Ceil-
ing Price Regulation 17 is amended in
the following respects:

Section 1 is amended to read as fol-
lows:

**SECTION 1. Applicability of supple-
mentary regulation.** This supplemen-
tary regulation sets specific prices for
tank wagon sales of regular automotive
and marine gasoline in the Los Angeles
Basin area. It also sets a specific 2.5¢
differential on sales of "rack price gaso-
line" in the Los Angeles Basin area and
permits resellers of "rack price gaso-

line" which originates under the rack in
the Los Angeles Basin area to pass on to
purchasers located within or without the
Los Angeles Basin area, any increase in
cost occasioned by the specific prices and
differentials herein established.

2. Section 4 is amended to read as fol-
lows:

SEC. 4. Rack gasoline. (a) The ceil-
ing price for each grade of gasoline
f. o. b. refineries or refinery facilities to
that class of purchaser buying "rack
price gasoline" in the Los Angeles Basin
area shall be 2.5¢ per gallon below the
specified tank wagon ceiling price for
quantities as established in section 3 of
this regulation.

(b) The ceiling price of a refiner for
"delivered-at-destination" sales of "rack
price gasoline" originating in the Los
Angeles Basin area shall be the f. o. b.
ceiling price for such gasoline as estab-
lished by paragraph (a) of this section
plus the refiner's customary transporta-
tion charge.

(c) The ceiling price of resellers of
"rack price gasoline" which originated
under the rack in the Los Angeles Basin
area shall be increased by the amount
of increased cost of the product to the
reseller resulting from increases in ceil-
ing prices permitted their suppliers by
this section, irrespective of the location
of the sale within or without the Los An-
geles Basin area.

Nothing in this regulation shall be
construed as referring to cargo sales of
gasoline.

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

**SEC. 5. Applicable provisions of Ceil-
ing Price Regulation 17.** Sellers subject
to this supplementary regulation shall be
subject to all provisions of Ceiling Price
Regulation 17 not inconsistent with the
provisions of this supplementary regula-
tion.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S.
C. App. Sup. 2154)

Effective date. This amendment 1 to
Supplementary Regulation 1 to Ceiling
Price Regulation 17 shall become effec-
tive January 3, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 29, 1951.

Price Adjustments for Cyclohexane

Ceiling Price Regulation 17
Supplementary Regulation 2

OCTOBER 16, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabilization,
Economic Stabilization Agency[Ceiling Price Regulation 17, Supplementary
Regulation 2]CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM PRODUCTS,
NATURAL GAS, PETROLEUM GAS,
CASINGHEAD GAS AND REFINERY GAS

SR 2—PRICE ADJUSTMENTS FOR CYCLOHEXANE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 2 to Ceiling Price Regulation 17 (16 F. R. 3033), is hereby issued.

STATEMENT OF CONSIDERATIONS

Cyclohexane is a petroleum hydrocarbon which can be obtained from natural gasoline and various refinery gasoline streams by a careful treating operation and elaborate fractionating equipment. It is normally manufactured by only a few refiners, who obtain low yields and consequently produce relatively small quantities. Cyclohexane prices in the past and during the base period have reflected both cost of production and the prices of competitive hydrocarbons. The price of cyclohexane has not been sufficiently high to permit building and operating the additional fractionating equipment needed to secure higher recoveries out of the gasoline streams.

Cyclohexane and benzene are chemically similar in composition and are alternative raw materials for the manufacture of nylon, although cyclohexane is preferable since the first step in manufacturing nylon from benzene is to convert it to cyclohexane. Heretofore benzene, rather than cyclohexane, has been the principal raw material (because of its availability) at a price at which cyclohexane could not compete for nylon manufacture.

Under the impact of the mobilization program the demands for benzene and nylon have been increasing very rapidly. A greatly expanded production of benzene is needed not only for the manufacture of nylon, but also because benzene is an important raw material in many chemical industries, including the manufacture of synthetic rubber. The amount of benzene normally produced from petroleum is insignificant as compared with the quantities produced by the coke industry as a by-product. However, production from petroleum can be substantially expanded. Consequently, in order to insure an expansion in production, and at the request of the Petroleum Administrator for Defense, benzene from petroleum was exempted from ceiling prices in Ceiling Price Regulation 17.

Incremental supplies of cyclohexane to serve as a substitute for scarce benzene can be produced by petroleum refiners

only by use of new and additional plant facilities and fractionation equipment, not now in existence, which can recover a substantially larger percentage of cyclohexane than the normal fractionation process. Such additional facilities and equipment will involve substantial new capital expenditures and increased production costs, in turn requiring higher prices than the present ceiling prices of cyclohexane. It is not considered necessary to exempt cyclohexane from price ceilings, because it will be administratively feasible to make appropriate individual price adjustments for the few producers who can expand their production of cyclohexane.

Manufacturers of nylon have expressed their desire for incremental supplies of cyclohexane for use in the manufacture of nylon essential for defense purposes. Even at the higher prices which may be granted under this supplementary regulation, cyclohexane will provide them with a lower cost raw material than if they purchased additional benzene at the level of prices currently prevailing on incremental benzene from petroleum and on imported benzene. Thus, price adjustments which result in additional supplies of cyclohexane will contribute to the stabilization program by relieving the critical shortage of benzene and by providing nylon manufacturers with an alternative lower cost raw material.

This supplementary regulation provides that where it is in the interest of the National Defense effort, upon the proper showing of estimated capital expenditures and anticipated production costs, a petroleum refiner may be granted an adjusted ceiling price for incremental supplies in order to enable him to increase his production of cyclohexane.

Prior to the issuance of this supplementary regulation the Director of Price Stabilization has consulted with industry representatives who might be affected by this regulation.

FINDINGS OF THE DIRECTOR OF PRICE
STABILIZATION

In the judgment of the Director of Price Stabilization the adjustment provision established in this supplementary regulation is necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Applicability of this supplementary regulation.
2. Adjustment of ceiling prices of cyclohexane.
3. Applicability of Ceiling Price Regulation 17.
4. Reports.

AUTHORITY: Sections 1 to 4 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. Applicability of this supplementary regulation. This supplementary regulation is applicable to sales of cyclohexane produced from petroleum.

SEC. 2. Adjustment of ceiling prices of cyclohexane. (a) Whenever in the opinion of the Director of Price Stabilization it is essential to the defense effort to bring out incremental supplies of cyclohexane, he may adjust a producer's ceiling price for cyclohexane to reflect actual or anticipated increases in operating costs and capital expenditures for new or improved producing facilities made after January 25, 1951. Consideration shall also be given to the price necessary to secure adequate production and to the effect of increased prices on the prices of finished products.

At the discretion of the Director of Price Stabilization, he may adjust the ceiling price only on sales of the incremental production of cyclohexane, or he may grant a proportionately smaller ceiling price adjustment applicable to the producer's entire output of cyclohexane.

(b) A producer of cyclohexane desiring an adjustment of his ceiling price for cyclohexane shall file a request for such adjustment with the Petroleum Branch, Office of Price Stabilization. This request shall set forth (1) a description of his present and proposed operation; (2) an estimate of capital expenditures for the equipment necessary to produce the incremental supply of cyclohexane, broken down into major types of equipment; (3) present unit cost of production, showing in detail material and labor costs, operating overhead, depreciation, and sales and administrative expenses; (4) an estimate of the unit cost of his incremental products showing the same detail as subparagraph (3) of this paragraph and the rates and amounts of amortization; (5) his present and proposed ceiling prices for cyclohexane; and (6) any other such information deemed pertinent by the applicant.

(c) The Director may at any time revise ceiling prices established by order under the provisions of this supplementary regulation when such ceiling prices appear to be inconsistent with the basis upon which the adjustment was made.

SEC. 3. Applicability of Ceiling Price Regulation 17. Sellers subject to this supplementary regulation shall be subject to all the provisions of Ceiling Price Regulation 17 not inconsistent herewith.

SEC. 4. Reports. Producers of cyclohexane whose ceiling prices have been adjusted under the provisions of this supplementary regulation shall be required upon the request of the Director to file a report of actual detailed cost data on incremental supplies of cyclohexane.

Effective date. This supplementary 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,
Office of Price Stabilization.

OCTOBER 16, 1951.

**Increased Ceiling Prices—
Sellers of Kerosene, Diesel Fuel, Etc.**

**Ceiling Price Regulation 17
Supplementary Regulation 3**

OCT. 25, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 17, Supplementary
Regulation 3]

**CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM PROD-
UCTS, NATURAL GAS, PETROLEUM GAS,
CASINGHEAD GAS, AND REFINERY GAS**

**SR 3—INCREASED CEILING PRICES ALLOWED
TO SELLERS OF KEROSENE, DISTILLATE
TYPE BURNING FUELS AND DIESEL FUEL
IN CERTAIN MID-WESTERN STATES**

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 3 to Ceiling Price Regulation 17 (16 F. R. 3033) is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 3 to Ceiling Price Regulation 17 is designed to rectify a tank wagon price problem which was created in the mid-western states by the price freeze established by the General Ceiling Price Regulation on January 26, 1951.

The petroleum industry had, to a great extent, observed a "hold the line" price request which was issued by the Director of Price Stabilization on December 18, 1950. At that time, such voluntary action was considered temporary, pending preparation and issuance of regulations.

Acceptance by the petroleum industry of the voluntary price freeze brought a sudden halt in normal pricing procedures, and certain distortions resulted in tank wagon sales of kerosene, No. 2 Heating Oil, and other distillate fuels in the mid-western section of the country. These distortions stemmed from the fact that f. o. b. refinery prices and tank car delivered prices at that time were rising, and not all of the tank wagon sellers had made the upward market adjustments necessary to maintain customary operating margins between tank car delivered prices and tank wagon distribution prices.

Issuance of the General Ceiling Price Regulation froze into ceilings the diverse tank wagon price levels resulting from the observance of the voluntary "freeze" as of December 18, 1950, thereby retaining these distortions. Ceiling Price Regulation 17 continued the price levels of the base period and continued also those distortions already in existence.

The customary practice of the petroleum industry under ordinary conditions is to reflect at the tank-car level price

changes at the refinery level and tank wagon prices in turn reflect changes at the tank car level. In the early part of December 1950 an increase in prices at the tank car level was in progress, the advance being made in the customary increments of $\frac{1}{8}$ of a cent at a time. This advance was in an amount that would normally have resulted in an increase in tank wagon prices of $\frac{3}{10}$ to $\frac{1}{2}$ of a cent. But the tank car advance was not completed until December 18, 1950, the date of the voluntary price freeze, and the voluntary price freeze had not permitted tank wagon dealers time to complete arrangements to advance the tank wagon price. In fact, there is a normal lag between tank car and tank wagon price changes due, in large part, to the practice of moving tank wagon prices in steps of $\frac{1}{2}$ of a cent. While some changes were accomplished, others in contemplation were postponed due to observance of the voluntary price freeze of December 18th, with the result that the "highest price charged during the base period" varied considerably among the numerous marketers. Tank wagon ceiling prices of some sellers were frozen at considerably lower levels than those of their competitors.

A substantial segment of the industry, including a large number of relatively small business enterprises selling at the tank wagon level, now find themselves in a situation where they are subjected to increased costs for kerosene and distillate fuel oils and are not able to reflect such increases in their selling prices because either (1) their tank wagon ceiling prices are frozen at abnormally low levels or (2) they cannot sell at their higher established ceilings because their competitors' ceilings are frozen at abnormally low levels, thus compelling them to meet competition in the market or lose their customers.

In general the extent of the tank car and refinery advances in December 1950 ranged from $\frac{1}{4}$ of a cent to $\frac{1}{2}$ of a cent per gallon, the amount being determined by the method of pricing used, the petroleum product involved, and the geographical location.

One of the major marketers has, for several years, followed a pricing policy which apparently differs from the "Group 3 Basis" of pricing. In brief, it bases its tank wagon price structure upon refinery prices, plus a customary margin which varies dependent upon the competitive situation and the demand for its products in local marketing areas. This major marketer was in the process of adjusting his tank wagon prices in 11 states after completion of an exhaustive study of the price situation. These adjustments would have increased prices by 0.5 of a cent per gallon in the states of Wisconsin, Minnesota, North Dakota,

South Dakota, Iowa and Kansas, and by 0.3 of a cent in Indiana, Missouri, Nebraska, Michigan and Illinois with the exception of Metropolitan Chicago where adjustment had already been made. On the so-called "Group 3 Basis" in the Oklahoma area, fuel oil prices at refineries (tank car) rose $\frac{1}{4}$ of a cent, and kerosene prices $\frac{3}{8}$ of a cent per gallon. These amounts are in turn the minimum that the jobber's margin has been decreased.

Because of the shrinkage of up to $\frac{3}{10}$ of a cent per gallon in jobbers' margins, with an average for the 12 states of approximately $\frac{3}{8}$ of a cent per gallon or about 17 percent of the customary gross margin, numerous petitions for ceiling price adjustment have been received from independent marketers as well as from major oil companies.

The adjustments in tank wagon ceiling prices which are made by this supplementary regulation will result in prices in the mid-western area described which will be more in line with prices frozen by Ceiling Price Regulation 17 in other sections of the country.

After careful study of price statistics, and consultation with numerous trade representatives in the affected area, the conclusion has been reached that this squeeze of margins should be relieved. Because the number of sellers involved amounts to several thousand, it is deemed advisable to make the correction by means of a supplementary regulation to Ceiling Price Regulation 17, instead of by individual adjustments.

The Director of Price Stabilization has consulted extensively with trade association representatives and members of the industry affected by this supplementary regulation and consideration has been given to the information and suggestions received from them.

**FINDINGS OF THE DIRECTOR OF PRICE
STABILIZATION**

In the judgment of the Director of Price Stabilization, the prices established by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Applicability of this supplementary regulation.
2. Adjustment of ceiling prices.
3. Records.

AUTHORITY: Sections 1 to 3 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. Applicability of this supplementary regulation. This supple-

mentary regulation grants authority to sellers of kerosene, distillate type burning oils and Diesel fuel to adjust their ceiling prices $\frac{3}{10}$ of a cent per gallon to $\frac{1}{2}$ of a cent per gallon, under stated conditions, when making sales of these products at the tank wagon level in certain mid-western states.

SEC. 2. Adjustment of ceiling prices.

(a) The tank wagon ceiling price of a seller of kerosene, distillate type burning oil and Diesel fuels may be adjusted to a price no higher than the selling price for the same grade and quantity on December 13, 1950, or the nearest date prior thereto that a sale was made, plus the amount specified for each geographical area listed in this paragraph:

(1) One-half cent per gallon in the states of Wisconsin, Minnesota, North Dakota, South Dakota, Iowa and Kansas.

(2) Three-tenths cent per gallon in the states of Arkansas, Indiana, Missouri,

Nebraska, Michigan and Illinois (except in Metropolitan Chicago area).

For the purposes of this supplementary regulation Metropolitan Chicago area means the City of Chicago, Illinois, and the area contiguous thereto, within which, with respect to petroleum products, railroad "switching rates" (as distinguished from "through rates") apply on movements from any refinery or bulk plant in Lake, Cook, Du Page, and Will Counties in the state of Illinois, and Lake, Porter and La Porte Counties in the state of Indiana.

(b) Sellers of products covered by this supplementary regulation whose ceiling price has been established by other ceiling price regulations heretofore issued may continue to use such established ceiling prices.

SEC. 3. Records. Sellers covered by this regulation must maintain records in

accordance with the record-keeping provisions of Ceiling Price Regulation 17, and in addition must maintain records indicating the selling price of December 13, 1950, or if no sale was made on that date the selling price on the nearest date prior thereto that a sale was made. Such records must be kept available for inspection by the Director of Price Stabilization or his designated agent for a period of two years.

Effective date. This supplementary regulation shall become effective October 30, 1951.

NOTE: The record-keeping 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,

Office of Price Stabilization.

OCTOBER 25, 1951.

**Certain Petroleum
Products in the
Greater Boston Area**

**Ceiling Price Regulation 17
Supplementary Regulation 4
NOV. 20, 1951**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 17, Supplementary
Regulation 4]

**CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM PROD-
UCTS, NATURAL GAS, PETROLEUM GAS,
CASINGHEAD GAS AND REFINERY GAS**

**SR 4—SALES OF CERTAIN PETROLEUM PROD-
UCTS IN THE GREATER BOSTON AREA**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation No. 4 to Ceiling Price Regulation 17 (16 F. R. 3033), is hereby issued.

STATEMENT OF CONSIDERATIONS

In the Statement of Considerations of Ceiling Price Regulation 17 there is a stipulation that "it is the intention of the Director of Price Stabilization to establish specific area price ceilings for as many of these (petroleum) products as is feasible." The present supplementary regulation is designed to carry out the Director's intention in one locality—the Greater Boston (Massachusetts) area—by spelling out specific ceiling prices in cents per gallon for Range Oil, No. 1 Fuel Oil, Kerosene and Nos. 2, 3 and 4 Distillate Fuel Oil at (1) refineries and tanker terminals, (2) terminals other than tanker or barge terminals, (3) jobbers' barge terminals, (4) jobbers' bulk plants, and (5) delivered in tank wagons.

As a prerequisite to a spell-out of prices in that area the Boston Regional Office has completed a survey which included consulting with all segments of industry, and has proposed appropriate price action. This supplementary regulation, embodying the proposals, does not contain any basic price changes.

A fractional upward adjustment of tank wagon delivery prices and of prices at certain primary inland terminals and jobbers' bulk plants is incorporated in the spelled out prices to include increases in costs of transportation as permitted by the Massachusetts Department of Public Utilities subsequent to January 25, 1951. Transportation cost increases have averaged about .08 of a cent per gallon, but in no case has this cost increased by more than $\frac{1}{8}$ of a cent per gallon. To conform with the customary pricing practice in the Greater Boston Area of adjusting prices by tenths of a cent, and to provide uniformity throughout the area, one-tenth of a cent has been added to the base period tank wagon ceiling prices. In the case of inland terminals and jobbers' barge termi-

nals or bulk plants one-twentieth of a cent has been added to cover the additional transportation costs to those points.

**FINDINGS OF THE DIRECTOR OF PRICE
STABILIZATION**

In the judgment of the Director of Price Stabilization the specific ceiling prices established by this supplementary 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.

AMENDATORY PROVISIONS

Sec.

1. Applicability of supplementary regulation.
2. Definitions.
3. Specific prices in the Greater Boston Area.
4. Applicability of CPR 17 provisions.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2101-2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. Applicability of supplementary regulation. This supplementary regulation sets specific ceiling prices (in the Greater Boston Area of Massachusetts) in cents per gallon for Range Oil, No. 1 Fuel Oil, Kerosene, and Nos. 2, 3, and 4 Distillate Fuel Oil at refineries, the primary terminals, and jobbers' barge terminals, the jobbers' bulk plants and delivered in tank wagons. These ceiling prices shall apply notwithstanding the pricing provisions of Ceiling Price Regulation 17.

SEC. 2. Definitions. (a) A barge terminal reseller means a barge buyer who purchases petroleum products for transportation to a water-way terminal for storage and resale.

(b) A tank car buyer is one to whom a specific seller or group of sellers has customarily and regularly sold on the basis of the tank car price.

(c) A tank wagon rack buyer is one who purchases at the rack in tank wagon lots and who has customarily and generally bought at a differential under the tank wagon price.

(d) The Greater Boston Area of Massachusetts means that area contained in the corporate limits of the following Massachusetts cities and towns: Arlington, Bedford, Belmont, Boston (including Allston, Brighton, Charlestown, Dorchester, East Boston, Forest Hills, Hyde Park, Jamaica Plain, Mattapan, Roslindale, Roxbury, South Boston, West Roxbury), Braintree, Brookline, Burlington, Cambridge, Canton, Chelsea, Cohasset, Dedham, Dover, Hingham, Hull, Lexington, Lincoln, Malden, Medford, Melrose, Milton, Needham, Newton, Quincy, Reading, Revere, Somerville,

Stoneham, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop, and Woburn.

SEC. 3. Specific prices in the Greater Boston Area. The ceiling prices for sales and deliveries in the Greater Boston Area of Massachusetts for the petroleum products for the type of sale and to the class of purchasers as set forth below shall be as follows:

Type of sale	Range oil, No. 1 fuel oil, kero- sene	Nos. 2, 3, and 4 dis- tillate fuel oil
Sales at refineries-tanker termi- nals:	<i>Cents per gallon</i>	<i>Cents per gallon</i>
To barge terminal resellers.....	10.05	9.05
To barge buyers.....	10.20	9.20
To tank car buyers.....	10.30	9.30
To tank wagon rack buyers.....	10.90	9.90

Where a seller at the refinery or tanker terminal level customarily sold to a barge terminal reseller or barge buyer at the tank car price during the base period, such seller may continue such practice.

Type of sale	Range oil, No. 1 fuel oil, kero- sene	Nos. 2, 3, and 4 distil- late fuel oil
Sales at primary terminals other than tanker terminals:	<i>Cents per gallon</i>	<i>Cents per gallon</i>
Pipeline and barge: To tank car buyers.....	10.40	9.40
Other Inland:		
To tank car buyers.....	10.45	9.45
To tank wagon rack buyers.....	10.95	9.95
Sales at jobbers' barge terminals:		
To tank wagon rack buyers.....	10.95	9.95
Sales at jobbers' bulk plants:		
To tank wagon rack buyers.....	11.15	10.15
Delivered in tank wagons.....	14.6	12.6
Seller may add his customary price differentials on hose deliveries of range oil, No. 1 fuel oil, kerosene for quantities of less than 100 gallons, with maximum price of.....	15.6	-----
Carried in cans.....	18.1	-----

SEC. 4. Applicability of CPR 17 provisions. (a) Sellers covered by this supplementary regulation shall remain subject to all the provisions of Ceiling Price Regulation 17 except such provisions as are inconsistent herewith, and except the provisions of sections 25 and 26 thereof.

(b) Sellers covered by this supplementary regulation must maintain customary discounts and allowances based upon terms and conditions of sale.

Effective date. This supplementary regulation shall become effective November 26, 1951.

MICHAEL V. DiSALLE,

Director,

Office of Price Stabilization.

NOVEMBER 20, 1951.

Inclusion of the
City of Everett,
Massachusetts

Ceiling Price Regulation 17
Supplementary Regulation 4
Amendment 1
JAN. 7, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 17, Amdt. 1 to
Supplementary Regulation 4]

**CPR 17—GASOLINES, NAPHTHAS, FUEL OILS
AND LIQUEFIED PETROLEUM PRODUCTS,
NATURAL GAS, PETROLEUM GAS, CASING-
HEAD GAS, AND REFINERY GAS**

**SR 4—SALES OF CERTAIN PETROLEUM PROD-
UCTS IN THE GREATER BOSTON AREA, IN-
CLUSION OF CITY OF EVERETT, MASS.**

Pursuant to the Defense Production
Act of 1950, as amended, Executive Or-
der 10161 (15 F. R. 6105), and Economic
Stabilization Agency General Order No.
2 (16 F. R. 738), this Amendment 1 to
Supplementary Regulation 4 to Ceiling
Price Regulation 17 (16 F. R. 3033), is
hereby issued.

STATEMENT OF CONSIDERATIONS

Section 2 (d) of Supplementary Regu-
lation 4 defines the Greater Boston Area
of Massachusetts by listing the Mas-
sachusetts cities and towns in whose
corporate limits the supplementary regu-
lation is applicable. Unintentionally
the city of Everett was omitted from that
list.

As the city of Everett was considered
in the survey made by the Boston Re-
gional Office of the Office of Price Sta-
bilization, and included in the discussion
at conferences held by the Boston Re-
gional Office with the segments of the
petroleum industry involved, no further
industrial advisory committee confer-
ences were held prior to the issuance of
this amendment.

**FINDINGS OF THE DIRECTOR OF PRICE
STABILIZATION**

In the judgment of the Director of
Price Stabilization the specific ceiling

prices established by Supplementary
Regulation 4 are generally fair and equi-
table when applied to the city of Everett
and are necessary to effectuate the pro-
visions of Title IV of the Defense Pro-
duction Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 4 to Ceil-
ing Price Regulation 17 is amended by
including in section 2 (d) thereof be-
tween the words "Dover," and "Hing-
ham" the following: Everett,

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C.
App. Sup. 2154)

This amendment shall become effec-
tive January 12, 1952.

EDWARD F. PHELPS, Jr.
Acting Director,
Office of Price Stabilization.

JANUARY 7, 1952.

Navy Special Fuel Oil

Ceiling Price Regulation 17
Supplementary Regulation 5

FEB. 15, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency[Ceiling Price Regulation 17, Supplementary
Regulation 5]CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM PROD-
UCTS, NATURAL GAS, PETROLEUM GAS,
CASINGHEAD GAS AND REFINERY GASSR 5—SPECIFIC CEILING PRICES FOR NAVY
SPECIAL FUEL OIL

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency Order No. 2, this Supplementary Regulation No. 5 to Ceiling Price Regulation 17 (16 F. R. 3033), is hereby issued.

STATEMENT OF CONSIDERATIONS

The purpose of this Supplementary Regulation 5 to CPR 17 is to establish a generally fair and equitable ceiling price for the sale or delivery of Navy Special Fuel Oil by Gulf, East and West Coast refiners. The demand for this fuel has increased substantially since the outbreak of war in Korea and with the expansion of our Naval activities incident to the present defense effort.

Navy Special Fuel Oil is a residual type petroleum fuel made according to the specification of the U. S. Navy. It is somewhat comparable in use to Bunker "C" fuel oil, but its specifications mean a product of lower viscosity and better burning quality. It can be made as a product of distilling operations but more frequently is made as a blend of Bunker "C" fuel oil or other residual oil combined with cutter stocks. The type of cutter stocks used and the proportion thereof would vary with the refinery and type of crude oil being processed. Finished No. 2 heating oil may be used as the cutter stock, but so also may unfinished heating oil or low grade cutter stocks not normally marketed commercially.

General price standards. It is customary for the Office of Price Stabilization to look to prices established under normal competitive conditions as guides in the establishment of fair prices during periods of emergency. These customary practices have been used by the Agency in the establishment of ceiling prices for Navy Special. This follows the pattern of Ceiling Price Regulation 17, the basic petroleum regulation covering bulk petroleum products, which is a freeze-type regulation taking base pe-

riod competitive prices as its standard price structure.

Prior to promulgating Ceiling Price Regulation 17, and after consulting with an Industry Advisory Committee, the Director of Price Stabilization made a finding that the prices for petroleum products in effect during the base period, December 19, 1950, to January 25, 1951, were generally fair and equitable. This finding has not been challenged by any major segment of the industry.

It was inevitable, of course, that the base period would find certain products of the industry in a less profitable position than others, but this situation is entirely normal in an industry which is as complex and dynamic as the petroleum industry.

This point is of the utmost importance, since it is now contended by the oil companies which were consulted that the ceiling price for Navy Special Fuel Oil should be computed upon the basis of a weighted average, 70 percent weight for the ceiling price of Bunker C and a 30 percent weight for the ceiling price of No. 2 heating oil. Apart from the fact that this contention assumes the use of particular ingredients and that other ingredients are also likely to be used, the contention is unsound as a binding principle. It is not generally fair and equitable to buyers and sellers, since it disregards the fact that customarily prices for this product have not been determined on that basis. Navy Special Fuel Oil has in fact consistently sold below the weighted average formula contended for. This was the case, for example, in the year prior to Korea, and has indeed been the fact, with only isolated exceptions for short periods of time, since 1940.

However, some adjustment from the base period delivery prices for cargo sales of Navy Special Fuel Oil is appropriate in order to meet military requirements. The basis for and the extent of the adjustment are indicated below.

Price history. The three coastal areas of the United States are considered by the industry as distinctive refining and marketing regions. On the West Coast, prices of \$2.15 per barrel at Los Angeles and \$2.20 per barrel at San Francisco are clearly established by the price pattern of sales of Navy Special between the outbreak of the Korean War and January 25, 1951, the end of the base period.

The low cargo price of Bunker "C" Fuel Oil on the Gulf Coast, as clearly established by many sales during the base period, was \$1.75 and this is the prevailing ceiling price. During most of the period since World War II the military services have obtained supplies of

Navy Special Fuel Oil on the Gulf Coast, on the East Coast and in the Caribbean at prices no higher than 17 cents per barrel over the low cargo price on Bunker "C" Fuel Oil published in "Platt's Oilgram". This amounted to prices for Navy Special Fuel Oil not exceeding \$1.92 in the Gulf and Caribbean. But it is appropriate for various reasons to establish a higher ceiling than \$1.92.

First, the Armed Services Petroleum Procurement Agency has recently paid \$2.00 per barrel for Navy Special in the Caribbean, or 25 cents over Bunker "C". While prices in the Caribbean are not subject to price control, nevertheless, some weight must be given to the pattern in that area since it has historically been very closely related to U. S. Gulf Coast and East Coast prices.

Even more important is the fact that the base period delivery price of \$1.92, which represents a differential of 17 cents per barrel over Bunker "C", reflects the sales of the single company which was the principal source of supply on the Gulf and East Coasts during the base period. Other companies are now being sought as sources of supply, and somewhat different conditions may prevail for companies using different refining techniques. Great weight, therefore, is given to the fact that another major company had a base period posted price of \$2.19 per barrel f. o. b. refinery for barge deliveries and this company has advised that its normal cargo price on this basis would have been \$2.09 per barrel. This company and two other major companies are currently supplying Navy Special in barge quantities at equivalent prices.

The above price history of Navy Special tends to indicate that a fair and equitable general ceiling price for cargo sales would be approximately \$2.09 per barrel. However, a critical fact supporting this conclusion, and leading to the ceiling price of \$2.10, appears upon an examination of ceiling prices for comparable sales of a similar commercial product.

Such comparison may validly be made with certain gas-enrichment oils which have a different end use but which are very similar in quality and contain essentially the same components as Navy Special Fuel Oil. During the subsequent to the base period, one company posted a cargo price of \$2.10 per barrel at the Gulf, which amounted to 35 cents per barrel over Bunker "C". Three companies were selling gas-enrichment oils of essentially the same quality in the New York and New England areas at

prices ranging from 25 to 35 cents per barrel over Bunker "C".

In the light of the foregoing, a ceiling price of \$2.10 per barrel for cargo sales of Navy Special Fuel Oil, f. o. b. Gulf Coast ports is established by this supplementary regulation. This is a fair and equitable price, reflecting full consideration of military needs and of the interests of the suppliers and the public.

The price histories cited above, the close historical relationship between Gulf and East Coast markets, and the normal relationship between prices in the two areas, justify the establishment of an East Coast price of \$2.70 per barrel, which represents the same differential over a calculated East Coast cargo price for Bunker "C" as is established on the Gulf Coast.

In the formulation of this Supplementary Regulation, the Director of Price Stabilization has consulted with the Petroleum Administrator for Defense, the Armed Services Petroleum Agency and numerous representatives of the petroleum industry who will be affected by this Supplementary Regulation. Although their recommendations have not been accepted in full, careful consideration has been given to them.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization, the prices established by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Applicability of this supplementary regulation.
2. Ceiling prices.
3. Applicability of Ceiling Price Regulation 17 provisions.

AUTHORITY: Sections 1 to 3 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. Applicability of this supplementary regulation. This supplementary regulation establishes ceiling prices for sales and deliveries of Navy Special Fuel Oil at the points described in section 2 of this regulation.

SEC. 2. Ceiling prices. (a) The ceiling prices for Navy Special Fuel Oil in cargo lots f. o. b. tanker at the following points shall be:

Location	Ceiling price (per 42-gallon barrel)
West Coast	
San Francisco Bay area.....	\$2.20
All California areas south of San Francisco Bay area.....	2.15
Texas and Louisiana Gulf Coast ports (including Baton Rouge).....	2.10
Atlantic Coast ports of New York, N. Y.; Philadelphia, Pa.; and Baltimore, Md.....	2.70

(b) Customary price differentials may be added to the ceiling prices set forth in paragraph (a) of this section for other methods of delivery for smaller quantities than cargo lots.

SEC. 3. Applicability of CPR 17 provisions. Sales and deliveries covered by this supplementary regulation shall remain subject to all the provisions of Ceiling Price Regulation 17 except section 11 and except any provisions which are inconsistent with the provisions of this supplementary regulation.

Effective date. This supplementary regulation is effective February 15, 1952.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

FEBRUARY 15, 1952.

**Adjustment of Ceiling
Prices in Upper
New York State**

**Ceiling Price Regulation 17
Supplementary Regulation 6
MAR. 3, 1952**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 17, Supplementary
Regulation 6]

**CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM PROD-
UCTS, NATURAL GAS, PETROLEUM GAS,
CASINGHEAD GAS AND REFINERY GAS**

**SR 6—ADJUSTMENT OF CEILING PRICES IN
UPPER NEW YORK STATE**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation No. 6 to Ceiling Price Regulation 17 (16 F. R. 3033), is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to Ceiling Price Regulation 17 is applicable to the f. o. b. terminal ceiling prices of kerosene, distillate heating oils, Diesel fuels and gas enrichment oils along the upper Hudson River and the New York Barge Canal.

A large volume of these products regularly distributed in up-state New York is transported into the area by barges on the upper Hudson River and the New York State Barge Canal from the New York Harbor area. These inland waterways normally are closed to navigation in the winter season. Stocks of fuel oil transported in this manner are accumulated and stored in the summer for use during the following winter. Other methods of bringing products into the area include pipeline, truck transport and to some extent tank car shipment. In one area a refinery supplies considerable volume. Despite this variation in transportation methods and costs, these products have generally been sold at a uniform price at each distribution point regardless of the method by which they were transported. Because of the substantial volume shipped into the area by barge, the level of prices customarily reflects the changes in barge transportation rates.

The upper Hudson River and the Barge Canal were closed in winter, as usual, in 1950-1951, including the base period of December 19, 1950 through January 25, 1951. When spring arrived, and navigation was reopened, contract carriers operating barges had no ceiling prices, as the general pricing provisions of the General Ceiling Price Regulation which used base period deliveries or offers as the basis for pricing could not apply.

Distributors of fuel oil for the 1951-1952 season signed contracts with barge operators, some before, some during, and some subsequent to the base period, and these contracts specified a variety of transportation rates which reflected the fluctuating charter market. These rates were generally higher than comparable rates for the preceding season.

In order to stabilize barge transportation costs the Office of Price Stabilization issued Supplementary Regulation 12 (and Amendment 1 thereto) to the General Ceiling Price Regulation which established ceilings for barge rates. However, in recognition of transportation contracts entered into prior to the general freeze date, the barge ceilings were set at levels higher than those in effect when dealers computed the prices for fuel oils which were being sold during the base period.

Ceiling Price Regulation 17 included in section 25 a provision allowing a pass through of post-base period transportation cost increases which are directly attributable to an increase in transportation rates permitted by the Office of Price Stabilization or a State or Federal Regulatory body.

The transportation cost increases over 1950 resulting from the barge rates established by OPS have thus resulted in higher ceiling prices except for those distributors whose barge contracts were signed prior to the end of the base period and those who receive their fuel oil by other modes of transportation. However, increases in rail rates authorized by the Interstate Commerce Commission have also been reflected in higher ceiling prices which vary by locality and from seller to seller.

This supplementary regulation implements the principle contained in section 25 of CPR 17 and restores the customary price relationships in each specific marketing area by spelling out uniform amounts of increase based upon the increases in barge rates. The increases in f. o. b. terminal ceiling prices for kerosene, No. 2 fuel oil and other distillates range from 0.1 cent to 0.4 cent per gallon.

In the preparation of this regulation, the director consulted with industry representatives, including representatives of trade associations, to the extent practicable and gave consideration to their recommendations.

Representatives of both major and independent oil companies throughout the affected area conferred with the New York Regional Office staff in regard to the pricing problems involved, and have submitted economic data to support their request for price action.

In the judgment of the Director of Price Stabilization the adjustment of ceiling prices permitted by this supple-

mentary regulation is generally fair and equitable and is necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Applicability of supplementary regulation.
2. Amount of adjustment.
3. Definitions.
4. Applicability of CPR 17 provisions.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CPR, 1950 Supp.

SECTION 1. Applicability of supplementary regulation. This supplementary regulation is applicable to those sellers who are engaged in the distribution of kerosene, distillate heating oils, Diesel fuels and gas enrichment oils at stated terminal points and in those price areas where prices for these products are customarily based on the prices at the enumerated terminal points. The ceiling prices affected include both f. o. b. and delivered ceilings.

SEC. 2. Amount of adjustment. A seller of kerosene, distillate heating oils, Diesel fuels and gas enrichment oils, engaged in the distribution of such products at the terminal points enumerated below, or in price areas where prices for these products are customarily based on the prices at these enumerated terminal points, may add to his base period ceiling price the amount designated herein for the terminal point or price area.

Terminal points:	Cents per gallon:
Binghamton, N. Y.-----	0.2
Johnson City, N. Y.-----	.2
Willow Point, N. Y.-----	.2
Buffalo, N. Y.-----	.3
Tonawanda, N. Y.-----	.3
North Tonawanda, N. Y.-----	.3
Kenmore, N. Y.-----	.3
Batavia, N. Y.-----	.4
Elmira, N. Y.-----	.2
Big Flats, N. Y.-----	.2
Watkins Glen, N. Y.-----	.2
Geneva, N. Y.-----	.2
Ithaca, N. Y.-----	.3
Cortland, N. Y.-----	.3
Olean, N. Y.-----	.3
Wellsville, N. Y.-----	.3
Rochester, N. Y.-----	.4
Pittsford, N. Y.-----	.4
Wayland, N. Y.-----	.4
Gates, N. Y.-----	.4
Chili, N. Y.-----	.4
Palmyra, N. Y.-----	.4
Waterloo, N. Y.-----	.4
Brockton, N. Y.-----	.4
Weedsport, N. Y.-----	.3
Clyde, N. Y.-----	.3
Syracuse, N. Y.-----	.3
Brewerton, N. Y.-----	.3
Baldwinsville, N. Y.-----	.3
Cold Springs, N. Y.-----	.3
Liverpool, N. Y.-----	.3

Terminal points:	Cents per gallon
Three Rivers, N. Y.-----	0.3
Amsterdam, N. Y.-----	.1
Fonda, N. Y.-----	.1
Fultonville, N. Y.-----	.1
Fort Plain, N. Y.-----	.2
Little Falls, N. Y.-----	.2
Fort Edward, N. Y.-----	.2
Fort Ann, N. Y.-----	.2
Dunham's Basin, N. Y.-----	.2
Northumberland, N. Y.-----	.2
Ogdensburg, N. Y.-----	.2
Clayton, N. Y.-----	.2
Plattsburg, N. Y.-----	.2
Rome, N. Y.-----	.2
Sackets Harbor, N. Y.-----	.2
Schenectady, N. Y.-----	None
Scotia, N. Y.-----	None
Cohoes, N. Y.-----	None
Utica, N. Y.-----	.2
Marcy, N. Y.-----	.2
Westport, N. Y.-----	.2
Whitehall, N. Y.-----	.2

Terminal points:	Cents per gallon
Montcalm Landing, N. Y.-----	0.2
Port Henry, N. Y.-----	.2
Crown Point, N. Y.-----	.2
Burlington, Vt.-----	.2
St. Albans, Vt.-----	.2

SEC. 3. Definitions. As used in this supplementary regulation: (a) "Price area" means that geographical area where the products covered by this supplementary regulation are customarily sold at prices which are based on a particular terminal point price, by virtue of the terminal point's position as the principal source of supply for these products.

(b) "Base period ceiling price" refers to the ceiling price of a seller under Ceiling Price Regulation 17 exclusive of such additions under Section 25 thereof

as may have been applied by the seller because of increased transportation rates.

SEC. 4. Applicability of CPR 17 provisions. (a) Sellers covered by this supplementary regulation shall remain subject to all the provisions of Ceiling Price Regulation 17 except such provisions as are inconsistent herewith.

(b) Sellers covered by this supplementary regulation must maintain customary discounts and allowances based upon terms and conditions of sale.

Effective date. This supplementary regulation shall become effective March 8, 1952.

ELLIS ARNALL,
Director, Office of Price Stabilization.
MARCH 3, 1952.

**Resellers of
Liquefied Petroleum Gas**

**Ceiling Price Regulation 17
Supplementary Regulation 7
MAY 12, 1952**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 17, Supplementary
Regulation 7]

**CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM GASES,
NATURAL GAS, PETROLEUM GAS, CASING-
HEAD GAS AND REFINERY GAS**

**SR 7—RESELLERS OF LIQUEFIED PETROLEUM
GAS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation to Ceiling Price Regulation 17 is hereby issued.

STATEMENT OF CONSIDERATIONS

Propane, Butane, and Propane/Butane mixtures, usually referred to as Liquefied Petroleum Gas by industrial users, and as "bottled gas" by residential consumers, are manufactured from vapors extracted from natural gas and refinery gas. Production, storage, and distribution of liquefied petroleum gas constitutes a relatively new and rapidly growing industry, consumption having increased from approximately 313 million gallons in 1940 to over 4 billion gallons in 1951.

Prior to and during the base period of December 19, 1950–January 25, 1951 prices for this product were rising under an increasing demand usual to the winter months, accentuated by the general increasing demand for this product. Ceiling prices of resellers of this product were first established by the General Ceiling Price Regulation, effective January 26, 1951 which froze prices generally at the level of the highest prices charged during the base period. With minor modifications Ceiling Price Regulation 17 has carried over the same pricing method. Because of the time lag involved in distributing liquefied petroleum gas, the prices charged by many resellers during the base period did not reflect the higher prices charged by their suppliers and by producers during the base period.

In addition to the higher product cost from usual supply sources, increased demand has made it necessary for many resellers to buy substantial amounts of their supply from more distant sources at higher cost; also transportation costs, which are particularly important for resellers of these products have increased because of the general increases in rail freight rates.

While margins of profit among resellers vary, these margins are generally narrow, and any substantial increase in

costs of obtaining the product results in hardships for the reseller. Because of this, numerous applications have been received from distributors of liquefied petroleum gas for adjustments in ceiling prices to avoid the reduction in their gross and net margins which they have experienced.

For these reasons, and as an interim step in the formulation of a tailored regulation for the liquefied petroleum gas industry, the original freeze technique is being modified to permit resellers to adjust their ceiling prices to reflect these increased product and transportation costs.

This regulation contains two adjustment provisions. The first provision permits the addition to ceiling prices of the increase in cost of product and transportation that has occurred during the first year of price control. This adjustment may be taken immediately. The second provision permits resellers a one-time, interim adjustment to reflect increases in product and transportation costs that have occurred since January 31, 1952. In order to prevent this adjustment on the basis of isolated high cost spot purchases, the reseller may adjust his ceiling prices only to the extent that the average of these costs for the three-month period immediately prior to his selected date of adjustment has increased above costs at the end of the first year of price control.

In the formulation of this supplementary regulation there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

In the judgment of the Director of Price Stabilization, the provisions of this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Cost increases to retail distributors through January 31, 1952.
3. Cost increases to resellers at wholesale through January 31, 1952.
4. Cost increases to retail distributors and wholesalers after January 31, 1952.
5. Relation to Ceiling Price Regulation 17.
6. Customary discounts.
7. Records.
8. Definitions.

AUTHORITY: Sections 1 through 8 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 supplementary regulation does. If you resell liquefied petroleum gas at any level of distribution

other than at a retail establishment (as covered by Ceiling Price Regulation 13) you may redetermine your ceiling prices under the provisions of this supplementary regulation. If you do determine your ceiling prices under this regulation and put these new ceiling prices into effect, you may not again determine your ceiling prices under this supplementary regulation unless there is an increase in the ceiling price of your supplier as a result of the operation of this regulation or of another official act of the Office of Price Stabilization.

SEC. 2. Cost increases to retail distributors through January 31, 1952. (a) If you are a retail distributor of liquefied petroleum gas you may increase your original Ceiling Price Regulation 17 ceiling prices in each pricing area to each class of purchaser and for each quantity bracket by the amount of increase in laid-down cost per unit you have incurred at each of your distribution points. This increase shall be either (1) the difference between your average laid-down cost per unit during the three-month period ending January 31, 1951, and your average laid-down cost per unit during the three-month period ending January 31, 1952; or (2) the difference between your average laid-down cost per unit during the calendar year of 1950 and your average laid-down cost per unit during the three-month period ending January 31, 1952.

(b) If you determine ceiling prices in accordance with this section for any one customer or for any quantity bracket, you must determine ceiling prices by the same method for all customers and quantity brackets in the same pricing area.

(c) This section shall not be applicable to sales of liquefied petroleum gas where all or part of the product sold in such area has been produced or manufactured by you.

SEC. 3. Cost increases to resellers at wholesale through January 31, 1952. (a) If you are a reseller of liquefied petroleum gas at the wholesale level, your ceiling prices for each shipping or delivery point to each class of purchaser may be increased by the amount of increase in your laid-down cost per unit at that shipping or delivery point since January 31, 1951. This increase is the difference between your average laid-down cost per unit at each shipping or delivery point during the three-month period ending January 31, 1951, and your average laid-down cost per unit during the three-month period ending January 31, 1952.

(b) If you determine your ceiling prices for one class of customer at any shipping or delivery point by the method set forth in this section, you must determine your ceiling prices for all classes

of purchasers at the same point by the same method.

(c) If you resell liquefied petroleum gas at the retail distributor level and also at the wholesale level, you must make separate computations of ceiling prices at each level when adjusting your ceiling prices under this supplementary regulation.

(d) This section shall not be applicable to sales of liquefied petroleum gas when all or part of the product sold at such shipping or delivery point has been produced or manufactured by you.

SEC. 4. Cost increases to retail distributors and wholesalers after January 31, 1952. If your laid-down cost is increased after January 31, 1952, as a result of an increase in the ceiling prices of your supplier or suppliers because of the operation of this regulation, or other official act of the Office of Price Stabilization, or as a result of an increase in transportation costs incurred in obtaining your product, you may increase your ceiling price under this regulation by the dollars and cents amount of such increase. This increase is the difference between your average laid-down cost during the three-month period ending January 31, 1952, and your average laid-down cost during the three calendar month period prior to the month during which such increase in ceiling price is placed in effect. This adjustment may be made at any time selected by the seller but may not be made more than once.

SEC. 5. Relation to Ceiling Price Regulation 17. (a) If you are a reseller of liquefied petroleum gas and have ceiling prices determined under the provisions of Ceiling Price Regulation 17 you may continue to use those ceiling prices.

(b) Sellers subject to this supplementary regulation shall be subject to all provisions of Ceiling Price Regulation 17 not inconsistent with the provisions of this supplementary regulation.

SEC. 6. Customary discounts. If you determine your ceiling prices under this supplementary regulation you must continue to maintain your customary discounts and allowances based upon the terms and conditions of sale.

SEC. 7. Records. In addition to such other records as are required by section 14 of Ceiling Price Regulation 17, you must, if you use this supplementary regulation to adjust your ceiling prices, keep records clearly showing how you determined your adjusted ceiling prices, and those records which you used as a basis for such determination.

SEC. 8. Definitions. (a) "Liquefied petroleum gas" means butane, propane and butane/propane mixtures.

(b) "Laid-down cost" means the amount per unit paid to your supplier or suppliers for the product plus the unit cost of transportation incurred by you in moving the product to the shipping or delivery point or in the case of a retail distributor to place of storage or its equivalent. Where you use your own

transportation or transportation you control in lieu of transportation for which rates are set or controlled by Federal or State regulatory bodies, the cost of transportation referred to in this definition shall be the rate charged by such controlled carrier.

(c) "Original Ceiling Price Regulation 17 ceiling prices" means the first ceiling prices determined under the provisions of Ceiling Price Regulation 17, excluding any increases thereafter permitted by that regulation or by any other official act of the Office of Price Stabilization.

(d) "Pricing area" means that geographical area in which you maintain a single pricing schedule for all customers of the same class and for each quantity bracket.

(e) "Retail distributor" means a reseller whose ceiling prices of liquefied petroleum gas are determined by Ceiling Price Regulation 17 and whose sales are primarily to consumers at the retail level.

Effective date. This supplementary regulation shall become effective May 12, 1952.

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

ELLIS ARNALL,
Director of Price Stabilization.

MAY 12, 1952.

**Adjustment of Ceiling Prices—
No. 2 Fuel Oil in Baltimore Area**

**Ceiling Price Regulation 17
Supplementary Regulation 8
JUNE 23, 1952**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 17, Supplementary
Regulation 8]

**CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUEFIED PETROLEUM PROD-
UCTS, NATURAL GAS, PETROLEUM GAS,
CASINGHEAD GAS AND REFINERY GAS**

**SR 8, ADJUSTMENT OF CEILING PRICES OF NO.
2 FUEL OIL IN BALTIMORE AREA**

Pursuant to the Defense Production
Act of 1950, as amended, Executive Or-
der 10161 and Economic Stabilization
Agency Order No. 2, this Supplementary
Regulation No. 8 to Ceiling Price Regu-
lation 17, is hereby issued.

STATEMENT OF CONSIDERATIONS

This action authorizes an increase of
\$0.003 per gallon for tank wagon deliv-
eries of No. 2 Fuel Oil in the Metropoli-
tan Baltimore, Maryland area. Such in-
crease is based upon and is consistent
with the principles embodied in the in-
dustry earnings standard.

Early in the 1951-52 heating season,
sellers of domestic heating oils in the
Baltimore, Maryland area applied for a
price increase. Data was submitted by
individual firms which showed that de-
spite increases in the volume of sales
their percentage of profit as related to

sales and net worth was significantly
lower than that of 1950 and prior years.

Application of the industry earnings
standard to the fuel oil distributors in
the Baltimore, Maryland area indicated
that an increase of \$0.003 per gallon for
tank wagon deliveries of fuel oil to do-
mestic consumers in the Metropolitan
Baltimore, Maryland area was necessary
to meet the minimum requirements of
the standard.

In the judgment of the Director of
Price Stabilization the increase herein
granted is consistent with the principles
embodied in the earnings standard as
applied to distributors of essential com-
modities in a local area.

In the formulation of this regulation
there has been consultation with indus-
try representatives, including trade asso-
ciations representatives, and considera-
tion has been given to their recommen-
dations.

**FINDINGS OF THE DIRECTOR OF PRICE
STABILIZATION**

In the judgment of the Director of
Price Stabilization this Supplementary
Regulation 8 is generally fair and equita-
ble and necessary to effectuate the pur-
poses of Title IV of the Defense Produc-
tion Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. What this regulations does.
2. Increase in ceiling prices.
3. Applicability of provisions of Ceiling
Price Regulation 17.

AUTHORITY: Sections 1 to 3 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, Sept. 9, 1950, 15 F. R. 6105, 3 CFR,
1950 Supp.

SECTION 1. What this regulation does.
This regulation is applicable to those
sellers of No. 2 Fuel Oil when selling that
product to consumers at the tank wagon
level in the Baltimore, Maryland area.
It permits these sellers to add \$0.003 per
gallon to their ceiling price.

SEC. 2. Increase in ceiling prices. On
and after the effective date of this regu-
lation each seller of No. 2 Fuel Oil may
increase his ceiling price for this product
\$0.003 per gallon for tank wagon deliv-
eries in the City of Baltimore, Maryland
or within a radius of 16 miles from Balti-
more City Hall.

**SEC. 3. Applicability of provisions of
Ceiling Price Regulation 17.** Sellers cov-
ered by this supplementary regulation
shall remain subject to all the provisions
of Ceiling Price Regulation 17, as
amended, except such provisions as are
inconsistent herewith.

Effective date. This supplementary
regulation shall become effective on the
28th day of June 1952.

ELLIS ARNALL,
Director, Office of Price Stabilization.
JUNE 23, 1952.

THE HISTORY OF THE

1. The first part of the history is the story of the early years of the colony, from its founding in 1607 to the death of the first governor, John Rolfe, in 1619. This period is characterized by the struggle for survival in a new and hostile environment.	2. The second part of the history is the story of the growth of the colony, from the arrival of the first settlers in 1607 to the establishment of the first permanent settlement in 1619. This period is marked by the discovery of tobacco as a cash crop and the development of a plantation system.	3. The third part of the history is the story of the colony's development into a self-sufficient community, from the establishment of the first permanent settlement in 1619 to the outbreak of the American Revolution in 1776. This period is characterized by the growth of the colony's economy and the development of a distinct identity.
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**SR 9—Tank Wagon and Rack
Ceiling Prices in Certain West Coast
Refinery and Terminal Price Areas**

**Ceiling Price Regulation 17
Supplementary Regulation 9**

JUNE 30, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabilization,
Economic Stabilization Agency**

[Ceiling Price Regulation 17, Supplementary Regulation 9]

CPR 17—GASOLINES, NAPHTHAS, FUEL OILS AND LIQUEFIED PETROLEUM GASES, NATURAL GAS, PETROLEUM GAS, CASING-HEAD GAS AND REFINERY GAS

SR 9—TANK WAGON AND RACK CEILING PRICES IN CERTAIN WEST COAST REFINERY AND TERMINAL PRICE AREAS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 9 to Ceiling Price Regulation 17 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to Ceiling Price Regulation 17 establishes specific dollars-and-cents ceiling prices for tank wagon and "rack" sales of automotive gasoline in certain West Coast refinery and terminal price areas. The prices normally charged by wholesalers of motor gasoline in these areas for tank wagon sales were approximately uniform in each area for several years antedating the issuance of Ceiling Price Regulation 17. For "rack gasoline", however, which was sold in substantial volume at the refineries or refinery facilities and at certain bulk storage plants, sales were made to a special class of purchasers at a customary differential below the prevailing tank wagon price for the area. This type of discount transaction is customarily referred to as the sale of "rack gasoline" or "rack price gasoline." This gasoline is sold either f. o. b. the refinery or bulk plant, with transportation provided by the ultimate consumer or buyer, or is sold on a delivered-at-destination basis which consists of the "rack price" plus customary transportation charges.

In establishing specific dollars-and-cents ceiling prices in the areas designated, consideration has been given to the correction of price inequities which existed to a minor degree in some instances. Such inequities were caused mainly by price wars which were in effect immediately prior to and during the base period. Failure to adjust these ceiling prices would prolong existing price inequities among sellers and retain price inequities which would have been eliminated had the market been free to adjust itself.

Examination of prices on "rack gasoline" shows that the customary differential off tank wagon is predominantly 3 cents per gallon, as established in this regulation. In a few instances the discount is slightly less than 3 cents, while

in others it is higher as a result of price war conditions which existed during the latter part of 1950 and continued through the base period.

It is also the purpose of this supplementary regulation to restore and establish the customary differential between the tank wagon ceiling price and the "rack" ceiling price to give relief to those sellers whose ceilings were frozen at abnormally low levels.

The determination of ceiling prices, as effected by this supplementary regulation, is regarded as essential to the maintenance of gasoline supplies through customary channels of distribution. Depletion of gasoline inventories has resulted in a tight supply situation and a dislocation of supply channels threatens within the areas unless the price inequities are removed.

The customary pricing practice on the Pacific Coast is to quote wholesale prices for deliveries other than by tank wagon in terms of discounts under or premiums over the tank wagon price. It is, therefore, essential to establish, coincident with the restoration of the normal differential for "rack" transactions, the prevailing tank wagon prices as the ceiling prices. Evidence is on file to show that the posted tank wagon prices of sellers in the areas covered by this supplementary regulation were, as of September 1, 1951, and have continued to be the prevailing tank wagon prices. No change in general price levels is being affected. Because of the existence of reasonably uniform prices, the establishment of dollars-and-cents prices is facilitated. The specific tank wagon prices which are spelled out by this regulation were in effect in the latter part of 1950; they became the ceilings during the base period; and have been maintained to date. They are regarded by the West Coast Petroleum Wholesale Industry Advisory Committee as fair and equitable. Moreover, the establishment of dollars-and-cents ceiling prices for tank wagon deliveries is in accordance with the announced policy of this Agency to establish specific ceiling prices, which situation is desirable from the standpoint of the consuming public, the sellers and the Government.

In the preparation of this supplementary regulation the Director has consulted with industry representatives including the West Coast Petroleum Wholesale Industry Advisory Committee and trade association representatives, to the extent practicable and has given consideration to their recommendations.

In the judgment of the Director of Price Stabilization, the provisions of this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Applicability of supplementary regulation.
2. Definitions.
3. Ceiling prices for tank wagon deliveries.
4. Rack gasoline.
5. Transportation.
6. Applicability of Ceiling Price Regulation 17.

AUTHORITY: Sections 1 through 6 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. Applicability of supplementary regulation. This supplementary regulation sets specific ceiling prices for tank wagon sales of regular, automotive and marine gasoline, sets a specific discount of 3 cents per gallon for sales of "rack gasoline" and sets quantity differentials in the areas of San Francisco Bay, Hanford, Bakersfield, Stockton, and Sacramento, California; Portland, Oregon; Tacoma and Seattle, Washington. This regulation is not applicable, nor does it refer to cargo sales of gasoline.

SEC. 2. Definitions. When used in this supplementary regulation the term:

(a) San Francisco Bay area includes Richmond, Oleum, Martinez, Avon Refinery and Terminal Price Area, including Parr Terminals in Cities of Oakland and Alameda and is that area bounded by a line commencing at a point on the easterly shoreline of San Francisco Bay immediately south of Mulford Landing (approximately West Avenue 144 if said avenue were projected to San Francisco Bay); thence, running due east to East 14th Street; thence, running northwesterly along Skyline Boulevard to the common boundary line of Contra Costa and Alameda Counties; thence, running northwesterly along Lake Chabot Road, Skyline Boulevard and Grizzly Peak Boulevard, approximately following the common boundary line of Contra Costa and Alameda Counties to a point at the northeast corner of the University of California Campus; thence, running due north to Pinole Valley Road; thence, running in an easterly direction along Pinole Valley Road to its junction with Bear Creek Road and Alhambra Valley Road; thence, running in a straight line to the southern and eastern city limits of Clayton; thence, running due north to a point on the south shoreline of Suisun Bay east of McAvoy; thence, running generally in a western direction along the south shoreline at Suisun Bay, Carquinez Straights and San Pablo Bay, embracing the cities of Port Chicago, Avon, Martinez, Port Costa, Crockett, Oleum, Rodeo, Pinole, and Richmond; thence, running southeasterly along the shoreline of San Francisco Bay to the point of commencement.

(b) Hanford area includes Hanford Refinery and Terminal Price Area, and is that area bounded by a line commencing at a point at the southerly limits of Traver on Highway 99, thence, due west to the northerly limits of Laton, thence, southwest to the westerly limits of Hardwick, thence, due south to Kansas Road, thence, east along Kansas Road to a point due south of point of commencement, thence, due north to point of commencement.

(c) Bakersfield area includes Bakersfield Refinery and Terminal Price Area and is that area bounded by a line commencing at the northwest part of the town of Lerdo, thence, southwesterly to intersection of Enos Lane and Fraser Road, thence, southerly on Enos Lane to its intersection with U. S. Highway 399 (Taft-Bakersfield Highway), thence, east through and including towns of Old River and Panama to and including Greenfield, thence, northeasterly to Town of Edison, thence, north to and including Granite Station, thence, southwesterly to point of commencement.

(d) Stockton, California, includes Stockton Terminal Price Area and is that area bounded by a line commencing at the intersection of U. S. Highway 99 and Eight Mile Road, thence, west to intersection with Thornton Road, thence, westerly to confluence of San Joaquin and Old River, thence, southerly along Old River to and including Woodward Island, thence, east to Middle River, thence, southeasterly along Middle River to a point where Highway 120 crosses Middle River, thence, east along Highway 120 to and including Simms, thence, north to and including Town of Linden to Waterloo Road, thence, west to Jack Tone Road, thence, north to Eight Mile Road, thence, west to point of commencement.

(e) Sacramento, California, includes Sacramento Terminal Price Area and is that area bounded by a line commencing at the intersection of Sankey Road with Sacramento River, thence, east to Sutter County line, thence, south to Sacramento County line, thence, easterly along county line to a point due north of Town of Antelope, thence, south on a line to include Antelope, Carmichael, Mills, and Mather Air Force Base to Highway 16, thence, southwest to and including Florin, thence, due west to a point two miles west of Sacramento River, thence, northerly along a line two miles west of the Sacramento River including West Sacramento, Broderick and Bryte to a point two miles due west of point of commencement, thence, due east to point of commencement.

(f) Portland, Oregon, includes Portland Terminal Price Area and is that

area bounded by a line commencing at Columbia River, thence, southerly and east along the west bank of said river to a point due north of 122nd Avenue, thence, south through Gilbert to Multnomah County Line, thence, southwest through Battin and Milwaukee to and including Oswego, thence, north to the Multnomah County-Washington County line following same northwesterly to point of commencement, including the towns of Hillsdale, Willbridge, and Burlington.

(g) Tacoma, Washington, includes Tacoma Terminal Price Area and is that area bounded by a line commencing at the northern section of Pierce County line to Puget Sound, thence, east and southeast along County line to and including Milton, thence, south on a line west of Puyallup to Kirby, thence, west through Loveland and below Fort Lewis to the Nisqually River, thence, north through Dupont to Puget Sound and northward along east shortline thereof to point of commencement.

(h) Seattle, Washington, includes Seattle Terminal Price Area, and is that area bounded by a line commencing at Meadowdale on east shore of Puget Sound, thence, due east to U. S. Highway 99, thence, southeast to and including Kenmore at the north end of Lake Washington, thence, southerly along west shore of Lake Washington to and including Renton, thence, southwest on a line including Tukwila and Sunnydale to Three Tree Point on the east shore of Puget Sound, thence, northerly along east shore of Puget Sound to point of commencement.

SEC. 3. *Ceiling prices for tank wagon deliveries.* (a) Ceiling prices per gallon for tank wagon deliveries of regular gasoline in the enumerated areas and for the respective quantity differentials set forth shall be as follows:

	Regular grade gasoline, excluding all taxes			
	400 gallons and over	200-399 gallons	40-199 gallons	Under 40 gallons
San Francisco Bay...	14.5	15.0	15.5	18.5
Hanford.....	15.7	16.2	16.7	19.7
Bakersfield.....	14.5	15.0	15.5	18.5
Stockton.....	15.7	16.2	16.7	19.7
Sacramento.....	15.7	16.2	16.7	19.7
Portland.....	15.0	15.5	16.0	19.0
Seattle.....	15.0	15.5	16.0	19.0
Tacoma.....	15.0	15.5	16.0	19.0

(b) Ceiling prices for premium grade gasoline in the aforementioned areas for each seller shall be his price for regular gasoline as listed in paragraph (a) of this section for that area, to which he shall apply his customary differential

between regular and premium grades of gasoline delivered by tank wagon.

(c) Ceiling prices for third grade gasoline in the aforementioned areas for each seller shall be his price for regular grade gasoline as listed in paragraph (a) of this section for that area, to which he shall apply his customary differential between regular and third grade gasoline delivered by tank wagon.

SEC. 4. *Rack gasoline.* (a) The ceiling price for "rack gasoline" of regular grade, f. o. b. refineries or refinery facilities or bulk plant facilities to that class of purchaser buying "rack gasoline" in the areas covered by this regulation shall be 3 cents per gallon below the specified tank wagon ceiling prices for quantities as established in section 3 (a) of this supplementary regulation.

(b) The ceiling price of a refiner for "delivered-at-destination" sales of "rack price gasoline" originating in the areas set forth in Section 1 shall be the f. o. b. ceiling price for such gasoline as established by paragraph (a) of this section, plus the refiner's customary transportation charge.

(c) The ceiling price of resellers of "rack price gasoline" which originates in any of the areas covered by this regulation shall be increased by the amount of increased cost of product to the reseller resulting from increases in ceiling prices permitted their suppliers by this supplementary regulation, irrespective of the location of the sale within or without the areas covered by this regulation.

(d) To determine ceiling prices for premium grades of rack gasoline, each seller shall apply his customary wholesale differential between regular and premium grades. To determine ceiling prices for third grade rack gasoline each seller shall apply his customary wholesale differential between regular and third grade gasoline.

SEC. 5. *Transportation.* The ceiling prices established under this regulation may be adjusted to reflect increases in transportation costs, occurring since September 1, 1951, in accordance with section 25 of Ceiling Price Regulation 17.

SEC. 6. *Applicability of Ceiling Price Regulation 17.* Sellers subject to this supplementary regulation shall be subject to all provisions of Ceiling Price Regulation 17 not inconsistent with the provisions of this supplementary regulation.

Effective date. This supplementary regulation shall become effective June 30, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 30, 1952.

Specific Ceiling Prices for Middle Distillates on the East Coast

Ceiling Price Regulation 17 Supplementary Regulation 10

JUNE 30, 1952

OFFICE OF PRICE STABILIZATION WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 17, Supplementary Regulation 10]

CPR 17—GASOLINES, NAPHTHAS, FUEL OILS AND LIQUEFIED PETROLEUM PRODUCTS, NATURAL GAS, PETROLEUM GAS, CASING-HEAD GAS AND REFINERY GAS

SR 10—SPECIFIC CEILING PRICES FOR MIDDLE DISTILLATES ON THE EAST COAST

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation No. 10 to Ceiling Price Regulation 17 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation establishes specific cents-per-gallon ceiling prices at named Eastern Seaboard refinery and terminaling points for kerosene, No. 2 heating oil and the principal grades of Diesel fuel. These ceiling prices represent an increase of 0.65 cents per gallon over the base period ceiling in tank car prices for f. o. b. delivery of No. 2 fuel oil at North Atlantic refineries and seaboard terminals, and the regulation provides for a pass-through of that 0.65-cent increase at subsequent levels of sale.

In addition a further increase of 0.15 cents per gallon is allowed such resellers as bulk plant operators, independent jobbers or distributors receiving their products from the seaboard terminal and refinery points at the newly established ceilings. Where the seaboard refinery or terminal operators may make sales to buyers other than bulk plant operators—for example, direct sales to large commercial accounts, they, the refinery or terminal operators, also are permitted to add the 0.15 cents in keeping with established industry practices. However, in no case will the ceiling price to an ultimate consumer be increased more than 0.8 cents per gallon above present ceiling prices by this supplementary regulation.

The problem of providing for adequate supplies of middle distillates, particularly No. 2 heating oil, for both domestic and industrial consumers on the Eastern Seaboard has vexed the responsible agencies of Government and the industry, as well as consumers, continuously since late 1951. The common denominator in all approaches toward solution of the problem has been the recognition that adequate supplies of these products must be made available on the Eastern Seaboard throughout the heating season if grave disruption of the do-

mestic economy and injury to the defense program are to be avoided. The problem is complicated by many factors of product price, both on the Eastern Seaboard and in the Gulf (whence most of the supplies are obtained), competitive forces within the industry, fluctuating transportation costs and even the vagaries of the weather. Consequently, in the continuing study of the problem a mass of material has been developed by the Office of Price Stabilization, Petroleum Administration for Defense, the Economic Stabilization Agency and other sources. In order to resolve conflicts in views and recommendations variously advanced, and to insure that adequate supplies of middle distillate fuel oils will be made available on the Eastern Seaboard during the coming heating season, Dr. J. R. Steelman, Acting Director, Office of Defense Mobilization, has issued a directive in the form of a letter addressed to Mr. Roger Putnam, Administrator, Economic Stabilization Agency. The full text of that letter is quoted below:

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF DEFENSE MOBILIZATION
WASHINGTON 25, D. C., June 13, 1952.

OFFICE OF THE DIRECTOR

HON. ROGER L. PUTNAM,
Administrator, Economic Stabilization Agency, Washington, D. C.

DEAR MR. PUTNAM: This is in reference to your letter of June 11, regarding the proposed increase in the price of heating oil on the East Coast. I have examined with great care the materials presented by your Office, by the Office of Price Stabilization and by the Petroleum Administration for Defense.

It is extremely important that we take all necessary actions to assure an adequate supply of fuel oil for the East Coast during the coming heating season. At the same time, in the interests of protecting consumers against unnecessary increases in the cost of living, it is imperative that any increase in the price of fuel oil which may be made to facilitate shipments of oil to the east coast should be held to the minimum.

I am also concerned about the effects which any action taken may have upon jobbers and local distributors of fuel oil. Due allowance should be given to the effects of an increase in wholesale prices upon their operating costs.

I am also concerned about interferences with normal contracting and marketing practices which may have been, or subsequently may be, caused by uncertainties regarding the price structure for fuel oils, during the coming heating season. It is highly important that we take definite and final action at this time.

It is my conclusion, after very careful study of all of the evidence which has been submitted, that an increase in the East Coast retail price of distillate fuel oils of 0.80 cents per gallon should be authorized, and that 0.15 cents per gallon of this increase should be reserved for jobbers and distributors.

I am sending a copy of this letter to the Secretary of the Interior, and am asking him to cooperate to the fullest by taking whatever

steps are necessary to insure an adequate production and equitable distribution of fuel oil during this coming winter. I am also writing the Maritime Administration and asking them to study the developing situation with respect to the supply of tankers, and to take such actions as are necessary to assure adequate tankers to move oil to the east coast in the necessary volume this winter.

Sincerely yours,

JOHN R. STEELMAN.

Based on the foregoing, this supplementary regulation to Ceiling Price Regulation 17 is issued. As already indicated, the principal middle distillate fuel is No. 2 heating oil, and therefore No. 2 is used in this supplementary regulation as the basis for pricing of the other distillates, retaining the customary price relationships between products prevalent in the industry. Similarly, in setting the ceilings applicable at Norfolk and areas south of Norfolk, use of a progressively decreasing factor for costs of transportation is dictated by industry practice, and, consequently, increases proportionately smaller than 0.65 cents are included in the spelled-out ceiling prices for those areas. This, again, maintains the customary price relationships as between points respectively north and south of Norfolk.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Ceiling prices at East Coast ports.
3. Differentials for other distillate fuel oils.
4. Preservation of discounts and allowances.
5. Applicability of Ceiling Price Regulation 17 provisions.

AUTHORITY: Sections 1 through 5 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 CPR 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation establishes specific tank car ceiling prices for kerosene, No. 2 fuel oil and 48/52 Diesel index gas oil f. o. b. refineries and seaboard terminals in certain enumerated areas along the East Coast of the United States. For barge and cargo sales in these refinery-tanker terminal areas, minimum discounts off the specific tank car ceiling prices are required, but where customarily larger discounts were in effect, such customary discounts must be continued. Purchasers obtaining product from these points may increase their ceiling prices by the amount of the increase of ceiling price permitted their suppliers by this regulation. In those areas where sellers have customarily based their prices on prices established at East Coast terminal and refinery points, provision for adjustment is also made. Ceiling prices for sales of these products by operators of such terminals or refineries to other than bulk plant operators, and sales by bulk plant

operators who receive product from these terminals or refineries, may be increased by an additional 0.15 cents per gallon.

SEC. 2. Ceiling prices at East Coast ports—(a) *Tank car ceiling prices to resellers.* The ceiling prices for kerosene, No. 2 fuel oil and 48/52 Diesel index gas oil f. o. b. seaboard terminals or refineries for tank car or transport truck delivery for sale to resellers shall be as follows at the enumerated points below:

Location	Kerosene (cents per gallon)	No. 2 fuel oil (cents per gallon)
Searsport and Bucksport, Maine.....	11.75	10.75
Portland, Maine.....	11.05	10.05
Portsmouth, N. H.....	11.55	10.55
Everett, Mass.....	10.95	9.95
Boston, Mass.....	10.95	9.95
Fall River, Mass.....	10.95	9.95
Tiverton, R. I.....	10.95	9.95
Providence, R. I.....	10.95	9.95
New London, Conn.....	11.35	10.45
New Haven, Conn.....	10.95	9.95
Bridgeport, Conn.....	10.95	9.95
Albany, N. Y.....	11.05	10.05
New York, N. Y.....	10.75	9.75
Philadelphia, Pa.....	10.85	9.85
Baltimore, Md.....	10.85	9.85
Norfolk, Va.....	10.75	9.75
Morehead City, N. C.....	10.9	9.9
Wilmington, N. C.....	10.9	9.9
Charleston, S. C.....	10.9	9.9
		48/52 Diesel index gas oil
Savannah, Ga.....	11.45	10.45
Jacksonville, Fla.....	11.4	10.4
Miami, Fla.....	11.5	10.5
Port Everglades, Fla.....	11.5	10.5
Tampa, Fla.....	11.15	10.25
Port Tampa, Fla.....	11.15	10.25

(b) *F. o. b. barge ceiling prices to resellers.* If delivery is into barges, the ceiling prices set forth in paragraph (a) of this section shall be reduced by the amount of the seller's customary differential under tank car prices, but in no case shall this differential be less than 0.1 cents per gallon.

(c) *Delivered cargo ceiling prices to resellers.* If delivery is by tank steamer into buyer's terminal, the ceiling prices established in paragraph (a) of this section shall be reduced by the amount of the seller's customary differential under tank car prices, but in no case shall this differential be less than 0.55 cents per gallon.

(d) *Other ceiling prices.* (1) Ceiling prices of resellers for these products obtained from such terminals and refineries may be increased by the amount of increase permitted their suppliers by this regulation.

(2) To the ceiling prices set forth in sections 2 (a), (b) and (c), 0.15 cents per gallon may be added for sales of these products by operators of such terminals or refineries to other than bulk plant operators, and for sales by bulk plant operators who receive product from these terminals or refineries. This 0.15 cents per gallon increase may not be applied on sales at the tank car or transport truck level. In no case may the price to the ultimate consumer be increased more than the amount of the adjustment provided for in the appropriate ceiling price set forth in paragraph (a) of this section, plus 0.15 cents per gallon.

(3) On sales at any point where the seller's price for these products was cus-

tomarily based upon the selling price at a point named in paragraph (a) of this section, the ceiling prices may be increased by the amount of the adjustment contained in the appropriate ceiling price established under this regulation irrespective of the origin of the product.

SEC. 3. Differentials for other distillate fuel oils. Any seller who during the base period maintained a customary differential between either kerosene or No. 2 heating oil and other distillate fuel oils, such as Diesel fuel, No. 1 heating oil, No. 3 heating oil, distillate No. 4 oil, and gas house gas oil may determine ceiling prices for these products by applying his customary differential to the specific ceiling prices established by this supplementary regulation.

SEC. 4. Preservation of discounts and allowances. All ceiling prices determined under this supplementary regulation shall reflect your customary differentials, discounts, and allowances in effect during the base period.

SEC. 5. Applicability of Ceiling Price Regulation 17 provisions. Sellers subject to this supplementary regulation shall be subject to all the provisions of Ceiling Price Regulation 17 not inconsistent herewith.

Effective date. This supplementary regulation shall become effective June 30, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 30, 1952.

Clarifying Amendment
(Amending Sec. 2)

Ceiling Price Regulation 17
Supplementary Regulation 10
Amendment 1
JULY 18, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 17, Amdt. 1 to
Supplementary Regulation 10]

CPR 17—GASOLINES, NAPHTHAS, FUEL OILS
AND LIQUEFIED PETROLEUM GASES, NAT-
URAL GAS, PETROLEUM GAS, CASINGHEAD
GAS AND REFINING GAS

SR 10—SPECIFIC CEILING PRICES FOR MID-
DLE DISTILLATES ON THE EAST COAST
CLARIFYING AMENDMENT

Pursuant to the Defense Production
Act of 1950, as amended, Executive
Order 10161, and Economic Stabilization
Agency General Order No. 2, this
Amendment to Supplementary Regula-
tion 10 to Ceiling Price Regulation 17 is
hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 10 to Ceil-
ing Price Regulation 17, establishing

specific ceiling prices for No. 2 heating
oil at certain East Coast points, per-
mitted 0.15 cents per gallon to be added
to the specific ceilings on all sales other
than to bulk plant operators. The in-
tention was to allow addition of this
0.15 cents in those instances where the
seaboard terminal or refinery makes any
sales direct to consumers. This was
plainly set forth in the Statement of
Considerations as well as in section 1
of the supplementary regulation. How-
ever, because of certain language con-
tained in section 2 (d) (2), some sellers
have raised the question whether the
0.15 cents may be added on consumer
tank-car sales as described above. To
remove any doubt or possible ambi-
guity, this amendment rewords section
2 (d) (2) so as to make it clear that the
0.15 cents may be added on any sales to
consumers, but that the 0.15 cents may
not be added by refinery or terminal
operators on sales to bulk plant oper-
ators, nor by bulk plant operators on
sales to other bulk plant operators.

AMENDATORY PROVISIONS

Section 2 (d) (2) of Supplementary
Regulation 10 to Ceiling Price Regula-
tion 17 is amended to read as follows:

(2) To the ceiling prices set forth in
sections 2 (a), (b) and (c), 0.15 cents per
gallon may be added by operators of such
terminals or refineries and by bulk plant
operators receiving product from these
terminals or refineries, when making
sales of these products to other than bulk
plant operators, including consumers. In
no case may the price to the ultimate
consumer be increased more than the
amount of the adjustment provided for
in the appropriate ceiling price set forth
in paragraph (a) of this section, plus
0.15 cents per gallon.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C.
App. Sup. 2154)

Effective date. This amendment is
effective July 18, 1952.

ELLIS ARNALL,
Director of Price Stabilization.
JULY 18, 1952.

INTERPRETATIONS CPR 17, SR 10, Sec. 2

DETERMINATION OF PRICES AT TANK CAR AND OTHER LEVELS "Tank car and transport truck deliveries," explained

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 17, Supplementary
Regulation 10, Interpretation 1]

CPR 17—GASOLINES, NAPHTHAS, FUEL
OILS AND LIQUIFIED PETROLEUM PROD-
UCTS, NATURAL GAS, PETROLEUM GAS,
CASINGHEAD GAS AND REFINERY GAS

SR 10—SPECIFIC CEILING PRICES FOR
MIDDLE DISTILLATES ON THE EAST COAST

INT. 1—DETERMINATION OF PRICES AT TANK
CAR AND OTHER LEVELS (SECTION 2)

Several questions have been raised as
to the proper interpretation of the pric-
ing provisions of Supplementary Regu-
lation 10 to Ceiling Price Regulation 17.

Section 2 (a) of SR 10 establishes ceil-
ing prices at East Coast ports for tank
car or transport truck delivery for sale
to resellers. The phrase "tank car or
transport truck deliveries" refers to the
level of sales as distinguished from the
method of delivery. While the method
of delivery is ordinarily determinative of
the level of sale it is not necessarily so.

Section 2 (d) (2) permits the addition

to the ceiling prices set forth in sections
2 (a), (b), and (c) of 0.15 cents per gallon
on sales by operators of terminals or re-
fineries and by bulk plant operators to
others than bulk plant operators, but this
0.15 cents per gallon may not be added on
sales to resellers at the tank car or trans-
port truck level. The 0.15 cents per gal-
lon cannot be added by either a terminal
or refinery operator or a bulk plant
operator on sales to a dealer who uses
bulk storage in the regular conduct of his
kerosene and fuel oil business, unless,
despite such dealer's maintenance of
storage facilities, his supplier has cus-
tomarily classified and treated him from
the standpoint of price as a purchaser at
the tank wagon level as distinguished
from a purchaser at the tank car or
transport truck level. If the dealer's
bulk plant is not used or is used for other
purposes than storage and distribution
he is not a bulk plant operator and may
be charged the 0.15 cents per gallon.

Section 4 of Supplementary Regula-
tion 10 requires the preservation of cus-
tomary differentials, discounts and al-
lowances in effect during the base period.
If the ceiling price established under SR
10 properly includes the 0.15 cents per
gallon allowable on sales to other than

bulk plant operators, customary differ-
entials, discounts and allowances must
be made from that ceiling price. For ex-
ample, if a reseller not operating a bulk
plant and not taking in tank car or
transport truck lots has customarily
bought on the basis of tank car prices
his supplier may add the 0.15 cents per
gallon to his price. However, having
done so, he must reduce the price by any
differentials, discounts or allowances
that were customarily granted that re-
seller.

Under section 2 (d) (1) resellers of
products obtained from terminals and
refineries may raise their prices to ulti-
mate consumers by the amount of the
increase allowable to their suppliers
under SR 10 regardless of whether they
have actually paid their suppliers that
increase. In any case, the ceiling price
on any sale to any ultimate consumer is
the appropriate, specific ceiling set forth
in sections 2 (a), 2 (b) or 2 (c) plus 0.15
cents per gallon.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C.
App. Sup. 2154)

HERBERT N. MALETZ,
Chief Counsel,
Office of Price Stabilization.

NOVEMBER 7, 1952.

(17 F. R. 10246, Nov. 11, 1952)

INTERPRETATIONS
CPR 17, SR 10, Sec. 4

TERMS AND CONDITIONS OF SALE

Customary differentials apply to increased ceiling price (see Interps.
following CPR 17, SR 10, Sec. 2 page 81 Trans 34:1252.1)

**Ceiling Prices at West Coast Points
for Automotive Gasolines, Kerosene,
Diesel Fuels, Furnace and Stove Oils**

**Ceiling Price Regulation 17
Supplementary Regulation 11**

JULY 10, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 17, Supplementary
Regulation 11]

**CPR 17—GASOLINES, NAPHTHAS, FUEL OILS
AND LIQUEFIED PETROLEUM PRODUCTS,
NATURAL GAS, PETROLEUM GAS, CASING-
HEAD GAS AND REFINERY GAS**

**SR 11—SPECIFIC CEILING PRICES AT WEST
COAST POINTS FOR AUTOMOTIVE GASO-
LINES, KEROSENE, DIESEL FUELS, FURNACE
AND STOVE OILS**

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 11 to Ceiling Price Regulation 17 (16 F. R. 3033), is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to Ceiling Price Regulation 17 establishes specific dollars and cents ceiling prices for tank wagon sales of automotive gasolines, kerosene, diesel fuels, furnace oil and stove oil at the majority of bulk plants and areas adjacent to such bulk plants in the States of California, Oregon, Washington, Arizona, and Nevada. It also establishes specific ceiling prices for bunker grade diesel fuel for delivery by pipe line into barges, or bunker tanks of ocean-going vessels at major bunkering ports in the States of California, Oregon, and Washington. It is issued to implement the previously announced intent of the Director of Price Stabilization to establish specific ceiling prices wherever possible and as quickly as possible.

Specific ceiling prices are administratively desirable because they are precise, easily understood, and readily enforceable. They result in substantial savings in manpower and cost of administration to government and to business. They help consumers readily to ascertain the ceiling prices of products. It is particularly appropriate to take this action in the aforementioned States where the impact of procurement of petroleum products for military use and for the general defense program is resulting in extreme economic pressures, and where there have been many requests for the establishment of specific ceiling prices.

To determine the specific ceiling prices enumerated in this regulation, the Office of Price Stabilization, with the assistance of the West Coast Petroleum Wholesale Industry Advisory Commit-

tee, undertook in June 1951 a survey of the wholesale ceiling prices for selected products and types of delivery in representative communities. It was anticipated that, by gathering complete information on a substantial portion of the market, data would be secured which could be used as a basis for determining ceiling prices at all bulk plants in the area. For this survey sixty-six communities were selected on the basis of population density, geographical and trade area significance, and importance as petroleum distribution points.

In furtherance of this survey, Office of Price Stabilization Public Form No. 68 was sent to the Pacific Coast wholesale petroleum marketers doing business at the communities selected. These marketers represented all types of wholesale seller, including refiner-marketers, brokers, jobbers, purchase and sale distributors, and heating oil distributors. The questionnaire asked for information on each product with respect to ceiling prices; the length of time such ceiling prices had been in effect; the current posted prices of reporting companies; and information on the current "going" prices if such "going" prices applied to more than 50 percent of the sales. Additionally, the marketers were requested to file their current posted prices and ceiling prices for all points where they sold the products surveyed.

To permit quantitative analyses of the sales volumes of each product and their relationship to ceiling prices, data as to the 1950 sales volumes were requested. The 1,100 reports received covered distribution of products of which 2,041,000,000 gallons were gasoline representing 42.1 percent of all motor gasoline sold in the five Western States during the year 1950.

From the analysis of the replies to the questionnaire it was concluded that the results of the survey were sufficient to establish the ceiling prices spelled out in this regulation. This was accomplished by an intensive review of the prices and sales volumes within the sixty-six points which conclusively indicated that ceiling prices could be spelled out on the basis of representative ceiling prices of certain marketers. Thus, the balance of the ceiling prices for all other bulk plant points was arrived at by analysis of the representative ceiling prices of the same marketers.

Ceiling prices are spelled out at those points only where evidence collected is adequate and is truly representative of specific ceiling prices. As further information is accumulated action will be taken in spelling out ceiling prices at other points.

Since sometime has elapsed between the accumulation of the information and

its analysis, the ceiling prices enumerated do not include permissible transportation cost increases since September 1, 1951 but provision is made whereby these increases may be added to the specific prices. The Office of Price Stabilization will issue revised specific ceiling prices to reflect permissible transportation cost adjustments as soon as the necessary information is assembled. This supplementary regulation is not intended to roll back higher existing ceiling prices which reflect a customary differential over the market price. A provision is included to permit a seller having such a ceiling price which is higher than the specific ceiling price enumerated herein, to apply for the retention of such ceiling price. If such a ceiling is not reflective of a customary differential over the market it will be disapproved.

The issuance of this supplementary regulation will not result in increases in ceiling prices beyond increases already available to sellers under existing regulations. The primary purpose of this supplementary regulation is to eliminate the difficulties inherent in establishing ceiling prices by formula.

In the formulation of this supplementary regulation there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

**FINDINGS OF THE DIRECTOR OF PRICE
STABILIZATION**

In the judgment of the Director of Price Stabilization the prices established by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Ceiling prices for motor gasoline, kerosene, premium automotive diesel fuel, regular diesel fuel, heating furnace oil and stove oil.
3. Ceiling prices for bunker grade diesel fuel.
4. Ceiling prices higher than specific prices.
5. Applicability of Ceiling Price Regulation 17.

AUTHORITY: Sections 1 to 5 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.

SEC. 1. What this supplementary regulation does. This supplementary regulation spells out specific ceiling prices at certain bulk plant points located in the States of California, Washington, Oregon, Arizona, and Nevada for tank

wagon deliveries of motor gasoline, kerosene, premium automotive diesel fuel (P. S. 100), diesel fuel (P. S. 200), heating furnace oil (P. S. 200), and stove oil (P. S. 100). Also spelled out are specific ceiling prices for bunker grade diesel fuel (P. S. 200) at 4 points. These specific prices will be your ceiling prices subject to permissible adjustments made to reflect transportation increases effective after September 1, 1951. If your ceiling price prior to the effective date of this regulation was higher than the ceiling price set forth in this regulation, but your prior ceiling price reflects a customary differential over the market, you may apply to the Office of Price Stabilization for permission to retain such a higher ceiling price.

SEC. 2. Ceiling prices for motor gasoline, kerosene, premium automotive diesel fuel, regular diesel fuel, heating furnace oil and stove oil. (a) Your ceiling prices exclusive of all taxes in cents per gallon for tank wagon deliveries to all consumers and dealers at the points indicated and for the products listed shall be as follows:

Location	Gasoline, sec-ond grade	Kero-sene	Auto, Diesel	Diesel fuel	Fur-nace oil	Stove oil
<i>Arizona</i>						
Aguila.....	17.3	22.7	16.0	14.0	14.0	15.5
Ajo.....	18.1	22.1	15.9	13.9	13.9	15.4
Avondale.....	17.3	21.3	16.0	14.0	14.0	15.5
Benson.....	18.3	23.1	16.1	14.1	14.1	15.6
Bisbee.....	17.6	23.4	16.1	14.1	14.1	15.6
Bowie.....	17.3	26.3	16.1	14.1	14.1	15.6
Buckeye.....	17.3	21.3	16.0	14.0	14.0	15.5
Cameron.....	19.4	27.7	19.0	17.0	17.0	18.5
Casa Grande.....	18.1	22.1	16.1	14.1	14.1	15.6
Chandler.....	17.3	21.4	16.0	14.0	14.0	15.5
Clarkdale.....	17.7	23.4	16.0	14.0	14.0	15.5
Claypool.....	18.3	23.2	16.3	14.3	14.3	15.8
Clifton.....	18.3	24.3	16.0	14.0	14.0	15.5
Congress.....	17.3	22.7	16.0	14.0	14.0	15.5
Coolidge.....	18.1	22.1	16.1	14.1	14.1	15.6
Cottonwood.....	17.7	23.4	16.0	14.0	14.0	15.5
Dateland.....	16.8	21.5	15.6	13.6	13.6	15.1
Douglas.....	17.4	23.5	16.1	14.1	14.1	15.6
Duncan.....	17.4	27.9	16.1	14.1	19.1	15.6
Flagstaff.....	19.0	23.1	17.2	15.2	15.2	16.7
Gila Bend.....	17.1	21.1	15.9	13.9	13.9	15.4
Gilbert.....	17.3	21.4	16.0	14.0	14.0	15.5
Glendale.....	17.3	21.3	16.0	14.0	14.0	15.5
Globe.....	18.3	23.2	16.3	14.3	14.3	15.8
Grand Canyon.....	19.4	26.1	17.5	15.5	15.5	17.0
Hayden.....	18.4	22.7	16.3	14.3	14.3	15.8
Holbrook.....	18.4	23.8	17.9	15.9	15.9	17.4
Kingman.....	17.4	21.4	15.5	13.5	13.5	15.0
Kirkland.....	17.7	23.3	16.0	14.0	14.0	15.5
Litchfield.....	17.3	21.3	16.0	14.0	14.0	15.5
Lowell.....	17.6	23.4	16.1	14.1	14.1	15.6
Marana.....	18.1	22.1	16.1	14.1	14.1	15.6
Marinette.....	17.3	21.3	16.0	14.0	14.0	15.5
McNary.....	20.0	30.0	18.1	16.1	16.1	17.6
Mesa.....	17.3	21.3	16.0	14.0	14.0	15.5
Miami.....	18.3	23.2	16.3	14.3	14.3	15.8
Nogales.....	19.1	23.0	16.1	14.1	14.1	15.6
Parker.....	17.3	21.3	15.4	13.4	13.4	14.9
Patagonia.....	19.2	26.3	16.1	14.1	14.1	15.6
Peach Springs.....	17.7	23.4	15.5	13.5	13.5	15.0
Phoenix.....	17.3	21.3	15.9	13.9	13.9	15.4
Prescott.....	17.7	23.4	16.0	14.0	14.0	15.5
Ray.....	18.4	22.7	16.4	14.4	14.4	15.9
Safford.....	18.3	26.3	16.1	14.1	14.1	15.6
Salome.....	17.3	22.7	16.0	14.0	14.0	15.5
San Carlos.....	18.3	23.4	16.3	14.3	14.3	15.8
Sanders.....	19.0	23.7	18.1	16.1	16.1	17.6
Seligman.....	17.8	23.4	16.1	14.1	14.1	15.6
Show Low.....	20.0	30.0	18.1	16.1	16.1	17.6
Springerville.....	20.5	26.8	20.8	18.8	18.8	20.3
Superior.....	18.4	25.2	16.3	14.3	14.3	15.8
Tombstone.....	18.3	25.7	16.1	14.1	14.1	15.6
Tucson.....	18.1	22.1	16.1	14.1	14.1	15.6
Warren.....	17.6	23.4	16.1	14.1	14.1	15.6
Wellton.....	16.8	21.5	15.6	13.6	13.6	15.1
Wickenburg.....	17.3	22.7	16.0	14.0	14.0	15.5
Wilcox.....	17.6	25.9	16.1	14.1	14.1	15.6
Williams.....	18.9	25.0	17.2	15.2	15.2	16.7
Winslow.....	18.8	23.4	17.7	15.7	15.7	17.2
Yuma.....	16.0	20.0	14.8	12.8	12.8	14.3

Location	Gasoline, sec-ond grade	Kero-sene	Auto, Diesel	Diesel fuel	Fur-nace oil	Stove oil
<i>California</i>						
Alhambra.....	14.0	18.0	12.4	10.4	10.4	11.9
Alturas.....	18.2	24.0	16.4	14.4	14.4	15.9
Alvarado.....	14.6	19.0	13.4	11.4	11.4	12.9
Amboy.....	16.9	20.3	14.7	12.7	12.7	14.2
Anaheim.....	14.0	18.3	12.4	10.4	10.4	11.9
Angels.....	16.4	20.9	14.2	12.2	12.2	13.7
Arbuckle.....	15.7	19.9	14.5	12.5	12.5	14.0
Arcata.....	16.4	21.8	13.8	11.8	11.8	13.3
Artesia.....	14.0	18.6	12.4	10.4	10.4	11.9
Arvin.....	14.8	18.8	13.1	11.1	11.1	12.6
Atascadero.....	16.2	20.9	14.7	12.7	12.7	14.2
<i>Atlantic (Compton)</i>						
Auberry.....	14.0	18.0	12.4	10.4	10.4	11.9
Auburn.....	16.2	22.4	14.4	12.4	12.4	13.9
Avalon.....	16.2	20.1	14.4	12.4	12.4	13.9
Avalon.....	16.0	20.0	14.4	12.4	12.4	13.9
Avila.....	16.4	20.9	14.8	12.8	12.8	14.3
Azusa.....	14.5	18.4	12.8	10.8	10.8	12.3
Baker.....	16.8	20.8	14.5	12.5	12.5	14.0
Bakersfield.....	14.5	18.6	12.9	10.9	10.9	12.4
Balboa.....	14.0	18.7	12.4	10.4	10.4	11.9
Banning.....	15.3	19.2	13.6	11.6	11.6	13.1
Barstow.....	15.9	19.9	13.7	11.7	11.7	13.2
Bass Lake.....	16.9	22.9	15.0	13.0	13.0	14.5
Beaumont.....	15.3	19.2	13.6	11.6	11.6	13.1
Bieber.....	18.2	23.6	16.4	14.4	14.4	15.9
Big Bear.....	15.7	21.4	13.9	11.9	11.9	13.4
Biola.....	15.7	19.8	13.8	11.8	11.8	13.3
Bishop.....	17.5	24.3	15.9	13.9	13.9	15.4
Blythe.....	17.1	21.1	14.8	12.8	12.8	14.3
Bradley.....	16.3	20.7	14.7	12.7	12.7	14.2
Bradley.....	16.7	20.6	15.1	13.1	13.1	14.6
Brea.....	14.0	18.5	12.4	10.4	10.4	11.9
Brentwood.....	15.1	19.4	13.5	11.5	11.5	13.0
Buellton.....	16.2	20.3	14.6	12.6	12.6	14.1
Burbank.....	14.0	18.0	12.4	10.4	10.4	11.9
Byron.....	15.1	19.4	13.5	11.5	11.5	13.0
Calexico.....	16.7	20.8	15.1	13.1	13.1	14.6
Calipatria.....	16.7	20.6	15.1	13.1	13.1	14.6
Calistoga.....	15.3	19.2	13.6	11.6	11.6	13.1
Camarillo.....	15.2	19.2	13.4	11.4	11.4	12.9
Cambria.....	16.6	22.3	15.0	13.0	13.0	14.5
Canoga Park.....	14.0	18.0	12.4	10.4	10.4	11.9
<i>Capistrano</i>						
Reach.....	14.6	18.9	12.9	10.9	10.9	12.4
Cedarville.....	18.6	24.2	16.4	14.4	14.4	15.9
Centerville.....	15.2	19.3	13.4	11.4	11.4	12.9
Chico.....	16.6	20.5	14.8	12.8	12.8	14.3
Chowchilla.....	15.7	20.0	13.8	11.8	11.8	13.3
Chula Vista.....	15.0	19.6	13.2	11.0	11.0	12.7
Clearlake.....	15.7	20.1	14.3	12.3	12.3	13.8
Clear Creek.....	15.2	19.4	13.6	11.6	11.6	13.1
<i>Clearlake High-</i>						
lands.....	15.9	20.3	14.4	12.4	12.4	13.9
Cloverdale.....	15.8	20.2	14.3	12.3	12.3	13.8
Clovis.....	15.7	19.8	13.8	11.8	11.8	13.3
Coachella.....	15.9	19.8	14.2	12.2	12.2	13.7
Coalinga.....	15.7	19.8	13.8	11.8	11.8	13.3
Coarse Gold.....	16.4	22.4	14.7	12.7	12.7	14.2
Colfax.....	16.5	20.7	14.7	12.7	12.7	14.2
Colton.....	14.8	18.8	13.0	11.0	11.0	12.5
Colusa.....	16.2	20.1	14.4	12.4	12.4	13.9
Concord.....	14.5	18.5	12.9	10.9	10.9	12.4
Corning.....	16.6	20.5	15.0	13.0	13.0	14.5
Corona.....	14.6	18.6	13.1	11.1	11.1	12.6
Corcoran.....	15.7	19.8	13.8	11.8	11.8	13.3
Costa Mesa.....	14.0	18.7	12.4	10.4	10.4	11.9
Courtland.....	15.7	19.8	13.8	11.8	11.8	13.3
Covelo.....	17.5	21.3	15.9	13.9	13.9	15.4
Covina.....	14.5	18.4	12.8	10.8	10.8	12.3
Crecent City.....	17.8	21.8	15.6	13.6	13.6	15.1
Crecent Mills.....	17.6	22.2	16.0	14.0	14.0	15.5
Crestline.....	15.3	19.2	13.9	11.9	11.9	13.4
Culver City.....	14.0	18.0	12.4	10.4	10.4	11.9
Davis.....	15.7	19.8	14.0	12.0	12.0	13.5
Delano.....	15.0	19.1	13.3	11.3	11.3	12.8
Desert Center.....	16.4	20.8	14.7	12.7	12.7	14.2
Dinuba.....	15.7	20.8	13.8	11.8	11.8	13.3
Dixon.....	15.7	19.8	13.7	11.7	11.7	13.2
Dorris.....	18.5	24.5	16.4	14.4	14.4	15.9
Dos Palos.....	15.7	19.8	13.8	11.8	11.8	13.3
Downey.....	14.0	18.0	12.4	10.4	10.4	11.9
Dunnigan.....	15.7	19.9	14.2	12.2	12.2	13.7
East Gridley.....	16.2	20.4	14.6	12.6	12.6	14.1
El Cajon.....	15.0	19.6	13.2	11.0	11.0	12.7
El Centro.....	16.7	20.8	15.1	13.1	13.1	14.6
Elk Grove.....	15.7	19.8	14.1	12.1	12.1	13.6
El Monte.....	14.0	18.0	12.4	10.4	10.4	11.9
El Portal.....	17.1	21.3	15.2	13.2	13.2	14.7
El Segundo.....	14.0	18.0	12.4	10.4	10.4	11.9
Elsinore.....	15.2	18.8	13.2	11.2	11.2	12.7
Escalon.....	15.7	19.8	13.8	11.8	11.8	13.3
Esecondido.....	15.4	19.4	13.6	11.6	11.6	13.1
Esparto.....	15.7	19.8	14.0	12.0	12.0	13.5
Eureka.....	16.4	20.4	13.8	11.8	11.8	13.3
Fairfield.....	15.1	19.1	13.7	11.7	11.7	13.2
Fallbrook.....	15.4	19.4	13.6	11.6	11.6	13.1
<i>Fall River</i>						
Mills.....	18.1	23.6	16.4	14.4	14.4	15.9
Farmington.....	15.7	19.8	13.8	11.8	11.8	13.3
Feather Falls.....	16.9	21.3	15.3	13.3	13.3	14.8
Fields Landing.....	16.4	20.4	13.8	11.8	11.8	13.3

Location	Gasoline, second grade	Kero- sene	Auto, Diesel	Diesel fuel	Fur- nace oil	Stove oil
California—Con.						
Fillmore.....	15.2	19.2	13.4	11.4	11.4	12.9
Firebaugh.....	15.7	19.8	13.8	11.8	11.8	13.3
Fish Harbor.....	14.0	18.0	12.4	10.4	10.4	11.9
Folsom.....	16.2	19.9	14.4	12.4	12.4	13.9
Fort Bragg.....	17.2	21.2	15.8	13.8	13.8	15.3
Fort Jones.....	18.2	22.2	16.8	14.8	14.8	16.3
Fortuna.....	16.6	22.0	14.3	12.3	12.3	13.8
Fowler.....	15.7	20.6	14.0	12.0	12.0	13.5
Fresno.....	15.7	19.8	13.8	11.8	11.8	13.3
Fullerton.....	14.0	18.5	12.4	10.4	10.4	11.9
Garderville.....	17.1	22.3	14.7	12.7	12.7	14.2
Geyserville.....	15.3	19.9	13.9	11.9	11.9	13.4
Gilroy.....	15.7	19.4	13.8	11.8	11.8	13.3
Gonzales.....	16.4	19.8	14.6	12.6	12.6	14.1
Glendale.....	14.0	18.0	12.4	10.4	10.4	11.9
Gorman.....	15.4	19.4	13.6	11.6	11.6	13.1
Grapevine.....	15.4	19.2	13.6	11.6	11.6	13.1
Grass Valley.....	16.5	20.3	15.0	13.0	13.0	14.5
Gridley.....	16.2	20.4	14.6	12.6	12.6	14.1
Groveland.....	17.8	21.6	15.6	13.6	13.6	15.1
Guerneville.....	15.3	19.5	14.2	12.2	12.2	13.7
Half Moon Bay.....	15.5	19.4	13.9	11.9	11.9	13.4
Hanford.....	15.7	19.8	13.8	11.8	11.8	13.3
Hayward.....	14.6	19.0	13.4	11.4	11.4	12.9
Healdsburg.....	15.3	19.9	13.9	11.9	11.9	13.4
Henet.....	15.3	19.2	13.4	11.4	11.4	12.9
Hollister.....	15.9	19.5	14.1	12.1	12.1	13.6
Hollywood.....	14.0	18.0	12.4	10.4	10.4	11.9
Holtville.....	16.7	20.8	15.1	13.1	13.1	14.6
Hoopa.....	17.8	21.8	15.6	13.6	13.6	15.1
Huntington Beach.....	14.0	18.0	12.4	10.4	10.4	11.9
Huntington Park.....	14.0	18.0	12.4	10.4	10.4	11.9
Hyde Park.....	14.0	18.0	12.4	10.4	10.4	11.9
Indio.....	15.9	19.8	14.2	12.2	12.2	13.7
Inglewood.....	14.0	18.0	12.4	10.4	10.4	11.9
Inyokern.....	16.1	20.1	14.4	12.4	12.4	13.9
Ione.....	16.2	20.6	14.2	12.2	12.2	13.7
Irvine.....	14.0	18.3	12.4	10.4	10.4	11.9
Irrington.....	15.2	19.3	13.4	11.4	11.4	12.9
Jackson.....	16.2	20.6	14.2	12.2	12.2	13.7
Jaumba.....	16.6	21.1	14.5	12.5	12.5	14.0
Jamestown.....	16.4	20.4	14.8	12.8	12.8	14.3
Johannesburg.....	16.1	19.8	14.4	12.4	12.4	13.9
Julian.....	16.2	19.9	14.6	12.6	12.6	14.1
Kernville.....	15.5	21.7	14.0	12.0	12.0	13.5
Kettleman Hills.....	15.7	19.8	14.1	12.1	12.1	13.6
King City.....	16.6	20.1	14.7	12.7	12.7	14.2
Kingsburg.....	15.7	20.8	13.8	11.8	11.8	13.3
Knights Land- ing.....	15.7	19.9	14.1	12.1	12.1	13.6
Lake Arrow- head.....	15.3	19.2	13.9	11.9	11.9	13.4
Lakeport.....	16.3	20.1	14.7	12.7	12.7	14.2
Lakeside.....	15.0	19.6	13.2	11.0	11.0	12.7
La Mesa.....	15.0	19.6	13.2	11.0	11.0	12.7
Lancaster.....	15.4	19.2	13.6	11.6	11.6	13.1
Laws.....	17.5	24.3	15.9	13.9	13.9	15.4
Lemoore.....	15.7	19.8	13.8	11.8	11.8	13.3
Leevining.....	18.2	25.2	16.7	14.7	14.7	16.2
Lincoln.....	16.1	19.9	14.3	12.3	12.3	13.8
Linden.....	15.7	19.8	13.8	11.8	11.8	13.3
Litchfield.....	17.9	22.7	16.3	14.3	14.3	15.8
Lindsay.....	15.7	21.1	13.8	11.8	11.8	13.3
Livermore.....	15.2	19.2	13.5	11.5	11.5	13.0
Livingston.....	15.7	19.8	13.8	11.8	11.8	13.3
Lodi.....	15.7	19.8	13.8	11.8	11.8	13.3
Lompoc.....	16.2	19.9	14.6	12.6	12.6	14.1
Long Beach.....	14.0	18.0	12.4	10.4	10.4	11.9
Lone Pine.....	16.9	21.8	15.2	13.2	13.2	14.7
Los Angeles.....	14.0	18.0	12.4	10.4	10.4	11.9
Los Gatos.....	15.3	19.5	13.6	11.6	11.6	13.1
Los Banos.....	15.7	19.8	13.8	11.8	11.8	13.3
Los Molinos.....	16.9	20.9	15.0	13.0	13.0	14.5
Los Olivos.....	16.2	20.3	14.6	12.6	12.6	14.1
Lower Lake.....	15.9	20.3	14.4	12.4	12.4	13.9
Loyalton.....	17.8	22.3	15.8	13.8	13.8	15.3
Ludlow.....	16.4	20.3	14.6	12.6	12.6	14.1
Mae Doel.....	18.5	24.5	16.4	14.4	14.4	15.9
Madera.....	15.7	19.8	13.8	11.8	11.8	13.3
Manteca.....	15.7	19.8	13.8	11.8	11.8	13.3
Mariposa.....	16.6	21.3	15.5	13.5	13.5	15.0
Martinez.....	14.5	18.5	12.9	10.9	10.9	12.4
Marysville.....	16.1	20.1	14.4	12.4	12.4	13.9
Maxwell.....	16.2	20.1	14.4	12.4	12.4	13.9
McCloud.....	18.1	23.2	16.4	14.4	14.4	15.9
McKittrick.....	15.0	20.4	13.3	11.3	11.3	12.8
Mendota.....	15.7	19.8	13.8	11.8	11.8	13.3
Merced.....	15.7	19.8	13.8	11.8	11.8	13.3
Meridian.....	16.2	20.1	14.4	12.4	12.4	13.9
Middletown.....	15.7	20.0	14.1	12.1	12.1	13.6
Modesto.....	15.7	19.8	13.8	11.8	11.8	13.3
Mojave.....	15.5	19.6	13.7	11.7	11.7	13.2
Monrovia.....	14.3	18.3	12.8	10.8	10.8	12.3
Monterey.....	16.1	20.1	14.4	12.4	12.4	13.9
Moorpark.....	15.2	19.0	13.4	11.4	11.4	12.9
Morgan Hill.....	15.7	19.4	13.8	11.8	11.8	13.3
Moss Landing.....	16.2	20.3	14.1	12.1	12.1	13.6
Mountain View.....	15.3	19.3	13.4	11.4	11.4	12.9
Mount Shasta.....	18.1	22.9	16.4	14.4	14.4	15.9

Location	Gasoline, second grade	Kerosene	Auto. Diesel	Diesel fuel	Furnace oil	Stove oil
California—Con.						
Napa.....	15.0	19.0	13.4	11.4	11.4	12.9
Natoma.....	16.1	19.9	14.4	12.4	12.4	13.9
Needles.....	17.5	22.5	15.3	13.3	13.3	14.8
Newhall.....	14.4	18.6	12.8	10.8	10.8	12.3
Newman.....	15.7	19.8	13.8	11.8	11.8	13.3
Newport Beach.....	14.0	18.7	12.4	10.4	10.4	11.9
Norwalk.....	14.0	18.6	12.4	10.4	10.4	11.9
Oakdale.....	15.7	19.8	13.8	11.8	11.8	13.3
Oakland.....	14.5	18.5	12.9	10.9	10.9	12.4
Oceanside.....	15.1	19.0	13.5	11.5	11.5	13.0
Ojai.....	15.2	19.2	13.4	11.4	11.4	12.9
Oleum.....	14.5	18.5	12.9	10.9	10.9	12.4
Ontario.....	14.6	18.6	12.9	10.9	10.9	12.4
Orick.....	17.4	22.7	14.9	12.9	12.9	14.4
Orland.....	16.6	20.4	14.8	12.8	12.8	14.3
Oroville.....	16.4	20.4	14.6	12.6	12.6	14.1
Oxnard.....	15.2	18.9	13.4	11.4	11.4	12.9
Palm City.....	15.0	19.6	13.2	11.0	11.0	12.7
Palo Alto.....	14.8	19.3	13.3	11.3	11.3	12.8
Parlier.....	15.7	20.6	13.8	11.8	11.8	13.3
Pasadena.....	14.0	18.0	12.4	10.4	10.4	11.9
Paso Robles.....	16.2	21.3	14.7	12.7	12.7	14.2
Patterson.....	15.7	19.8	13.8	11.8	11.8	13.3
Pescadero.....	16.0	21.4	14.3	12.3	12.3	13.8
Petaluma.....	15.3	19.1	13.7	11.7	11.7	13.2
Pittsburg.....	14.9	18.9	13.3	11.3	11.3	12.8
Pixley.....	15.1	19.2	13.6	11.6	11.6	13.1
Placerville.....	16.4	20.4	14.5	12.5	12.5	14.0
Plymouth.....	16.2	20.6	14.2	12.2	12.2	13.7
Pt. Arena.....	17.2	21.5	15.6	13.6	13.6	15.1
Pt. Loma.....	15.0	19.0	13.2	11.0	11.0	12.7
Pt. Reyes.....	15.4	19.9	13.8	11.8	11.8	13.3
Pomona.....	14.6	18.6	12.9	10.9	10.9	12.4
Porterville.....	15.7	19.8	13.8	11.8	11.8	13.3
Portola.....	17.9	22.3	15.8	13.8	13.8	15.3
Quincy.....	17.6	22.2	15.9	13.9	13.9	15.4
Ramona.....	15.7	19.4	14.1	12.1	12.1	13.6
Red Bluff.....	16.9	20.9	15.1	13.1	13.1	14.6
Redding.....	17.3	21.4	15.3	13.3	13.3	14.8
Redlands.....	14.8	19.0	13.1	11.1	11.1	12.6
Redwood City.....	14.8	18.9	13.3	11.3	11.3	12.8
Reedley.....	15.7	20.8	13.8	11.8	11.8	13.3
Richmond.....	14.5	18.5	12.9	10.9	10.9	12.4
Rio Vista.....	15.7	19.8	13.8	11.8	11.8	13.3
Riverdale.....	15.7	19.8	13.8	11.8	11.8	13.3
Riverside.....	14.8	18.7	13.0	11.0	11.0	12.5
Robbins.....	15.7	19.9	14.1	12.1	12.1	13.6
Rocklin.....	16.1	19.8	14.3	12.3	12.3	13.8
Roseville.....	16.1	19.8	14.3	12.3	12.3	13.8
Running Springs.....	15.3	19.2	13.9	11.9	11.9	13.4
Sacramento.....	15.7	19.8	14.1	12.1	12.1	13.6
St. Helena.....	15.3	19.2	13.6	11.6	11.6	13.1
Salinas.....	16.1	19.5	14.4	12.4	12.4	13.9
San Andreas.....	16.2	20.2	14.2	12.2	12.2	13.7
San Bernardino.....	14.8	18.8	13.0	11.0	11.0	12.5
San Diego.....	15.0	19.0	13.2	11.0	11.0	12.7
San Fernando.....	14.0	18.0	12.4	10.4	10.4	11.9
San Francisco.....	14.5	18.5	12.9	10.9	10.9	12.4
Sanger.....	15.7	20.6	13.8	11.8	11.8	13.3
San Jacinto.....	15.3	19.2	13.4	11.4	11.4	12.9
San Joaquin.....	15.7	19.8	13.8	11.8	11.8	13.3
San Jose.....	15.3	19.3	13.4	11.4	11.4	12.9
San Juan Capistrano.....	14.6	18.9	12.9	10.9	10.9	12.4
San Luis Obispo.....	16.4	20.9	14.8	12.8	12.8	14.3
San Mateo.....	14.5	18.7	13.1	11.1	11.1	12.6
San Pedro.....	14.0	18.0	12.4	10.4	10.4	11.9
San Rafael.....	15.1	19.1	13.5	11.5	11.5	13.0
Santa Ana.....	14.0	18.3	12.4	10.4	10.4	11.9
Santa Barbara.....	15.2	19.2	13.4	11.4	11.4	12.9
Santa Cruz.....	16.1	19.9	13.9	11.9	11.9	13.4
Santa Maria.....	16.4	20.4	14.8	12.8	12.8	14.3
Santa Monica.....	14.0	18.0	12.4	10.4	10.4	11.9
Santa Paula.....	15.2	19.2	13.4	11.4	11.4	12.9
Santa Rosa.....	15.3	18.9	13.7	11.7	11.7	13.2
Sausalito.....	15.1	19.1	13.5	11.5	11.5	13.0
Sebastopol.....	15.3	19.5	13.7	11.7	11.7	13.2
Seguro.....	14.5	18.6	12.9	10.9	10.9	12.4
Shafter.....	15.0	19.1	13.3	11.3	11.3	12.8
Shoshone.....	17.3	23.8	15.6	13.6	13.6	15.1
Signal Hill.....	14.0	18.0	12.4	10.4	10.4	11.9
Solana Beach.....	15.3	19.3	13.3	11.3	11.3	12.8
Soledad.....	16.4	19.8	14.6	12.6	12.6	14.1
Sonoma.....	15.3	19.2	13.6	11.6	11.6	13.1
Sonora.....	16.4	20.4	14.8	12.8	12.8	14.3
South Dos Palos.....	15.7	19.8	13.8	11.8	11.8	13.3
South Fork.....	17.1	22.3	14.7	12.7	12.7	14.2
South Los Angeles.....	14.0	18.0	12.4	10.4	10.4	11.9
South San Francisco.....	14.5	18.5	13.1	11.1	11.1	12.6
Stockton.....	15.7	19.8	13.8	11.8	11.8	13.3
Stratford.....	15.7	19.8	13.8	11.8	11.8	13.3
Suisun.....	15.1	19.1	13.7	11.7	11.7	13.2
Susunville.....	17.9	22.7	16.3	14.3	14.3	15.8
Taft.....	15.0	19.1	13.3	11.3	11.3	12.8
Tahoe City.....	17.3	22.0	15.6	13.6	13.6	15.1
Tahoe Valley.....	17.3	22.0	15.6	13.6	13.6	15.1
Tehachapi.....	15.4	19.6	13.4	11.4	11.4	12.9
Terminal Island.....	14.0	18.0	12.4	10.4	10.4	11.9
Location	Gasoline, second grade	Kerosene	Auto. Diesel	Diesel fuel	Furnace oil	Stove oil
California—Con.						
Tracy.....	15.7	19.8	13.8	11.8	11.8	13.3
Tranquillity.....	15.7	19.8	13.8	11.8	11.8	13.3
Trona.....	16.5	21.4	14.2	12.2	12.2	13.7
Trowbridge.....	16.1	20.2	14.3	12.3	12.3	13.8
Truckee.....	17.3	21.7	15.7	13.7	13.7	15.2
Tudor.....	16.1	20.2	14.3	12.3	12.3	13.8
Tulare.....	15.7	19.8	13.8	11.8	11.8	13.3
Tule Lake.....	18.3	23.5	16.4	14.4	14.4	15.9
Turlock.....	15.7	19.8	13.8	11.8	11.8	13.3
29 Palms.....	16.1	20.1	14.4	12.4	12.4	13.9
Ukiah.....	16.2	20.1	14.3	12.3	12.3	13.8
Vacaville.....	15.7	19.8	13.7	11.7	11.7	13.2
Vallejo.....	15.0	18.8	13.4	11.4	11.4	12.9
Van Nuys.....	14.0	18.0	12.4	10.4	10.4	11.9
Ventura.....	15.2	19.2	13.4	11.4	11.4	12.9
Victorville.....	15.4	19.4	13.2	11.2	11.2	12.7
Visalia.....	15.7	20.9	13.8	11.8	11.8	13.3
Walnut Creek.....	14.5	18.5	12.9	10.9	10.9	12.4
Walnut Grove.....	15.7	19.8	13.8	11.8	11.8	13.3
Wasco.....	15.0	19.1	13.3	11.3	11.3	12.8
Waterford.....	15.7	19.8	13.8	11.8	11.8	13.3
Watsonville.....	16.1	19.9	14.0	12.0	12.0	13.5
Watts.....	14.0	18.0	12.4	10.4	10.4	11.9
Weaverville.....	17.8	21.5	16.2	14.2	14.2	15.7
Weed.....	18.1	22.9	16.4	14.4	14.4	15.9
Westley.....	15.7	19.8	13.8	11.8	11.8	13.3
Westmorland.....	16.7	20.6	15.1	13.1	13.1	14.6
Westwood.....	17.9	22.7	16.3	14.3	14.3	15.8
Whittier.....	14.0	18.0	12.4	10.4	10.4	11.9
Willains.....	16.2	20.2	14.5	12.5	12.5	14.0
Willits.....	16.6	20.5	15.0	13.0	13.0	14.5
Willows.....	16.4	20.2	14.5	12.5	12.5	14.0
Willow Creek.....	17.8	21.8	15.6	13.6	13.6	15.1
Wilmington.....	14.0	18.0	12.4	10.4	10.4	11.9
Winters.....	15.7	19.8	13.7	11.7	11.7	13.2
Woodlake.....	15.7	20.9	13.8	11.8	11.8	13.3
Woodland.....	15.7	19.8	14.0	12.0	12.0	13.5
Yorba Linda.....	14.0	18.5	12.4	10.4	10.4	11.9
Yreka.....	18.2	22.2	16.5	14.5	14.5	16.0
Yuba City.....	16.1	20.1	14.4	12.4	12.4	13.9
Dunsmuir.....	18.1	22.9	16.4	14.4	14.4	15.9
Location	Gasoline, second grade	Kerosene	Auto. Diesel	Diesel fuel	Furnace oil	Stove oil
Nevada						
Austin.....	20.1	26.9	19.2	17.2	17.2	18.7
Battle Mountain.....	19.0	26.9	17.5	15.5	15.5	17.0
Beatty.....	18.9	25.6	17.0	15.0	15.0	16.5
Boulder City.....	17.8	22.0	15.8	13.8	13.8	15.3
Caliente.....	19.0	26.0	16.5	14.5	14.5	15.9
Carlin.....	19.6	28.0	17.3	15.3	15.3	16.8
Carson City.....	17.2	24.0	16.1	14.1	14.1	15.6
East Ely.....	20.6	25.0	18.4	16.4	16.4	17.9
Elko.....	19.6	28.4	17.5	15.5	15.5	17.0
Eureka.....	20.0	27.7	19.2	17.2	17.2	18.7
Fallon.....	17.8	21.8	16.5	14.5	14.5	16.0
Fernley.....	17.4	23.0	16.3	14.3	14.3	15.8
Gerlach.....	18.2	22.2	16.5	14.5	14.5	16.0
Hawthorne.....	18.9	25.3	17.4	15.4	15.4	16.9
Las Vegas.....	17.8	23.5	15.5	13.5	13.5	15.0
Lovelock.....	17.9	24.2	17.0	15.0	15.0	16.5
McDermitt.....	19.5	28.5	18.8	16.8	16.8	18.3
McGill.....	20.6	25.2	18.4	16.4	16.4	17.9
Mesquite.....	19.4	26.0	17.2	15.2	15.2	16.7
Mina.....	18.8	25.2	17.8	15.8	15.8	17.3
Minden.....	17.4	24.3	16.2	14.2	14.2	15.7
Moapa.....	18.4	25.0	16.2	14.2	14.2	15.7
Montague.....	18.2	22.2	16.5	14.5	14.5	16.0
Montello.....	19.4	28.6	17.3	15.3	15.3	16.8
Pioche.....	19.2	26.3	16.5	14.5	14.5	15.3
Reno.....	17.1	21.1	15.8	13.8	13.8	15.3
Rio Tinto.....	20.7	33.6	20.1	18.1	18.1	19.6
Ruth.....	20.6	25.2	18.4	16.4	16.4	17.9
Tonopah.....	18.9	22.9	17.9	15.9	15.9	17.4
Wells.....	19.7	26.3	17.3	15.3	15.3	16.8
Winnemucca.....	18.4	25.2	17.0	15.0	15.0	16.5
Yerington.....	18.0	23.7	16.7	14.7	14.7	16.2
Location	Gasoline, second grade	Kerosene	Auto. Diesel	Diesel fuel	Furnace oil	Stove oil
Oregon						
Albany.....	16.0	21.9	14.6	12.6	-----	-----
Arlington.....	16.4	23.7	15.2	13.2	-----	-----
Ashland.....	17.8	21.8	16.5	14.5	-----	-----
Astoria.....	15.5	21.6	13.4	11.4	-----	-----
Athens.....	16.7	25.0	15.5	13.5	-----	-----
Baker.....	17.7	26.7				

Location	Gasoline, second grade	Kerosene	Auto Diesel	Diesel fuel	Furnace oil	Stove oil
Washington						
Aberdeen	15.3	20.8	13.6	11.6	11.6	13.1
Almira	17.7	25.8	16.8	14.8		
Anacortes	15.8	21.4	14.1	12.1		
Arlington	15.7	21.3	14.4	12.4		
Auburn	15.0	20.5	13.5	11.5		
Bellingham	15.9	21.5	14.1	12.1	12.1	13.6
Benge	17.8	25.3	16.8	14.8		
Bingen	16.1	22.5	14.8	12.8		
Blaine	16.3	22.0	14.5	12.5		
Bremerton	15.3	20.8	13.8	11.8	11.8	13.3
Brewster	17.7	23.9	16.8	14.8		
Burton	15.3	21.3	14.1	12.1		
Camas	15.1	20.7	13.6	11.6		
Carlisle	15.9	21.5	14.2	12.2		
Cashmere	17.2	23.4	15.7	13.7		
Castle Rock	16.0	21.6	14.0	12.0		
Cathlamet	16.2	22.1	14.1	12.1		
Centralia	16.2	21.7	14.4	12.4		
Chchalis	16.2	21.7	14.4	12.4		
Chelan	17.7	23.9	16.3	14.3		
Cheney	17.8	25.4	16.8	14.8		
Chewelah	18.6	26.1	17.7	15.7		
Clarkston	17.8	25.2	17.2	15.2		
Cle Elum	16.7	22.7	15.6	13.6		
Clinton	15.8	22.3	14.1	12.1		
Clyde	17.2	24.2	16.1	14.1		
Colfax	17.8	25.4	17.0	15.0		
Colville	18.8	25.3	17.9	15.9		
Conerete	16.3	21.9	15.0	13.0		
Connell	17.2	24.2	15.8	13.8		
Copalt's Crossing	15.9	21.5	14.2	12.2		
Coulee City	17.7	24.6	16.8	14.8		
Coulee Dam	17.7	25.8	16.8	14.8		
Coupeville	15.8	22.2	14.1	12.1		
Creston	17.7	24.7	16.8	14.8		
Darrington	16.3	22.0	15.0	13.0		
Davenport	17.8	25.0	16.8	14.8		
Dayton	17.2	23.7	15.9	13.9		
Deer Park	18.2	25.9	17.3	15.3		
Deming	16.3	22.0	14.5	12.5		
East Sound	15.8	22.4	14.1	12.1		
East Stanwood	15.9	21.5	14.5	12.5		
Eatonville	15.7	21.3	14.5	12.5		
Edmonds	15.0	20.5	13.5	11.5		
Elbe	16.3	22.5	14.7	12.7		
Electric City	17.7	25.8	16.8	14.8		
Ellensburg	16.8	22.9	15.6	13.6		
Elma	15.8	21.7	13.8	11.8		
Endicott	17.8	25.4	17.0	15.0		
Enumelaw	15.7	21.3	14.5	12.5		
Entiat	17.2	23.4	15.7	13.7		
Ephrata	17.2	23.9	16.4	14.4		
Everett	15.4	20.9	13.9	11.9		
Everson	16.3	22.0	14.5	12.5		
Fairfield	18.1	25.4	17.2	15.2		
Forks	16.8	23.2	15.1	13.1		
Friday Harbor	15.8	22.4	14.1	12.1		
Garfield	18.1	25.4	17.2	15.2		
Gig Harbor	15.3	21.3	13.8	11.8		
Goldendale	16.4	22.6	15.1	13.1		
Grandview	16.7	23.4	15.5	13.5		
Grand Coulee	17.7	25.8	16.8	14.8		
Granite Falls	15.6	21.3	14.4	12.4		
Grayland	16.0	21.5	14.3	12.3		
Greenacres	17.8	25.4	16.8	14.8		
Harrington	17.8	25.0	16.8	14.8		
Hoodspoint	15.5	21.3	14.1	12.1		
Houghton	15.0	20.5	13.5	11.5		
Hoquiam	15.3	20.8	13.6	11.6		
Ilwaco	15.9	22.7	14.5	12.5		
Ione	19.1	26.1	18.3	16.3		
Issaquah	15.1	20.7	14.1	12.1		
Kahlotus	17.2	24.1	16.2	14.2		
Kalama	15.6	21.2	14.0	12.0		
Kelso	15.6	21.1	13.4	11.4		
Kennewick	16.7	23.4	15.5	13.5		
Kent	15.0	20.6	13.5	11.5		
Kirkland	15.0	20.5	13.5	11.5		
Klickitat	16.3	23.1	15.0	13.0		
La Conner	15.9	21.5	14.5	12.5		
La Crosse	17.8	24.9	16.8	14.8		
Lamont	17.8	24.6	16.8	14.8		
Langley	15.8	22.3	14.1	12.1		
Leavenworth	17.2	23.4	15.7	13.7		
Lind	17.2	25.2	16.2	14.2		
Long Beach	15.9	22.7	14.5	12.5		
Longview	15.6	21.1	13.4	11.4		
Lynden	16.3	22.0	14.5	12.5		
Mansfield	17.7	24.3	16.9	14.9		
McKenna	15.8	21.4	14.3	12.3		
Metairie Falls	19.1	26.1	18.3	16.3		
Monroe	15.7	21.3	14.4	12.4		
Montesano	15.8	21.7	13.6	11.6		
Morton	16.9	22.6	15.2	13.2		
Moses Lake	17.2	24.1	16.4	14.4		
Mount Vernon	15.9	21.5	14.5	12.5		
Naches	16.7	23.6	15.5	13.5		
Neah Bay	15.8	26.1	14.1	12.1		
Newport	18.5	25.3	17.6	15.6		
Northport	19.3	27.0	18.5	16.5		
Oakendale	18.1	25.4	17.2	15.2		
Oak Harbor	15.8	22.2	14.1	12.1		
Odessa	17.7	24.7	16.7	14.7		

Location	Gasoline, second grade	Kerosene	Auto Diesel	Diesel fuel	Furnace oil	Stove oil
Wash—Con.						
Okanogan	18.0	24.8	17.1	15.1		
Olympia	15.3	20.8	13.8	11.8		
Omak	18.0	24.8	17.1	15.1		
Onalaska	16.2	21.9	14.6	12.6		
Oreca	15.8	22.4	14.1	12.1		
Oreville	18.5	25.0	17.6	15.6		
Othello	17.2	24.1	16.3	14.3		
Palouse	18.1	25.6	17.2	15.2		
Parkland	15.0	20.5	13.5	11.5		
Paseo	16.7	23.2	15.5	13.5	13.5	15.0
Pateros	17.7	23.9	16.8	14.8		
Port Roberts	15.8	21.4	14.2	12.2		
Port Wells	15.0	20.5	13.5	11.5		
Pomeroy	17.8	24.6	16.7	14.7		
Portage	15.3	21.3	14.1	12.1		
Port Angeles	15.8	22.2	14.1	12.1		
Port Gamble	15.3	23.2	13.8	11.8		
Port Orchard	15.3	21.5	13.8	11.8		
Port Townsend	15.8	22.0	14.1	12.1		
Poulsbo	15.3	21.3	13.9	11.9		
Prescott	17.2	23.6	15.8	13.8		
Presser	16.7	24.7	15.5	13.5		
Pullman	18.1	25.6	17.2	15.2		
Puyallup	15.0	20.5	13.5	11.5		
Quinalt	16.9	23.3	15.1	13.1		
Quincy	17.2	23.9	16.4	14.4		
Raymond	16.3	22.0	14.8	12.8		
Reardan	17.8	25.4	16.8	14.8		
Redmond	15.0	20.5	13.5	11.5		
Renton	15.0	20.5	13.5	11.5		
Republic	18.9	26.5	18.0	16.0		
Richardson	15.8	22.4	14.1	12.1		
Richmond Beach	15.0	20.5	13.5	11.5		
Ridgefield	15.0	20.5	13.8	11.8		
Ritzville	17.2	25.4	16.2	14.2		
Rock Harbor	15.8	22.4	14.1	12.1		
Rosalia	17.8	25.4	17.1	15.1		
Ryderwood	16.2	21.9	14.3	12.3		
St. John	17.8	25.4	17.1	15.1		
San de Fuca	15.8	22.2	14.1	12.1		
Seattle	15.0	20.5	13.5	11.5		
Sedro Wooley	15.9	21.5	14.5	12.5		
Sekia	15.8	25.9	14.1	12.1		
Sequian	15.8	22.2	14.2	12.2		
Shaw Island	15.8		14.1	12.1		
Shelton	15.5	21.3	14.1	12.1		
Skamokawa	16.2	22.1	14.1	12.1		
Snohomish	15.4	21.0	13.9	11.9		
Snoqualmie	16.0	21.6	14.7	12.7		

Location	Gasoline, second grade	Kerosene	Auto Diesel	Diesel fuel	Furnace oil	Stove oil
Wash—Con.						
South Bend	16.3	22.0	14.8	12.8		
South Tacoma	15.0	20.5	13.5	11.5		
Spangle	17.8	25.4	17.1	15.1		
Spokane	17.8	24.3	16.8	14.8		
Spokane Valley	17.8	24.3	16.8	14.8		
Sprague	17.8	25.4	16.8	14.8		
Stevenson	15.9	21.5	14.5	12.5		
Sunnyside	16.7	23.4	15.5	13.5		
Tacoma	15.0	20.5	13.5	11.5		
Tekoa	18.1	25.4	17.2	15.2		
Toledo	16.2	21.9	14.7	12.7		
Tonasket	18.2	24.8	17.4	15.4		
Toppenish	16.7	23.1	15.5	13.5		
Twisp	18.2	24.4	17.3	15.3		
Uniontown	18.1	25.9	17.2	15.2		
Vancouver	15.0	20.5	13.5	11.5		
Vantage	17.2	23.4	16.0	14.0		
Waitsburg	17.2	23.6	15.8	13.8		
Walla Walla	16.7	23.3	15.5	13.5	13.5	15.0
Wapato	16.7	23.2	15.5	13.5		
Washtucna	17.2	24.1	16.2	14.2		
Waterville	17.7	24.6	16.4	14.4		
Wenatchee	17.2	23.2	15.7	13.7	13.7	15.2
Westport	15.3	20.8	14.3	12.3		
West Seattle	15.0	20.5	13.5	11.5		
White Salmon	16.1	22.5	14.8	12.8		
Willbur	17.7	24.7	16.8	14.8		
Willapa	16.3	22.0	14.8	12.8		
Wilson Creek	17.7	24.4	16.5	14.5		
Winlock	16.2	21.9	14.7	12.7		
Winslow	15.3	21.3	13.8	11.8		
Woodland	15.6	21.2	14.0	12.0		
Yakima	16.7	23.1	15.5	13.5	13.5	15.0
Yelm	15.8	21.4	14.3	12.3		

(b) All tank wagon prices specified herein are applicable only within each seller's customary free delivery zone at each point. For deliveries outside of such free delivery zones to points not specifically set out herein, sellers' customary delivery differentials shall apply.

(c) Quantity differentials that may be added and must be deducted are as follows:

	400 gallons and over	200-399 gallons	40-199 gallons	Under 40 gallons
Second grade gasoline	Base price	Add 0.5 cent/gallon	Add 1 cent/gallon	Add 4 cents/gallon.
Kerosene	Deduct 1 cents/gallon	Deduct 3 cents/gallon	Base price	Do.
Premium automotive diesel	Base price	Add 0.5 cent/gallon	Add 1 cent/gallon	Add 5 cents/gallon.
Diesel fuel	do.	do.	do.	Do.
Furnace oil	do.	do.	do.	Do.
Stove oil	do.	do.	do.	Do.

(d) For premium grades of gasoline you shall apply your customary differential between regular and premium grades. For third grade gasoline you shall apply your customary differential between regular and third grade gasoline.

(e) The specific ceiling prices set forth in this section may be adjusted to reflect any increases in transportation costs occurring since September 1, 1951 in accordance with section 25 of Ceiling Price Regulation 17.

SEC. 3. Ceiling prices for bunker grade diesel fuel. Ceiling prices for pipeline deliveries into barges or bunkering tanks of ocean-going motor ships f. o. b. refineries or marine terminals for the enumerated localities shall be as follows:

Excluding all taxes (per barrel)	
Los Angeles Harbor	\$3.44
San Francisco Harbor	3.65
Portland, Oreg.	3.86
Seattle, Wash.	3.86

To the above ceiling prices each seller may apply his customary differentials for quantity or method of delivery at facilities or points other than those enumerated. These ceiling prices shall not apply for cargo deliveries.

SEC. 4. Ceiling prices higher than specific prices. You may apply for a higher ceiling price if your ceiling price prior to the effective date of the regulation was higher than the ceiling price set forth in this regulation, and if such higher ceiling price reflects the maintenance of a customary differential over the market price. This application shall be filed with the Regional Office of the Office of Price Stabilization for that region in which is located the point where such higher ceiling price is applicable and shall include your name and address, product, the higher ceiling price, the delivery point and a showing that the differential over the market has been customarily applied by you at this point. Your application must be filed by regis-

tered mail, return receipt requested. When your application has been received by the appropriate Regional Office of the Office of Price Stabilization, as shown by your return postal receipt, you may continue to use such higher ceiling price until it is disapproved or modified by the Office of Price Stabilization.

SEC. 5. *Applicability of Ceiling Price Regulation 17.* Sellers subject to this supplementary regulation shall be subject to all the provisions of Ceiling Price Regulation 17, not inconsistent herewith.

Effective date. This supplementary regulation shall become effective July 15, 1952.

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

ELLIS ARNALL,
Director of Price Stabilization.
JULY 10, 1952.

OPS PUBLIC FORM NO. 151 (8-52)

UNITED STATES GOVERNMENT
OFFICE OF PRICE STABILIZATIONBUDGET BUREAU NO. 94-R920
APPROVAL EXPIRES APRIL 30, 1953PETROLEUM MARKETERS SURVEY
PURSUANT TO CPR 17 AMENDMENT 7

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure. This form may be reproduced without change.

OPS CONTROL CODE

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REASONS FOR THIS REQUEST FOR INFORMATION

This request for information is sent to you by your OPS District Office, on the assumption that you sell light heating oils to consumers. The survey initiated for collecting these data is being conducted at the specific request of industry representatives (including some of your fellow dealers) in your marketing area. Procedures for such data collection are authorized by Amendment 7 to OPS Ceiling Price Regulation 17.

Its purpose is to determine whether present earnings on sales of light heating oils in your marketing area are below those of two years ago. All known independent dealers in the marketing area have received copies of this form; if any other such seller has not received a copy, he may request forms from the OPS District Office. Unless OPS receives completed forms from a sufficient number of dealers, it cannot act to consider the upward revision of present ceilings in your marketing area. Therefore, you are requested to return this form, completed according to instructions, to your nearest OPS District Office. The request for data was drawn up in consultation with representatives of your industry. It represents what they regard as the most convenient means of reporting the facts required by OPS to make a judgment as to earnings. The original copy of the form is to be returned to the OPS District Office; the second copy is for your use if you wish to retain it.

In your area, only independent dealers are included in this survey. Any upward adjustments in ceiling prices, however, will apply to all sellers of heating oils to consumers.

Read instructions carefully on the last page.

IF YOU ARE ANY OF THE FOLLOWING, CHECK APPROPRIATE BOX. FURNISH YOUR NAME, ADDRESS, INDICATE TYPE OF OPERATION, TYPE OF ORGANIZATION. COMPLETE THE CERTIFICATION AND RETURN THIS FORM TO YOUR NEAREST OPS OFFICE. IF YOU DO NOT CHECK ONE OF THESE BOXES, COMPLETE THE FORM AND RETURN TO YOUR NEAREST OPS OFFICE.

☐ AN INTEGRATED SUPPLIER (An integrated supplier is one which is wholly-owned by a producer and/or refiner) SELLING LIGHT HEATING OILS TO CONSUMER

☐ AN INDEPENDENT SUPPLIER NOW SELLING LIGHT HEATING OILS TO CONSUMERS BUT WITH NO BUSINESS RECORDS FOR THE PERIOD JUNE 1, 1949 TO MAY 31, 1950 (If you are a successor to any supplier you must use his records if available)

☐ A NON-SELLER OF HEATING OILS TO CONSUMERS.

NAME OF OPERATOR

ADDRESS (No. and Street)

(City, Zone, State)

TYPE OF OPERATION

TYPE OF ORGANIZATION

☐ BULK PLANT ☐ OTHER (Specify)☐ CORPORATION ☐ PARTNERSHIP ☐ PROPRIETORSHIP

Complete this Section as nearly as possible according to your records. See instructions. Report to nearest gallon and dollar (Omit all fractions). Report items 2 to 32 in dollars. Enter zero (0) when there is no entry.

SPECIAL INQUIRY — State your present ceiling prices and the gallons that were sold during the period June 1, 1951 to May 31, 1952 or other current period used in this form for the heating oils shown below.

PRODUCT	CEILING PRICE	GALLONS SOLD
Kerosene or No. 1 Fuel Oil		
No. 2 Fuel Oil		
Range Oil		
Furnace Oil		
Stove Oil		

OPERATING STATEMENT

ITEMS (a)	JUNE 1, 1949 TO MAY 31, 1950			JUNE 1, 1951 TO MAY 31, 1952		
	LIGHT FUELS AT TANK WAGON LEVEL (b)	ALL OTHER PRODUCTS (c)	TOTAL OPERATION (d)	LIGHT FUELS AT TANK WAGON LEVEL (e)	ALL OTHER PRODUCTS (f)	TOTAL OPERATION (g)
SALES						
1. Quantity - TOTAL (In gallons)		X X X X	X X X X		X X X X	X X X X
(A) Consumers (In gallons)		X X X X	X X X X		X X X X	X X X X
(B)* Resellers (In gallons)		X X X X	X X X X		X X X X	X X X X
2. Amount - TOTAL	\$	\$	\$	\$	\$	\$
(A) Consumer		X X X X	X X X X		X X X X	X X X X
(B) Resellers		X X X X	X X X X		X X X X	X X X X
COST OF GOODS SOLD						
3. Opening inventory						
4. Purchases - Total cost						
5. TOTAL OF 3 AND 4						
6. Less: Closing inventory						
7. Cost of goods sold (Item 5 minus item 6)						
8. GROSS PROFIT (Difference between items 2 and 7)						
EXPENSES						
OPERATION OF YARD						
9. Wages and salaries						
10. Repairs and maintenance						
11. Depreciation						
12. Insurance and taxes (Ex- cluding income taxes)						
13. Other						
14. TOTAL YARD EXPENSES						

DELIVERY AND OTHER DIRECT EXPENSES						
15. Wages and salaries	\$	\$	\$	\$	\$	\$
16. Maintenance - Trucks						
17. Depreciation						
18. Insurance, taxes, (Excluding income taxes) and licenses						
19. Other						
20. TOTAL DELIVERY AND OTHER DIRECT EXPENSES						
SALES EXPENSES						
21. Salaries and commissions						
22. Promotion, advertising and other						
23. TOTAL SALES EXPENSES						
ADMINISTRATIVE AND GENERAL EXPENSES						
24. Executive Salaries						
25. Office salaries						
26. Employees' benefits and welfare						
27. Other						
28. TOTAL ADMINISTRATIVE AND GENERAL EXPENSES						
29. TOTAL OPERATING EXPENSES						
30. NET PROFIT OR (LOSS) ON SALES						
31. BURNER SERVICE - NET PROFIT (LOSS)		XXXX			XXXX	
32. NET OPERATING PROFIT OR (LOSS)						
PERCENTAGE CALCULATIONS						
33. SALES	100.0	100.0	100.0	100.0	100.0	100.0
34. COST OF GOODS SOLD						
35. TOTAL OPERATING EXPENSES						
35. NET OPERATING PROFIT OR (LOSS)						

37. IF THERE WERE ANY INCREASES OR DECREASES IN WAGES, EMPLOYEE BENEFITS, OR OTHER EXPENSES DIRECTLY RELATED TO LABOR COSTS, DURING OR SINCE YOUR FISCAL YEAR ENDING IN 1952, ATTACH A SEPARATE STATEMENT SHOWING WHAT YOUR EXPENSES FOR HANDLING LIGHT FUEL OILS (Shown in column (e)) WOULD HAVE BEEN IF YOUR CURRENT RATES HAD BEEN IN EFFECT THROUGHOUT YOUR FISCAL YEAR ENDING IN 1952. THIS STATEMENT SHOULD INCLUDE, IN ADDITION TO THIS ESTIMATE, THE RATES USED TO COMPUTE DATA IN COLUMNS (E), (F) AND (G), THE MOST RECENT WAGE RATES AND THE DATE APPROVED BY THE WAGE STABILIZATION BOARD.

38. **ATTACHMENTS** - A. List for the two reporting periods quantities (where applicable) and dollar value of sales by major classifications of your products and services other than for light heating oils.
 B. List for light heating oils the number of gallons and cost of (a) inventories at the beginning and end of each reporting period and of (b) purchases during each period. Show this broken down by types of products (kerosene, No. 1 and No. 2 fuel oils, furnace oil, stove oil and range oil).

I certify that the information given in this form is true and correct to the best of my knowledge and belief.

NOTICE - A willfully false statement is a criminal offense.

SIGNATURE OF OWNER OR AUTHORIZED AGENT	TITLE	DATE
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INSTRUCTIONS FOR OPS PUBLIC FORM NO. 151

All questions in reference to presentation of data should be referred to your OPS District or Regional Office.

SUBSTITUTION OF ANOTHER FISCAL YEAR. If your records are not maintained on a June 1, 1949 to May 31, 1950 and June 1, 1951 to May 31, 1952 basis, you may substitute data based on the fiscal year July 1, 1949 to June 30, 1950 and July 1, 1951 to June 30, 1952. The change in period dates should be noted on the form by substituting these dates for those appearing on top of columns (b) to (g).

Substitution of Certain Data.

Those marketers unable to supply detailed data as called for in items 9-13, 15-19, 21-22, 24-27 should supply group totals as called for in items 14, 20, 23 and 28 together with detail of these totals as carried on their records.

ITEMS 1 AND 2 — SALES Report the gallonage and amount of your sales at the tank wagon level of light oils, that is, kerosene, No. 1 and No. 2 fuel oils, furnace oil, stove oil, and range oil, to resellers, consumers, and total for each period in items 1 (A), 1 (B), 2 (A) and 2 (B). If you conduct a retail business only, your deliveries of light fuels should be reported as sales to consumers. Report the amount of other product sales under all other products (columns (c) and (f)). Under this column you would include such other petroleum products as gasolines, lubricants, light oils to industrial consumers at other than tank wagon level, No. 4, 5 and 6 fuel oils, solid fuels, building supplies, TBA items, road and drive-way supplies and equipment, and such other items as go to make up your total business. Do not include in this column your oil burner service activities, as the net gain or loss incurred in this service should be reported in item 31. In the columns (d) and (g) "total operations," report the combined total for light fuels and all other products or business activities.

ITEMS 3 TO 7—COST OF GOODS SOLD Show in the columns provided therefor the value of your opening and closing inventories, cost of purchases f.o.b. your plant and gross operating profit. If you conduct a direct retail operation only, the chances are you purchase supplies as you sell them. This being the case, you would have only the one figure to report and that is the cost of your purchases "under the rack."

ITEM 8—GROSS PROFIT Your gross profit is the difference between the total amount of your sales (item 2) and cost of goods sold (item 7). If item 7 is greater, it should be entered as a minus figure.

EXPENSES

Careful segregation of expenses should be made between light fuels and all other products or business activities. If certain items apply to your entire business and have not been allocated on any other basis, they should be distributed on the basis of relative sales values. In any event, you must show your net operating profit on light fuels and other activities. Identical bases of allocation must be followed in both periods or a satisfactory explanation furnished of any change.

For the most part, you will find the various expense items listed to be self-explanatory. However, certain elements may require some additional comments.

ITEM 9 TO 14—OPERATION OF YARD If you conduct an integrated business such as purchasing supplies from a primary terminal supplier and maintain terminal and bulk plant facilities, you will have expenses to report for operation of these facilities, which are in addition to your regular truck delivery services.

ITEMS 15 TO 20—DELIVERY AND OTHER DIRECT EXPENSES The expenses incurred by you in making deliveries of light fuels to consumers should be reported under this caption. Expenses of your other activities should be reported in the column provided for all other products.

ITEM 21 TO 23—SALES EXPENSES Your selling expenses should be reported under this caption. If it is impractical for you to segregate selling expenses from other expense items such as office and officers' salaries, they should be reported according to your own accounting classification. Report under the proper caption all promotional advertising incurred by your organization in its selling campaigns.

ITEMS 24 TO 28—ADMINISTRATIVE AND GENERAL EXPENSES All expenses of an administrative and overhead nature should be reported under this caption. No doubt, for certain items applicable to your entire business, it will be necessary to employ an arbitrary basis of allocation. The proportion of dollar income for total light fuel sales (in dollars) to all sales (in dollars) is recommended as an arbitrary basis of allocation where none is normally employed.

ITEM 29—TOTAL OPERATING EXPENSE The amount to be entered on this line is the combined total of items 14, 20, 23 and 28.

ITEM 30—NET PROFIT OR (LOSS) ON SALES The amount to be entered on this line is the difference between the gross profit (item 8) and total operating expense (item 29).

ITEM 31—OIL BURNER SERVICE Most distributors of light heating oils conduct a service department to take care of their customers' furnaces and storage facilities. As the methods and charges vary with localities and kind of service rendered, only the net profit you incurred in this department should be reported.

ITEM 32—NET OPERATING PROFIT OR LOSS Your net profit or loss is determined after adjusting the net operating profit on sales by the profit or loss incurred in burner service department.

ITEMS 33 to 36—PERCENTAGE CALCULATIONS Calculate the percentage of cost of sales, total expenses and net operating profit as determined for your business in each fiscal period.

To get the percentage in items 34, 35 and 36, divide (a) your cost of goods sold (item 7), (b) total operating expenses (item 28) and (c) net operating profit (or loss) (item 32) by item 2,

Coal Sold for Direct Use as Bunker Fuel

Ceiling Price Regulation 21

APRIL 10, 1951

OFFICE OF PRICE STABILIZATION WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 21]

CPR 21—COAL SOLD FOR DIRECT USE AS BUNKER FUEL

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 21 is hereby issued.

STATEMENT OF CONSIDERATIONS

The supplying of coal for use as bunker fuel is a specialized problem from the standpoint of coal marketing. While bunkering takes place at tidewater ports throughout the year, in the case of coal supplied to vessels on the Great Lakes, it is a seasonal occupation, being limited to the period of navigation on those lakes, generally being confined to the period beginning the middle of March and extending to the middle of December. Coal is supplied to the vessels from railroad car dumps, from lightering vessels and from docks.

Prices of bunker fuel represent the mine price plus transportation costs and handling charges. Because of the close relationship with mine prices, it is fair and reasonable to base ceiling prices for bunker fuel on the same twelve months period prior to the Korean outbreak as was found representative insofar as f. o. b. mine prices for the bituminous coal industry are concerned. Ceiling prices at the mine, one of the principal components of the bunker fuel price, have advanced pursuant to the authority of Ceiling Price Regulation No. 3 made effective on February 1, 1951. The effect of these prices is to shrink the gross margin of the supplier of bunker fuel because his prices heretofore have been subject to the general price freeze. Similarly, freight rates represent another principal component in the bunker fuel price. Increases in these transportation costs have to be absorbed by the supplier unless provision is made for them in addition to the bunker price. Since suppliers are not in a position to absorb such costs they are authorized to include increases in transportation costs that have taken place since the end of the base period to the effective date of this regulation, including freight rate additions of April 4, 1951.

In the case of bunker fuel supplies at tidewater ports, it is imperative that there must be no delay or interruption in servicing vessels carrying arms and supplies to our armed forces overseas or to vessels carrying supplies to those countries receiving economic and military aid from the United States. In the

case of bunker fuel supplies for vessels on the Great Lakes, it is vitally necessary that such fuel in ample quantity be available at the time of the opening of navigation so that there will be no delay in the movement of vessels to the head of the lakes for the transportation of iron ore to our steel plants and it is equally imperative that supplies be uninterrupted throughout the season of navigation in order that the requisite amounts of iron ore and other commodities may be transported over the Great Lakes system.

The establishment of ceiling prices on bunker fuel based on the highest price received by the supplier of bunker fuel during the base period (July 1, 1948, through June 30, 1949), generally places the bunker fuel supplier in the same relation to his suppliers as existed during that period because f. o. b. mine prices are frozen at the highest levels existing during the same base period. In keeping with the provisions of Ceiling Price Regulation No. 3, it is reasonable to permit the supplier of bunker fuel to increase his prices by the increase in costs incurred by his supplier as a result of the wage advance of February 1, 1951, and it is also reasonable to permit him to increase his price by the increase in transportation charges over those which existed in the base period of July 1, 1948, to June 30, 1949. Such a basis for ceiling prices for suppliers of bunker fuel will promote stability and efficiency in that branch of the coal industry. Like Ceiling Price Regulation No. 3 in respect to bituminous coal producers, this regulation establishes for bunker fuel suppliers a ceiling weighted average realization for each size, grade, grouping or classification of coal at each facility or group of facilities. This realization is the same as that obtained in the period July 1, 1948 to June 30, 1949, and may be adjusted to reflect the increases permitted by the regulation, and may not be exceeded in any 12-month period beginning April 1, 1951. This control in price levels provides an effective means of price stabilization.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the provisions of Ceiling Price Regulation No. 21 are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives 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.

In formulating this regulation the Director has consulted with representatives of the industry to the extent practicable under the circumstances, and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.

1. Applicability of regulation.
2. Definitions.
3. Prohibition against selling at prices above the ceiling.
4. Ceiling prices and ceiling weighted average realization.
5. Procedure for establishing ceiling prices and ceiling weighted average realization for new suppliers of bunker fuel.
6. Less than ceiling prices.
7. Evasion.
8. Reporting, invoicing and record-keeping requirements.
9. Petitions for amendments.
10. Taxes.
11. Enforcement.

AUTHORITY: Sections 1 to 11 issued under sec. 704, Public Law 774, 81st Cong. Interpret or apply Title IV, Public Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

SECTION 1. *Applicability of regulation.* This regulation establishes ceiling prices and ceiling weighted average realization for coal sold as bunker fuel both at points on the Great Lakes and their connecting or tributary waters and at points at tidewater.

SEC. 2. *Definitions.* When used in this regulation, the term:

(a) "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;

(b) "Coal" means (1) Bituminous coal, including all bituminous, semi-bituminous and sub-bituminous coal; (2) lignite; (3) Virginia anthracite coal; and (4) Pennsylvania anthracite.

(c) "Bunker Fuel" means coal used aboard a vessel for consumption thereon.

(d) "Supplier of bunker fuel" means any producer, distributor, retailer, bunker agent or other person (and an agent of any of them) who sells or disposes of bunker fuel and delivers or procures the delivery of the same to vessels at points on the Great Lakes and their connecting or tributary waters or at tidewater for immediate use as bunker fuel, and who incurs the duties and risks attributable to the handling of bunker fuel. It does not include persons who sell coal to another person for general use or for delivery by such other person as bunker fuel. Delivery may be from a mine or a preparation plant operated as an adjunct of a mine or mines, or from a yard, dock, pier, elevator, bin, or other terminal facility or from a transportation vehicle or vessel.

(e) "Points on the Great Lakes and their connecting or tributary waters" means any port, point or place on Lake Superior, Michigan, Huron, Erie, and Ontario, the waters connecting those lakes, the St. Lawrence River, and those tributaries of the enumerated lakes which are not included in the inland waterways system.

(f) "Points at tidewater" means any tidewater port, point, or place on the Atlantic and Pacific Coasts of continental United States, and the coast of continental United States on the Gulf of Mexico.

(g) "Ton" means a short or net ton of 2,000 pounds.

(h) "Base Period" means (1) for all coal produced east of the Mississippi River, the period from July 1, 1948, to June 30, 1949, inclusive; (2) for all coal produced west of the Mississippi River, the period March 1, 1950, to December 31, 1950, inclusive.

(i) "Ceiling price" means the highest price applicable to a particular size, grade, grouping, or classification of coal determined in accordance with the provisions of this regulation.

(j) "Realization" is the gross amount of money or value received or debited to the account of the supplier in the sale of bunker fuel (including commissions and discounts).

SEC. 3. Prohibition against selling, delivering or otherwise disposing of bunker fuel at prices above the ceiling. On or after the 10th day of April, 1951, regardless of any contract, agreement, lease or other obligations:

(a) No person who is a supplier of bunker fuel shall sell, deliver or otherwise dispose of bunker fuel to any person at prices higher than the ceiling prices determined in accordance with the provisions of this regulation.

(b) No person shall, in the course of trade or business, buy or receive such bunker fuel at prices higher than the ceiling prices determined in accordance with the provisions of this regulation.

(c) No person shall agree, offer, solicit, or attempt to do anything prohibited in paragraphs (a) and (b) of this section.

SEC. 4. Ceiling prices and ceiling weighted average realization. (a) The ceiling prices for each supplier of bunker fuel for each size, grade, grouping or classification of coal at each place or facility, as established by previous marketing practices, shall be the highest price charged by such supplier of bunker fuel for each size, grade, grouping or classification of coal sold for bunker fuel use at each place or facility during the base period.

(b) The prices charged for each size, grade, grouping or classification of coal at each place or facility where such coal is delivered shall be such that the weighted average realization per ton obtained by the supplier of bunker fuel for the 12-month period commencing April 1, 1951, and ending March 31, 1952, and for each 12-month period beginning on the first day of each succeeding month, commencing May 1, 1951, for each such size, grade, grouping or classification at each such place or facility

shall not exceed the weighted average realization obtained by the supplier of bunker fuel from the sale, delivery or other disposal of each such size, grade, grouping or classification at each place or facility during the base period.

(c) The supplier of bunker fuel shall determine his ceiling weighted average realization for the base period for each size, grade, grouping or classification of coal at each place or facility where such coal is delivered by dividing the realization received from sales of bunker fuel by the number of tons so sold.

(d) The ceiling prices and ceiling weighted average realization determined in accordance with the provisions of this regulation for each size, grade, grouping or classification at each place or facility may be increased by an amount not exceeding the actual dollar-and-cents per ton increase in (1) transportation costs, rail and/or water from the mine to the point of delivery, that have become effective since the base period and not later than the effective date of this regulation; (2) the cost of coal, f. o. b. the mine, charged by the principal supplier who furnished the principal supply of each size, grade, grouping or classification at each place or facility during a prior representative period, provided such increased cost of coal resulted from any wage and salary advances and other items related to the payroll which became effective on or after January 1, 1951, and prior to July 1, 1951, under the authority of Ceiling Price Regulation No. 3 (Coal, except Pennsylvania Anthracite, Delivered from Mine or Preparation Plant) and Ceiling Price Regulation No. 4 (Anthracite Delivered from Mine or Preparation Plant), both issued by the Director on February 1, 1951.

(e) The ceiling prices and ceiling weighted average realization determined pursuant to the provisions of this section may, at the option of the supplier of bunker fuel, be determined and established for a group of places or facilities where the selling prices for each size, grade, grouping or classification of coal have been uniform at each place or facility in the group by prior custom and practice in the marketing of bunker fuel.

SEC. 5. Procedure for establishing ceiling prices and ceiling weighted average realization for new suppliers of bunker fuel. (a) In the event a supplier of bunker fuel was not in business, did not sell a particular size, grade, grouping or classification of coal, or did not act as a supplier of bunker fuel at a specific place or facility during the base period, he may file an application, in duplicate, seeking the establishment of ceiling prices and ceiling weighted average realization that are fair and equitable. Such application shall set forth, among other things, the name and principal address of the applicant, the port or ports at points on the Great Lakes and their connecting or tributary waters and points at tidewater at which he intends to sell, deliver, or otherwise dispose of bunker fuel, the particular size, grade, grouping or classification for which ceiling prices or ceiling weighted average realization are requested, and the price or realiza-

tion amount which the applicant proposes therefor; and the applicant shall furnish the same information, including the ceiling prices and ceiling weighted average realization, for another supplier of bunker fuel performing the same services and operating the same or similar places or facilities.

(b) The Director may request any other information deemed necessary by him to a fair and reasonable determination of the issues raised in the application.

(c) For 60 days after filing the application the applicant may sell bunker fuel at temporary ceiling prices no higher than the ceiling prices established under this regulation for the bunker fuel sold by another supplier of bunker fuel performing the same services and operating in the same or similar places or facilities. After 60 days from the filing of the application, if no action has been taken by the Director, the prices as requested in the application shall be the ceiling prices for such bunker fuel. The filing date herein shall be the date on which the application is received by the Director in the principal office of the Office of Price Stabilization, Washington, D. C.

(d) The Director may at any time review and revise ceiling prices or ceiling weighted average realizations proposed or established under this section if they appear to be inconsistent with the provisions of this regulation.

SEC. 6. Less than ceiling prices. Lower prices than those established under this regulation may be charged, demanded, paid or offered.

SEC. 7. Evasion. The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to bunker fuel alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tie-in agreement or other trade understanding, or by the making of excessive charges for trucking or otherwise. Persons subject to the regulation shall continue to observe their customary and standard cash discount practices.

SEC. 8. Reporting, invoicing and record-keeping requirements. (a) Each person subject to this regulation shall keep on file invoices, sales data and any other records necessary to substantiate the ceiling prices and ceiling weighted average realization, and shall preserve and keep said invoices, sales data and records available for inspection by the Director for a period of two years.

(b) Each supplier of bunker fuel shall report to the Director, by letter, within 30 days after the effective date of this regulation, his (1) ceiling prices and ceiling weighted average realization for the base period computed under the provisions of sections 4 (a), (c) and (e) of this regulation; (2) each adjustment authorized under section 4 (d) of this regulation; and (3) the sum of (1) and (2), being the adjusted ceiling prices and ceiling weighted average realization.

(c) Each supplier of bunker fuel shall file a certified statement, by letter, of his ceiling prices, including adjustments, if any, determined in accordance with the provisions of this regulation with the Director and with the regional office or offices of the Office of Price Stabilization in the region or regions where the coal is delivered, within 30 days after the effective date of this regulation.

(d) Each person subject to this regulation shall furnish to each person to whom he sells bunker fuel an invoice stating the ceiling price established by this regulation separately from any other charge or a certified statement that the prices charged do not exceed the ceiling prices established under this regulation.

SEC. 9. *Petitions for amendment.* (a) Any person seeking an amendment to

any provision of this regulation may file a petition in accordance with the provisions of Price Procedural Regulation No. 1 issued by the Economic Stabilization Agency and with the provisions of this regulation.

SEC. 10. *Taxes.* There may be added to the applicable ceiling price the amount of any transportation tax or sales, gross receipts, gross proceeds or use tax levied by any statute or ordinance, under which the tax is measured by gross proceeds or units of sale, only if the statute or ordinance permits or requires the seller to state the tax separately and the seller does state it separately on his invoice or other memorandum of sale, and only if the seller customarily added the amount of such tax to the ceiling price and separately stated the tax on his in-

voice prior to the effective date of this regulation.

SEC. 11. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, and enforcement actions, and suits for damage provided for by the Defense Production Act of 1950.

Effective date. This regulation shall become effective on April 10, 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.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

APRIL 10, 1951.

Increased Transportation Costs

Ceiling Price Regulation 21

Amendment 1

JANUARY 15, 1953

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 21, Amdt. 1]

CPR 21—COAL SOLD FOR DIRECT USE AS
BUNKER FUEL

INCREASED TRANSPORTATION COSTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment 1 to Ceiling Price Regulation 21 is hereby issued.

STATEMENT OF CONSIDERATIONS

CPR 21 covers the operations of bunker fuel suppliers. Nearly all of them are lake dock operators (CPR 27) or tidewater dock operators (SR 4, GCPR) and some are retail coal dealers (SR 2, Rev. 1 GCPR). Prior to this amendment CPR 21 has permitted bunker fuel suppliers to add to their ceiling prices previously established the actual dollars-and-cents amount of increase in transportation costs which became effective after the base period but not later than the effective date of the regulation, i. e., April 10, 1951. This amendment eliminates the cut-off date so that all transportation cost increases which have or may occur after the base period may be passed on by the bunker fuel supplier, provided that such increases are authorized by the Director, the Interstate Commerce Commission, or other regulatory body.

Transportation costs account for 30 percent to 50 percent of the cost of ac-

quisition of bunker fuels. Where transportation costs constitute such a substantial part of the total delivered costs of a commodity it has been found necessary in other regulations to permit a pass-through of increased freight costs—e. g. GCPR, SR 2 (Retail Coal Dealers), GCPR, SR 4 (Tidewater Coal Dock Dealers), and CPR 27 (Lake Coal Dock Operators). The increased transportation costs incurred by bunker fuel suppliers are the same as those incurred by retail coal dealers, tidewater coal dock dealers, and lake coal dock operators. This amendment provides similar treatment for bunker fuel suppliers as has been given to other solid fuels dealers, and removes any possible discrimination which may heretofore have existed.

In order to maintain the relationship between ceiling prices and ceiling weighted average realization, bunker fuel suppliers may also add the same dollar-and-cents amount of transportation cost increases to the ceiling weighted average realization established under CPR 21.

In the judgment of the Director of the Office of Price Stabilization, the provisions of this amendment are generally fair and equitable, and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national defense effort to achieve the maximum production in the furtherance of the objectives of the Defense Production Act of 1950, as amended.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 21 is hereby amended in the following respect:

1. Section 4 (d) (1) is amended to read as follows: (1) transportation costs, rail and/or water from the mine to the point of delivery that has or may become effective since the base period, *Provided*, Such increase in transportation costs was authorized by the Director, an order of the Interstate Commerce Commission, or any regulatory body of a state, territory or possession of the United States, *And provided further*, That the authority to increase the ceiling weighted average realization and the ceiling prices of each size, grade, grouping or other classification by the exact amount of increase in transportation costs shall be effective only upon receipt by the supplier of bunker fuel of a carrier's invoice, freight bill or other statement of transportation charges for each such size, grade, grouping or other classification, reflecting the increased freight charges and required to be paid by the supplier of bunker fuel.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 shall become effective January 15, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 15, 1953.

Lake Coal Dock Operators

Ceiling Price Regulation 27

MAY 1, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabilization,
Economic Stabilization Agency

[Ceiling Price Regulation 27]

CPR 27—LAKE COAL DOCK OPERATORS

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 27 is hereby issued.

STATEMENT OF CONSIDERATIONS

The coal docks located on the United States bank of Lake Superior and on that part of the west bank of Lake Michigan north of and including Waukegan, Illinois, have been aptly referred to as the coal mines of the Northwest. Elaborate facilities are utilized by such docks to handle, prepare and size coal to meet the varied needs of the Northwest area supplied by the docks. Except for the physical distance of such a dock from the coal mines which supply it, the dock and its facilities might well be considered "a preparation plant which is an adjunct of a mine or mines" within the meaning of Ceiling Price Regulation No. 3 (Coal, except Pennsylvania Anthracite, Delivered from Mine or Preparation Plant).

Since the overwhelming preponderance of the solid fuel tonnage handled or prepared on these docks and sold from them is the coal subject to Ceiling Price Regulation No. 3 (when sold by the producer f. o. b. the mine to the dock operator) it is appropriate that the pattern of this regulation should follow so far as practicable the pattern of Ceiling Price Regulation No. 3. In this way, the ceiling prices for coal sold from the docks will be reasonably related to the ceiling prices which the dock operators may have to pay to the producer under Ceiling Price Regulation No. 3. The basic pattern of Ceiling Price Regulation No. 3 in respect to base period, the period on the basis of which ceiling prices are determinable, and ceiling weighted average realization are substantially followed in this regulation. Some reasonable modifications in the basic pattern have been made in order to accommodate it to the distinguishing features of the lake dock coal trade, including (a) the problems incident to the fact that the lake docks handle normally coals from many different mines which produce coals of varying grades and sizes and (b) the fact that the ceiling prices at the mine, one of the principal components of the lake coal dock operators' prices, have advanced pursuant to the authority of Ceiling Price Regulations

Nos. 3 and 4, which became effective on February 1, 1951.

The early and orderly establishing of ceiling prices will permit the lake dock operators to proceed efficiently to make the arrangements which now have to be made for the purchase of coal and for water transportation facilities in order to assure that the 1951 season of lake navigation will be utilized effectively to provide for the coal needs of the industries and other consumers of the Northwest who are dependent on the lake dock operators for their supply.

A relatively small amount of Pennsylvania anthracite, coke, briquets and packaged fuel is sold from the lake docks and adjacent facilities and those solid fuels are also covered by this regulation.

The regulation provides that the ceiling prices shall be the highest prices charged for any size, grade, grouping or other classification of coal sold at a dock during the base period or the period January 1 to 15, 1951, and that the ceiling weighted average realization shall be that obtained during the base period. These ceilings may be increased by the per-ton amount of increase in the f. o. b. mine cost of the principal supplier in the base period or the 1950 season of lake navigation resulting from recognized wage and salary advances which become effective on or after January 1, 1951, and prior to June 30, 1951.

Transportation costs represent an important component in the cost of solid fuels at the lake docks. Substantial increases in transportation rates have occurred since the base period, including a recent increase in railroad freight rates up to six cents per net ton (seven cents per gross ton). Furthermore, lake vessel rates are likely to increase to some extent as a result of a Supplementary Regulation 12 to the General Ceiling Price Regulation, which became effective on March 14, 1951. However, this regulation does not authorize these transportation cost increases to be reflected in the ceiling prices.

Increases in labor and other costs incurred by the lake coal dock operator, likewise, may not be added to the ceiling prices. The industry is not prejudiced, however, from applying in the future for increases to reflect transportation or other cost increases in the light of the prevailing standards in effect for granting adjustments.

FINDINGS OF THE DIRECTOR OF PRICE
STABILIZATION

In the judgment of the Director of Price Stabilization the provisions of Ceiling Price Regulation No. 27 are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives 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.

In formulating this regulation the Director has consulted with representatives of the industry to the extent practicable under the circumstances, and has given consideration to their recommendations.

Sec.

1. Applicability of regulation.
2. Definitions.
3. Prohibition against selling, delivering or otherwise disposing of coal at prices above the ceiling.
4. Ceiling prices and ceiling weighted average realization.
5. Retail sales and dock handling services.
6. Procedure for establishing ceilings on new products.
7. Transportation charges.
8. Taxes.
9. Interest rates on overdue accounts.
10. New operator or owner.
11. Less than ceiling prices.
12. Evasion.
13. Sales agents and distributors.
14. Reporting, invoicing and record-keeping requirements.
15. Petitions for amendment.
16. Enforcement.

AUTHORITY: Sections 1 to 16 issued under Sec. 704, Public Law 774, 81st Cong. Interpret or apply Title IV, Public Law 774, 81st Cong., E. O. 10151, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. Applicability of regulation. This regulation establishes ceiling prices and ceilings on weighted average realization for solid fuels received at and sold from docks on the United States bank of Lake Superior and on that part of the west bank of Lake Michigan north of and including Waukegan, Illinois, except that it shall not apply to sales of vessel fuel or retail sales, nor does it cover pricing of coke, briquets or packaged fuel at the producing level.

SEC. 2. Definitions. When used in this regulation, the term:

(a) "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;

(b) "Lake Dock Operator" means any person (including an operator who is the same person as the producer) who (in person or by an agent) handles, stores and/or prepares solid fuel on a lake dock or at facilities which are an adjunct of such dock and sells such solid fuel for

its own account in not less than cargo or carload lots, or the equivalent thereof, at or for delivery from such lake dock or facilities.

(c) "Retail coal dealer" means any person (including the retail outlet, branch or department of one who is also a lake dock operator) to the extent that he sells, delivers or disposes of solid fuel in a transaction involving the disposal of solid fuel physically handled in a truck, wagon or other less-than-carload facility without regard to quantity or frequency of delivery. "Retail sales" mean sales of solid fuel by a retail solid fuel dealer.

(d) "Producer" means a person engaged in the business of mining or preparing coal at a preparation plant which is an adjunct of a mine or mines, or in producing coke, semi-distilled coal, briquets, packaged fuel or petroleum coke; and any person acting as an agent of a producer.

(e) "Distributor", as used herein, means a person who purchases solid fuel from a lake dock operator for resale, and resells the same in not less than cargo or railroad carload lots, or the equivalent thereof, without physically handling such solid fuel; and any person acting as an agent of such distributor in the sale of solid fuel;

(f) "Sales Agent", as used herein, is a person who as agent of a lake dock operator sells solid fuel for or on behalf of the lake dock operator;

(g) "Coal" means (1) bituminous coal, including all bituminous, semi-bituminous and sub-bituminous; (2) Virginia anthracite; and (3) Pennsylvania anthracite;

(h) "Solid fuel" means (1) coal; (2) coke; (3) briquets and semi-distilled coal; and (4) packaged fuel;

(i) "Ton" means a short or net ton of 2,000 pounds;

(j) "Base period" means: the period from July 1, 1948, to June 30, 1949, inclusive;

(k) "Realization" is the gross amount of money or value received or debited to the account of the lake dock operator in the sale of solid fuel and shall include the total price charged by the lake dock operator (including commissions to sales agents and discounts to distributors);

(l) "Open market sales" shall include solid fuel sold, delivered or otherwise disposed of by rail, truck, barge or other method of transportation pursuant to an arms-length transaction and shall not include solid fuel sold or transferred to the retail yard and/or department of a lake dock operator, or controlled sales. "Controlled sales" means sales for consumption by the buyer (1) where the relationship between lake dock operator and buyer is that of a wholly-owned or controlled subsidiary and parent corporation, or (2) where there is common ownership or control of the lake dock operator and buyer in a third party, or (3) where the relation between lake dock operator and buyer for any similar reason is such that the sale is non-competitive, and is generally termed "captive" sales;

(m) "Ceiling price" means the highest price applicable to a particular size,

grade, grouping or other classification of solid fuel determined in accordance with the provisions of this regulation. Such ceiling price shall include commissions to sales agents and discounts to distributors and shall be an f. o. b. dock price.

(n) "F. o. b. mine" and "f. o. b. plant" mean free on board transportation facilities at a mine, a preparation plant, ovens and other plant or loading facilities (not including ground storage facilities).

SEC. 3. Prohibition against selling, delivering or otherwise disposing of solid fuel at prices above the ceiling. On and after the 1st day of May, 1951, regardless of any contract, agreement, lease or other obligation:

(a) No person who is a lake dock operator or distributor shall sell, dispose, deliver or ship solid fuel from a lake dock or facilities operated as an adjunct of a lake dock at prices higher than the ceiling prices determined in accordance with the provisions of this regulation.

(b) No person shall, in the course of trade or business, buy or receive such solid fuel so delivered or shipped at higher prices than the ceiling prices determined in accordance with the provisions of this regulation.

(c) No person shall agree, offer, solicit, or attempt to do anything prohibited in paragraphs (a) and (b) of this section.

SEC. 4. Ceiling prices and ceiling weighted average realization. (a) The ceiling price for each lake dock (to which this regulation is applicable) for any size, grade, grouping or other classification of solid fuel, as established by previous marketing practices, which may be charged under this regulation shall be the highest price received for solid fuel in the same size, grade, grouping, or other classification in the base period or in the period January 1-15, inclusive, 1951. Each lake dock operator shall file a certified statement, by letter, of these ceiling prices, to include such ceiling prices, as are derived from distributors' sales, with the Director and with the regional office or offices of the Office of Price Stabilization in the area or areas to which the lake dock operator's solid fuel is shipped, within 30 days after such prices become effective, in accordance with instructions issued by the Director, as provided in section 14 of this regulation.

(b) On and after the effective date of this regulation the prices charged for the solid fuel sold from a lake dock (to which this regulation is applicable) shall be such that the weighted average realization per ton by the lake dock operator for the 12-month period commencing May 1, 1951, and ending April 30, 1952, and for each 12-month period beginning on the first day of each succeeding month, commencing June 1, 1951, shall not exceed the weighted average realization obtained by the lake dock operator from the sale, delivery or other disposal of solid fuel during the base period.

(c) The lake dock operator shall determine his ceiling weighted average realization for the base period for any such dock (1) by dividing the realization

received from sales of solid fuel on the open market by the number of tons so sold or (2) by dividing the realization received from the sale of the sizes, grades, groupings or other classifications of solid fuel on the open market by the number of tons so sold. The lake dock operator shall file a certified statement of the ceiling weighted average realization so determined with the Director, as required by section 14 (a) of this regulation.

(d) The ceiling prices and ceiling weighted average realization determined for a lake dock in accordance with the provisions of this regulation may be increased as follows:

(1) For each size, grade, grouping or other classification of solid fuel sold and delivered by a lake dock operator by an amount not exceeding the actual dollar-and-cents per ton amount of increase in the f. o. b. mine or f. o. b. plant cost on each such size, grade, grouping, or other classification permitted to be charged by the supplier who furnished the principal supply of each such size, grade, grouping, or other classification to the lake dock operator during the lake dock operator's base period or the 1950 season of lake navigation; provided such increased cost of solid fuel resulted from any wage and salary advances and other items related to the payroll which became effective on or after January 1, 1951, and which the supplier is authorized to add to his ceiling prices under the provisions of any regulation, supplementary regulation or amendment thereto issued by the Director.

(2) Each lake dock operator who is the same person as the supplier may add for each size, grade, grouping or other classification of solid fuel he sells and delivers the per ton amount of increase in the f. o. b. mine or f. o. b. plant price on each such size, grade, grouping, or other classification permitted to be charged (with the same limitation as provided in subparagraph (1) of this paragraph) by the supplier to an independent lake dock operator under the authority of any regulation, supplementary regulation or amendment thereto issued by the Director.

(3) The authority to increase the ceiling prices and ceiling weighted average realization as set forth in subparagraphs (1) and (2) of this paragraph on any size, grade, grouping or other classification of solid fuel shall be effective upon receipt by the lake dock operator of a written notice of shipment of solid fuel mined or otherwise produced on or after February 1, 1951 from the lake dock operator's principal supplier during the lake dock operator's base period or the 1950 season of lake navigation and a written statement, which shall be furnished by such supplier to the lake dock operator at the dock operator's request, showing the authorized per ton amount of cost increase which such supplier may add to the price of the applicable sizes, grades, groupings, or other classifications of solid fuel under the authority of the aforesaid regulations and within the limitations of subparagraphs (1) and (2) of this paragraph.

(e) The highest price referred to in paragraph (a) of this section shall be

separately determined by the lake coal dock operator in accordance with such classification as established by previous marketing practices.

(f) The ceiling prices to be determined in paragraph (a) of this section and the ceiling weighted average realization to be determined under paragraph (b) of this section may, at the option of the lake coal dock operator, be determined and established for a group of docks operated or controlled by a single operator (as distinguished from a particular dock).

SEC. 5. Retail sales and dock handling services. (a) A lake dock operator who also sells solid fuels as a retail coal dealer shall exclude all retail sales in determining ceiling weighted average realization and ceiling prices under this regulation.

(b) Lake coal dock operators who, as a service to other persons, handle, store, and/or prepare solid fuel, charging therefor a service fee on a per-net ton basis, may continue to perform such service: *Provided*, That the service fee he is authorized to charge shall not be higher than the gross margin he obtains or is permitted to obtain on the sale of his most nearly similar size, grade, grouping or other classification of solid fuel under the terms of this regulation. The amount received from such transactions may be excluded in determining the ceiling weighted average realization in the base period to this regulation; if such amount received is excluded, it shall also be excluded in the reports of monthly realization on future transactions.

SEC. 6. Procedure for establishing ceilings on new products. (a) If a particular size, grade, grouping, or other classification of solid fuel was not sold during the base period or during the period January 1-15, inclusive, 1951, and therefore no specific ceiling price is established therefor, the ceiling price for such size, grade, grouping, or other classification shall be determined as follows:

(1) If the particular unpriced size, grade, grouping or other classification of solid fuel is a lump size, the ceiling price shall be not more than the lowest ceiling price established for the nearest comparable size of lump solid fuel of the same grade, grouping or other classification.

(2) If the particular unpriced size is a double-screened solid fuel, the ceiling price shall be not more than the lowest ceiling price established for the nearest comparable double-screened size of the same grade, grouping or other classification.

(3) If the particular unpriced size is a resultant (run of pile, unscreened stoker, slack or screening) size, the ceiling price shall be not more than the lowest ceiling price for the nearest comparable resultant (run of pile, unscreened stoker, slack or screening) size of the same grade, grouping or other classification.

(b) In the event of the mixture of two or more sizes, grades, groupings or other classifications of solid fuel to which different ceiling prices are applicable, which mixture was not made during the base

period or the period January 1-15, 1951, the ceiling price for such mixture shall be not more than the weighted average of the ceiling prices for each of the component sizes, grades, groupings or other classifications of solid fuel in said mixture, on a per net ton basis.

(c) If a particular size, grade, grouping or other classification of solid fuel was not sold during the base period and therefore no specific ceiling weighted average realization is established therefore, the lake dock operator may file an application seeking the establishment of a ceiling weighted average realization that is fair and equitable. The applicant shall clearly set forth the information and data deemed necessary to support the application. The Director may request any other information deemed necessary by him to a fair and reasonable determination of the issues raised in the application.

SEC. 7. Transportation charges. Where solid fuel is delivered from a lake dock in any transportation facilities owned or subject to the control of the lake dock operator or distributor, or subsidiary or affiliate of the lake dock operator or distributor, in any transportation facilities hired by the lake dock operator or distributor, there may be added to the applicable ceiling price established herein a sum not in excess of the actual transportation costs incurred by such lake dock operator or distributor, or subsidiary or affiliate thereof, determined in a reasonable manner, but in no event to exceed the lowest common carrier rate, if any, for a haul between the same points: *Provided*, That there may also be added by a producer or distributor, to the applicable maximum price established herein, an amount not in excess of the transportation tax imposed by section 620 of the Revenue Act of 1942 if said lake dock operator or distributor incurred such tax and if he separately states the amount of the tax in sales to all purchasers except the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

SEC. 8. Taxes. There may be added to the applicable ceiling price the amount of any sales, gross receipts, gross proceeds or use tax levied by any statute or ordinance, under which the tax is measured by gross proceeds or units of sale, only if the statute or ordinance permits or requires the seller to state the tax separately and the seller does state it separately on his invoice or other memorandum of sale, and only if the seller customarily added the amount of such tax to the ceiling price and separately stated the tax on his invoices prior to January 15, 1951.

SEC. 9. Interest rate on overdue accounts. The rate of interest on overdue accounts or on a note, trade acceptance or other form of indebtedness accepted in payment of an account shall not exceed the rate charged by the seller on similar transactions during the base period.

SEC. 10. New operator or owner. Any purchaser, lessee or transferee of a lake coal dock for which ceiling prices and a ceiling weighted average realization have been established shall take the ceiling prices or ceiling weighted average realization previously assigned to the lake coal dock or other seller, lessor or transferor thereof.

SEC. 11. Less than ceiling prices. Lower prices than those established under this regulation may be charged, demanded, paid or offered.

SEC. 12. Evasion. The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to solid fuel alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tie-in agreement or other trade understanding or by the making of excessive charges for trucking or otherwise. Persons subject to the regulation shall continue to observe their customary and standard cash discount practices.

SEC. 13. Sales agents and distributors. No sales agent or distributor shall charge a price f. o. b. dock in excess of the ceiling price or prices established for such dock or docks under the provisions of this regulation: *Provided*, That in the event a distributor purchased solid fuel from a dock or docks during the lake coal dock operator's base period or the period January 1-15, 1951, and resold such solid fuel, said distributor may buy and resell solid fuel from said dock or docks and charge the highest price or prices he received for each size, grouping, grade, or other classification of solid fuel during the aforesaid periods plus any adjustments in price applied to the f. o. b. dock price of such solid fuel: *Provided, further*, That the distributor files with the Director such reports or records as may be required on forms prescribed and according to instructions issued by the Director. The distributor shall preserve his records to support such reports for a period of two years.

SEC. 14. Reporting, invoicing and record-keeping requirements. (a) Each lake coal dock operator shall compute and establish its weighted average realization during the base period and shall report such realization base to the Director within thirty days after the date ceiling prices became effective under this regulation. The report shall be made on forms prescribed and according to instructions issued by the Director.

(b) The basis for setting up ceiling prices on particular sizes, groupings, grades and classifications of solid fuels shall be submitted to the Director on forms provided by him in accordance with his instructions within thirty days after this regulation becomes effective.

(c) Each lake coal dock operator shall compute its increase or increases in costs in accordance with sections 4 (d) (3) of this regulation on a form and in accordance with the instructions to be issued

by the Director within 30 days after this regulation becomes effective.

(d) Ceiling price schedules shall be filed by letter by the lake dock operator with the Director and with the regional office or offices of the Agency in the region or regions where the operator's solid fuel is shipped, within thirty days after the day such prices become effective. Copies of such price schedules shall be open for public inspection. All changes in or new ceiling prices shall be similarly filed.

(e) Each lake coal dock operator shall report monthly its monthly realization to the Director on forms provided by him and in accordance with his instructions on or before the last day of the month following the month for which the report is being filed.

(f) Each person subject to this regulation shall furnish to each person to whom he sells solid fuel an invoice stating the ceiling price established by this part separately from any other charge or a certified statement that the prices

charged do not exceed the ceiling prices established under this regulation.

(g) Each person subject to this regulation shall preserve and keep available for inspection by the Director, or his duly authorized representative, for a period of two years, invoices and other sales data and all other records necessary to substantiate base prices, ceiling prices, base period realization, ceiling weighted average realization and monthly average realization established pursuant to this regulation.

(h) Whenever a lake coal dock operator or distributor increases his price or prices on any size, grade, grouping or other classification of solid fuel above the price or prices charged in the last such sale to a retail coal dealer, the lake coal dock operator or distributor shall, upon request, furnish to each retail coal dealer to whom he sells or delivers solid fuel a statement showing the exact dollar-and-cents amount the lake coal dock operator or distributor has added to the price or prices of such size, grade, grouping or other classification of solid fuel.

SEC. 15. *Petitions for amendment.* (a) Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with Subpart D of Price Procedural Regulation 1 issued by the Economic Stabilization Administrator.

SEC. 16. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, and enforcement actions, and suits for damages provided for by the Defense Production Act of 1950.

Effective date. This regulation shall become effective on the 1st day of May 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.

MAY 1, 1951.

Increased Transportation Cost
(Amending Sec. 4(d))

Ceiling Price Regulation 27
Amendment 1
JUNE 27, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 27, Amdt. 1]

CPR 27—LAKE COAL DOCK OPERATORS

INCREASED TRANSPORTATION COST

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to Ceiling Price Regulation 27 is hereby issued.

STATEMENT OF CONSIDERATIONS

Lake coal dock operators covered by CPR 27 are both wholesalers and retailers of coal. Because of certain unique characteristics, however, they are covered by a different OPS regulation from that applying to other retailers of bituminous coal.

Recently retail coal sellers under Supplementary Regulation 2 to the GCPR were allowed to add to their ceiling prices the increase in their inbound freight costs since January 25, 1951 resulting from freight rate increases authorized by the Interstate Commerce Commission or any other governmental regulatory body. For similar reasons, and to remove any possible discrimination between these two classes of resell-

ers of coal, this amendment provides a similar adjustment for lake coal dock operators.

In order to maintain the relationship between ceiling prices and ceiling weighted average realization lake coal dock operators may also add the same dollar-and-cents amount of transportation cost increases to their ceiling weighted average realization established under CPR 27.

In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 27 is amended in the following respect:

1. Section 4 (d) is amended by adding sub-paragraph (4), as follows:

(4) Each lake coal dock operator may increase the ceiling weighted average realization and the ceiling price of each size, grade, grouping or other classification of solid fuel which he sells and delivers under this ceiling price regulation by the exact amount of increase in transportation costs that has or may become effective after January 1, 1951: *Provided*, Such increase in transportation costs was authorized by the Director, an order of the Interstate Commerce Commission or any regulatory body of a state, territory or possession of the United States: *And provided further*, That the authority to increase the ceiling weighted average realization and the ceiling prices of each size, grade, grouping or other classification by the exact amount of increase in transportation costs shall be effective only upon receipt by the lake coal dock operator of a carrier's invoice, freight bill or other statement of transportation charges for each such size, grade, grouping or other classification, reflecting the increased freight charges and required to be paid by the lake coal dock operator.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 to CPR 27 shall become effective July 2, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 27, 1952.

OPS PUBLIC FORM NO. 9

UNITED STATES GOVERNMENT
OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D. C.

BUDGET BUREAU NO. 94-5123
APPROVAL EXPIRES NOVEMBER 30, 1951

**REALIZATION AND ADJUSTED REALIZATION ON
LAKE DOCK SOLID FUEL DURING BASE PERIOD OF
JULY 1, 1948 THROUGH JUNE 30, 1949
PURSUANT TO CPR 27**

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.

Submit Original only to the Office of Price Stabilization, Washington 25, D.C. See instructions on reverse side.

NAME OF DOCK OPERATOR	LOCATION OF DOCK(S)
MAIL ADDRESS	

TONS OF SOLID FUEL SOLD IN OPEN MARKET AND REALIZATION

[illegible]

(Attach continuation sheets, if necessary. Use same column arrangement)

I certify that the information given in this listing and any attachments is true and correct to the best of my knowledge and belief.

NOTICE - A willful false return is a criminal offense.

SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE	TITLE	DATE
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INSTRUCTIONS FOR THE PREPARATION OF OPS PUBLIC FORM NO. 9

WHO SHALL FILE REPORTS: All lake coal dock operators on the United States Bank of Lake Superior and on that part of the west bank of Lake Michigan north of and including Waukegan, Illinois, regardless of size, who sell solid fuels subject to CPR No. 27, are required to file a copy of OPS Public Form No. 9 with the Office of Price Stabilization, Solid Fuels Branch, Washington 25, D. C., within thirty days of the effective date of CPR No. 27 for each dock, or group of docks, which he operates.

TONNAGE TO REPORT: The tonnage on which realization is to be reported shall include solid fuel sold in the open market by customary methods of transportation.

Railroad weights shall be reported for all solid fuel passing over railroad scales. All other solid fuel shall be reported at accurate weights.

OPTIONAL TONNAGE: The Lake Dock Operator, at his option, may include his realization from dock handling services.

EXCLUDED TONNAGE: The tonnages on which realization is not to be reported include:

- 1 - Sales of vessel fuel
- 2 - Retail sales
- 3 - Controlled sales
- 4 - Sales of coke, briquets, or packaged fuel at the producing level.

COMPUTATION OF CEILING WEIGHTED AVERAGE REALIZATION: The Ceiling Weighted Average Realization during the base period may be computed (1) by dividing the realization received from the sales of solid fuels on the open market by the number of tons so sold, or (2) by dividing the realization received from the sale of the sizes, grades, groupings or other classifications of solid fuel on the open market by the number of tons so sold. (The basis so elected for the base period must be followed in the monthly reports to be subsequently filed.)

If you elect to file under (1) above, insert in description column, "Total Sales." Enter in Column (a) the total tons of solid fuel sold, less exclusions. Enter in Column (b) the total sales price (Gross Realization as defined above) less exclusions. Enter in Column (c) the average realization per ton.

If you elect to file under (2) above, insert complete description of sizes, grades, groupings or other classification of solid fuels adopted in the description column, and follow same procedure for Columns (a), (b), and (c) as in (1) above.

To illustrate, a dock operator may elect to file his ceiling weighted average realization for each size and kind of coal he sells, or for a classification of coal he sells, or for a grouping of coal he sells. A sample of these possibilities follows; however, the dock operator may select other variations within the general limits of size, grade, group or other classification. However, whatever size, grade, group or other classification is chosen by him for his base period report must also be used by him in his future monthly reports.

COMPLETE DESCRIPTION-SIZE, GRADE, GROUP OR OTHER CLASSIFICATION ELECTED	TONS SOLD OPEN MARKET (a)	REALIZATION		PER TON ADJUSTMENT IN MINE OR PLANT COST (d)	ADJUSTED REALIZATION (e)
		TOTAL DOLLARS (b)	PER TON (c)		
POCOHANTAS EGG	1,000	\$14,000	\$14.0000	\$.40	\$14.4000
POCOHANTAS STOVE	2,000	26,000	13.0000	.40	13.4000
POCOHANTAS SLACK	3,000	30,000	10.0000	.40	10.4000
QUALITY BLOCK	2,000	30,000	15.0000	.30	15.3000

(SAMPLE A - An example of computing weighted average realization for EACH SIZE AND GRADE of coal)

HIGH VOLATILE	10,000	123,300	12.3300	.30	\$12.6300
LOW VOLATILE PREPARED	15,000	227,250	15.1500	.42	15.5700
LOW VOLATILE SLACK	12,000	120,600	10.0500	.42	10.4700

(SAMPLE B - An example of computing weighted average realization for CLASSIFICATION of coals)

COMMERCIAL	20,000	208,000	10.4000	.37	\$10.7700
RAILROAD FUEL	15,000	134,250	8.9500	.22	9.1700

(SAMPLE C - An example of computing weighted average realization for GROUPINGS of coal)

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Tonnage and total realization figures should be rounded to the nearest whole number, while the weighted average price per ton should be carried to four places beyond the decimal.

COMPUTATION OF ADJUSTED CEILING WEIGHTED AVERAGE REALIZATION: Ceiling Price Regulation No. 27 provides for increasing the lake dock operator's ceiling price and his ceiling weighted average realization by the per ton increase in the f.o.b. mine or plant cost for the size, grade, grouping or other classification permitted to be charged by the supplier who furnished the principal supply used to the extent that the increase results from wage and salary adjustments which the supplier is authorized to add. The lake dock operator must request the amount of permissible increase from his

suppliers. The allowable amount should be entered in column (d).

The Adjusted Realization, Col. (e) is computed by adding to the actual realization per ton (Col. (c)) the per ton adjustment for increased mine or plant costs (Col. (d)). The adjusted realization as computed should be reported on OPS Public Form No. 12, Monthly Report on Lake Dock Solid Fuel Realization.

INSTRUCTIONS FOR THE PREPARATION OF OPS PUBLIC FORM NO. 10**WHO SHALL FILE REPORTS:**

All lake coal dock operators on the United States bank of Lake Superior and on that part of the west bank of Lake Michigan north of and including Waukegan, Illinois, regardless of size, who sell solid fuels subject to CPR No. 27, are required to file a copy of OPS Public Form No. 10 with the Office of Price Stabilization, Solid Fuels Branch, Washington 25, D. C., within thirty days of the effective date of CPR No. 27 for each dock, or group of docks, which he operates.

All distributors of lake dock solid fuels who desire to avail themselves of the prices permitted by the proviso of Section 13 of CPR No. 27 are required to file a copy of Public Form No. 10 with the Office of Price Stabilization, Solid Fuels Branch, Washington 25, D. C. within 30 days of the effective date of CPR No. 27. A separate report shall be filed for each dock from which solid fuels are purchased and resold provided that a single combined report may be filed for any group of docks operated by a single Lake Coal Dock Operator. The distributor shall report his name and address in addition to the name and address of the Lake Coal Dock Operator.

PRICES TO BE REPORTED:

Fill out one line for each size, grade, group or other classification for each tonnage on which you propose a ceiling price and give the following information:

- A. In Column (a) give the name of the kind and size as commonly used by the trade.
- B. In Column (b) give dimensions, both top size and bottom size, in inches for solid fuel described in Column (a).
- C. In Column (c) give the date of your highest priced sale of the type of solid fuel shown in Column (a).
- D. In Column (d) give that highest price actually charged.
- E. In Column (e) give the ceiling price adjustment arising from the mine or plant cost increase account wage and salary advances at the mines. (As reported on OPS Public Form No. 11.)
- F. In Column (f) give your adjusted ceiling price which will be the sum of (d) and (e). Your ceiling price schedule (to be filed separately by letter with the Office of Price Stabilization, Solid Fuels Branch, Washington 25, D. C., and with the regional office in each region into which you ship solid fuel) will be a recapitulation of your prices shown here.

BUDGET BUREAU NO. 94-5125
APPROVAL EXPIRES NOVEMBER 30, 1951

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.

LOCATION OF DOCK(S)

MAIL ADDRESS

EACH SIZE, GRADE, GROUP OR OTHER CLASSIFICATION SHOWN ON OPS PUBLIC FORMS 9 AND 10 MUST BE LISTED BELOW	PRINCIPAL SUPPLIER		TONS PURCHASED IN ABOVE PERIOD		PERTON ADJUST- MENT IN MINE OR PLANT COST (e)
	NAME (a)	MINE OR PLANT NAME OR NUMBER (b)	FROM ALL SUPPLIERS (c)	PRINCIPAL SUPPLIER (d)	

(Attach continuation sheets if necessary. Use same column arrangement)

NOTICE - A willful false return is a criminal offense.

SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

T I T L E

DATE _____

INSTRUCTIONS FOR THE PREPARATION OF OPS PUBLIC FORM NO. 11

WHO SHALL FILE REPORTS:

All lake coal dock operators on the United States bank of Lake Superior and on that part of the west bank of Lake Michigan north of and including Waukegan, Illinois, regardless of size, who sell solid fuels subject to CPR No. 27, are required to file a copy of OPS Public Form No. 11 with the Office of Price Stabilization, Solid Fuels Branch, Washington 25, D. C., within thirty days of the effective date of CPR No. 27 for each dock, or group of docks, which he operates.

TONNAGE TO BE REPORTED:

You must report for each size, grade, group or other classification during either the base period or the year 1950.

GENERAL:

This form is designed for the reporting of permissible increases in (A) ceiling weighted average realization and in (B) ceiling prices because of mine wage and salary advances.

A. ADJUSTMENT OF CEILING WEIGHTED AVERAGE REALIZATION

First list in the description column each of the sizes, grades, groups or other classifications shown on OPS Public Form No. 9.

- A. In Column (a) list the name of your principal supplier of each such tonnages.
- B. In Column (b) insert the mine name or number of such principal supplier.
- C. In Column (c) list the number of tons of that type purchased from all suppliers.
- D. In Column (d) list the tonnage of that type purchased from your principal supplier.
- E. In Column (e) list the per ton increase authorized by OPS to that principal supplier because of his wage and salary advances. This amount will be the amount you are permitted to increase your ceiling weighted average realization on all of the coals in that size, grade, group or other classification.

B. ADJUSTMENT OF CEILING PRICES

Next list in the description column each of the sizes, grades, groups, or other classifications shown on OPS Public Form No. 10.

- A. In Column (a) list the name of your principal supplier of each such tonnages.
- B. In Column (b) insert the mine name or number of such principal supplier.
- C. In Column (c) list the number of tons of that type purchased from all suppliers.
- D. In Column (d) list the tonnage of that type purchased from your principal supplier.
- E. In Column (e) list the per ton increase authorized by OPS to that principal supplier because of his wage and salary advances. This amount will be the amount you are permitted to increase your ceiling price of that coal.

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.

Submit Original only to the Office of Price Stabilization, Washington 25, D. C. See instructions on reverse side.

NAME OF DOCK OPERATOR	MAIL ADDRESS
LOCATION OF DOCK(S)	REPORT FOR MONTH OF

[illegible]

I certify that the information given in this listing and any attachments is true and correct to the best of my knowledge and belief.
NOTICE - A willful false return is a criminal offense.

SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE	TITLE	DATE
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INSTRUCTIONS FOR THE PREPARATION OF OPS PUBLIC FORM NO. 12**WHO SHALL FILE REPORTS:**

All lake coal dock operators on the United States bank of Lake Superior and on that part of the west bank of Lake Michigan north of and including Waukegan, Illinois, regardless of size, who sell solid fuels subject to CPR No. 27, are required to file a copy of OPS Public Form No. 12 with the Office of Price Stabilization, Washington 25, D. C. each month. On the first report there shall be computed the realization obtained from the sale of the subject solid fuels for the month of May 1951. This report must be filed within thirty days after the end of that month. Thereafter a report shall be filed monthly showing the realization obtained in the current month and on a cumulative basis.

GENERAL INSTRUCTIONS:

This form shall be prepared on the same basis as OPS Public Form No. 9 so that the results obtained in this monthly report will be on a basis comparable to that used in reporting the Realization Base Allowable in OPS Public Form No. 9.

CUMULATIVE SALES:

Beginning with the month of May 1951, tonnages and total dollars and per ton realization (Columns (d), (e), and (f)) should be cumulated and per ton realization computed until a twelve month figure is covered (ending April 30, 1952. Thereafter there shall appear in the cumulative columns figures for the most recent twelve months of which the current month reported shall be one.

REALIZATION BASE ALLOWABLE:

The realization ceiling or target allowable per ton shall be shown monthly and shall accurately reflect the per ton figure shown on OPS Public Form No. 9. If for some reason the form does not govern the realization base allowable, the authority for such realization base allowable should be stated on each monthly report. If realization base allowable is changed, the most recent realization base allowable should be shown, together with explanation of change.

Crude Petroleum

Ceiling Price Regulation 32

MAY 7, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTONTITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 32]

CPR 32—CRUDE PETROLEUM

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 32 is hereby issued.

STATEMENT OF CONSIDERATIONS

When the General Ceiling Price Regulation was issued on January 26, 1951, it was realized that a single, comprehensive regulation could hardly cope with the multitude of prices and the diverse practices of many sellers and industry. It was, therefore, the express intent of the Director of Price Stabilization to replace the General Ceiling Price Regulation as rapidly as possible with specific price regulations tailored to meet the needs of different industries. Essentially, this regulation provides for the establishment of ceiling prices for all sales and deliveries of crude petroleum by producers, sellers, refiners, or by any other person.

The regulation establishes the ceiling price at the receiving tank for crude petroleum from any given pool as the posted purchase price on January 25, 1951, for such pool, or where there was for any pool more than one posted purchase price then the ceiling price is the highest of the posted purchase prices. Use of the posted purchase price on this date to determine ceiling prices is believed equitable, and in conformity with the customary pricing practices of this segment of the petroleum industry. A provision is included which requires every purchaser of crude petroleum to file a report thirty days after the issuance of this regulation with the Director of Price Stabilization listing the purchase prices he posted or paid for crude petroleum purchased from each pool.

Where no posted purchase price existed on January 25, 1951, alternative methods of determining ceiling prices are provided. Special provision is made for certain contract sales in excess of the posted purchase price, provided the contract was made prior to December 9, 1950, and was in effect on January 25, 1951. The ceiling price so established is applicable only to the production covered by the contract. The reason that December 9, 1950, was selected as the initial date is that it marked the start of the voluntary freeze on crude petroleum prices requested of the refiners by the Economic Stabilization Agency.

Prior to the formulation of this regulation the Director of Price Stabilization

consulted with a large number of persons representing a substantial part of the industry and the regulation has been reviewed by the National Petroleum Advisory Committee and the Petroleum Administration for Defense.

FINDINGS OF THE DIRECTOR OF PRICE
STABILIZATION

In the judgment of the Director of Price Stabilization the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

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

REGULATORY PROVISIONS

SCOPE OF REGULATION

Sec.

1. Applicability of regulation.
2. Exports.
3. Imports.
4. Transfers of business or stock in trade.
5. Adjustable pricing.
6. Petitions for amendment.
7. Application for adjustment.
8. Price revisions incident to orders establishing specific prices.
9. Reporting and record-keeping requirements.
10. Prohibitions against selling or delivering crude petroleum at prices above the ceiling.
11. Evasion.
12. Enforcement.
13. Definitions.

CEILING PRICES

14. Posted purchase price.
15. Two or more posted purchase prices.
16. Contract in excess of posted purchase price.
17. Where no posted purchase price.
18. Where no ceiling price.
19. Sales at points other than receiving tank.
20. Where no differential at points other than receiving tanks.

INCREASES PERMITTED OR REDUCTIONS REQUIRED

21. Transportation.
22. Taxes.

AUTHORITY: Sections 1 to 22 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SCOPE OF REGULATION

SECTION 1. *Applicability of regulation.* (a) This regulation establishes ceiling prices for all sales and deliveries of crude petroleum by producers, sellers, refiners, or by any other person except:

- (1) When sold to a processor as gas enrichment oil;
- (2) When sold to a consumer for a purpose other than the production of more than one petroleum fraction; or

(3) When sold to a tank wagon reseller by sellers, other than crude oil operators or royalty owners, for resale to a consumer for a purpose other than the production of more than one petroleum fraction therefrom.

(4) This regulation shall in all cases be applicable to sales of crude petroleum to a refiner or to a person using such crude petroleum in oil and gas field operations, notwithstanding that otherwise subparagraphs 1, 2 and 3 of this paragraph would provide an exception.

(5) Sales between corporations when one is a wholly owned subsidiary of the other, or when both are wholly owned subsidiaries of a third corporation, and sales between such other affiliated or controlled corporations as are especially excepted by order in writing of the Director of Price Stabilization or his duly authorized representative.

(6) Exchanges of crude petroleum between refiners or other petroleum sellers, providing such exchanges conform to customary practices of the industry during the base period. The Office of Price Stabilization will not grant any increases in the ceiling prices of crude oil or refined petroleum products where the requested revision in price is due to the price at which crude oil has been exchanged.

(b) Transactions excepted from the coverage of this regulation are also exempt from the provisions of the General Ceiling Price Regulation. However, certain products and transactions excepted from this regulation are covered by Ceiling Price Regulation No. 17, Gasolines, Naphthas, Fuel Oils and Liquefied Petroleum Gases.

(c) The provisions of this regulation are applicable to the United States, its territories and possessions and the District of Columbia.

SEC 2. *Exports.* The ceiling price at which a person may export crude petroleum shall be determined by this regulation unless an export regulation shall be issued by this office, in which case ceiling prices for these sales shall be covered by such export regulation.

SEC. 3. *Imports.* [Reserved]

SEC. 4. *Transfers of business or stock in trade.* If the business, assets or stock in trade of any seller or any person are sold or otherwise transferred after January 25, 1951, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records and make reports shall be the same. The transferor shall either preserve and make available, or turn over to the transferee records of all transactions prior to the transfer which are necessary to enable the transferee to comply with the records and reports provisions of this regulation and amendments thereto.

SEC. 5. *Adjustable pricing.* Any person may agree to buy or sell at a price which can be increased up to the maximum price in effect at the time of delivery. Where a petition for adjustment or amendment is pending the buyer and seller may agree that prices for deliveries made during the pendency of the petition shall be determined in accordance with the disposition of the petition.

SEC. 6. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1.

SEC. 7. *Applications for adjustment—*
(a) *Local shortages.* The Office of Price Stabilization may adjust by order any ceiling price established under this regulation for a seller or group of sellers or for a general area when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of crude petroleum which aids directly in the present defense program or is essential to a standard of living consistent with the maintenance of the defense program; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the ceiling prices of such seller and of like sellers for such products; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Defense Production Act of 1950.

(b) *Filing of Applications.* Application for adjustment for local shortage shall be filed with the Petroleum Branch of the Office of Price Stabilization, Washington 25, D. C.

SEC. 8. *Price revisions incident to orders establishing specific prices.* Notwithstanding the provisions of this regulation, the Director of Price Stabilization may by written order provide specific ceiling prices to replace ceilings established by this regulation.

SEC. 9. *Reporting and record-keeping requirements.—*(a) *Reporting.* Thirty days after the issuance of this regulation, every purchaser of crude petroleum shall file with the Director of Price Stabilization, Washington 25, D. C., a report listing the following information for each pool:

(1) Posted purchase prices in effect on January 25, 1951, and date said prices first became effective.

(2) Prices paid for purchases during the period December 9, 1950, to January 25, 1951, inclusive, at other than the purchaser's "posted purchase prices." This shall include:

(i) Prices paid for purchases where the purchaser did not post purchase prices for the production involved.

(ii) Prices paid for purchases in excess of purchaser's "posted purchase price." In this connection the information filed shall specify the production involved and if purchased under a contract the date of execution of such contract and the period of such contract.

(b) *Records.* (1) Each producer and purchaser of crude petroleum shall preserve and keep available for examination by the Office of Price Stabilization all records necessary to substantiate ceiling prices established under this regulation.

(2) Compliance with these record keeping provisions shall be deemed compliance with the record keeping requirements of the General Ceiling Price Regulation during the period when crude oil was covered by that regulation.

SEC. 10. *Prohibitions against selling or delivering crude petroleum at prices above the ceiling.* After the date of this order, regardless of any contract or other obligation, no person shall sell or deliver and no person shall buy or receive in the regular course of trade or business any crude petroleum at a price higher than the ceiling price established by this regulation.

SEC. 11. *Evasion.* The ceiling prices established by this regulation shall not be evaded whether by direct or indirect methods in connection with the purchase, sale, delivery or transfer of crude petroleum alone or in conjunction with any other materials, or by way of any commission, service, transportation, or other charge, or discount, premium or other privilege, or by tie-in-agreement or other trade understanding, or by a change in the quality of the product, or otherwise.

SEC. 12. *Enforcement.* Any person who violates any provision of this regulation is subject to the criminal penalties, civil enforcement actions, and suits for damage provided for by the Defense Production Act of 1950.

SEC. 13. *Definitions.* When used in this regulation the term:

(a) "Person" includes any individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and the United States or any other government or their political subdivisions or agencies.

(b) "Crude petroleum" is considered to be crude petroleum for the purpose of this regulation until put through a bona fide refinery process which results in the production of more than one petroleum fraction. Crude petroleum includes distillates and condensates from a well which moves as crude petroleum.

(c) "Posted purchase price" means a price schedule posted by a purchaser who, during the period December 9, 1950, to January 25, 1951, inclusive, actually purchased crude petroleum produced from any pool to which the posted price was applicable.

(d) "Pool" means any underground accumulation of crude petroleum or associated hydrocarbon substances constituting a single and separate reservoir or source of supply within a field, area, or horizon whether or not presently discovered or developed.

(e) "Producer" means an operator of an oil lease or royalty owner or any other seller of crude petroleum.

(f) "Receiving tank" means the tank of the producer of crude petroleum,

sometimes called stock tank or shipping tank, in which the oil from one or more wells is first gauged or measured for sale, delivery or storage.

(g) "Contract" means an agreement, the existence of which is established by written evidence.

CEILING PRICES

SEC. 14. *Posted purchase price.* The ceiling price at the receiving tank for crude petroleum from any given pool shall be the posted purchase price as of January 25, 1951, for such pool.

SEC. 15. *Two or more posted purchase prices.* Where there was for any pool more than one posted purchase price, the ceiling price at the receiving tank for crude petroleum from such pool shall be the highest of the posted purchase prices.

SEC. 16. *Contract in excess of posted purchase price.* Where a contract was in effect on January 25, 1951, and was made prior to December 9, 1950, for the purchase of crude petroleum at the receiving tank at a price in excess of the highest posted purchase price for the given pool and deliveries were made prior to January 25, 1951, such contracts may be carried out in accordance with the terms of the contract, notwithstanding any other provision of this regulation. On termination of the contract it may be extended by the buyer and seller on the same terms, and payments made by the buyer and received by the seller under such circumstances shall not be deemed in excess of ceiling prices notwithstanding any other provisions of this regulation.

SEC. 17. *Where no posted purchase price.* Where there was no posted purchase price for a pool but sales of crude petroleum were made by a producer from the pool, the ceiling price at the receiving tank shall be the highest price paid during the period December 9, 1950, to January 25, 1951, inclusive, at any receiving tank of that producer in the same pool for crude petroleum of the same quality. If, however, this price was paid pursuant to a contract which did not reflect current market conditions on January 25, 1951, the ceiling price shall be determined by the next pricing section (18).

SEC. 18. *Where no ceiling price.* (a) If the ceiling price for any sale of crude petroleum at the receiving tank cannot be determined under sections 14 through 17 of this regulation, the seller or purchaser shall set a tentative price for crude petroleum at the particular receiving tank or tanks which shall be in line with the ceiling prices of comparable crude petroleum in the same general area. Within 15 days after setting such tentative price the seller or purchaser shall file with the Petroleum Branch of the Office of Price Stabilization, Washington 25, D. C., a written request for approval of such tentative price. The person filing such request shall file in connection therewith a statement setting forth:

(1) Such tentative price.

(2) An explanation as to why it is impossible to determine his ceiling price under sections 14, 15, 16, or 17 of this regulation.

(3) A description of the available transportation facilities, and a description of the gravity, characteristics and source of the crude petroleum in question.

(b) Such tentative price shall be the ceiling price for crude petroleum produced from the same pool until a different ceiling price is set in writing by the Director of Price Stabilization. If a seller and purchaser have agreed upon a price for the sale of crude petroleum subject to the approval of the Director of Price Stabilization, a ceiling price determined in accordance with this Section 18 shall be effective retroactively to the effective date of this regulation, or the date of the agreement, whichever is later.

SEC. 19. *Sales at points other than receiving tank.* The ceiling price for any seller or purchaser of crude petroleum sold at a point other than the receiving tank shall be at no greater differential at such point over the ceiling price for such crude petroleum at the receiving tank than the highest differential that existed on January 25, 1951, between the price at the receiving tank and the price at such point. If, however, a contract in effect on January 25, 1951 established a differential for crude petroleum sold at a point other than the receiving tank, which did not reflect current market conditions on or about January 25, 1951, the

differential shall be subject to revision by order of the Director of Price Stabilization so that it will reflect current market conditions on or about January 25, 1951.

SEC. 20. *Where no differential at points other than receiving tanks.* (a) Where a ceiling price at a point other than at the receiving tank cannot be determined under section 19 of this regulation, the seller or purchaser shall establish a tentative differential based on differences in quality and transportation costs for a sale of crude petroleum at such point. Within 15 days after setting such tentative differential the seller shall file with the Director of Price Stabilization, Washington 25, D. C., a written request for approval for such tentative differential accompanied by a statement setting forth:

(1) Such tentative differential.

(2) An explanation as to why it is impossible to determine his ceiling prices at the particular point under section 19 of this regulation.

(3) The location of the source of the crude petroleum in question and of the particular delivery point, and

(4) An itemized statement of the costs involved in transporting the crude petroleum from the receiving tank to the particular delivery point and of any other items comprising the tentative differential.

(b) Such tentative differential shall be the seller's maximum differential for the particular sale and for all subsequent

sales of crude petroleum from the same receiving tank delivered at that point until a different maximum differential is set in writing by the Director of Price Stabilization. If a seller and purchaser have agreed upon a price for a sale of crude petroleum at a point other than at the receiving tank subject to the approval of the Director of Price Stabilization, a maximum differential determined in accordance with this section 20 shall be effective retroactively to January 25, 1951, or the date of the agreement, whichever is later.

INCREASES PERMITTED OR REDUCTIONS REQUIRED

SEC. 21. *Taxes.* There may be added to the applicable ceiling prices determined under other sections of this regulation an amount not in excess of any tax increase, or new tax effective after January 25, 1951, imposed upon or incident to the production, severance, gathering, sale, transportation, delivery, processing, or use of crude petroleum, except import duties.

Effective date: This Ceiling Price Regulation shall become effective on May 12, 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.

MAY 7, 1951.

Fixes Ceiling Price for
East Texas Oil Field (Upshur,
Gregg, Rusk, Smith and
Cherokee Counties)

Ceiling Price Regulation 32
Supplementary Regulation 1
AUGUST 13, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 32, Supplementary
Regulation 1]

CPR 32—CRUDE PETROLEUM

SR 1—EAST TEXAS OIL FIELD (UPSHUR, GREGG,
RUSK, SMITH AND CHEROKEE COUNTIES)

Pursuant to the Defense Production
Act of 1950, as amended, Executive Order
10161 (15 F. R. 6105), and Economic
Stabilization Agency General Order No.
2 (16 F. R. 738), this supplementary reg-
ulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation issued
under section 8 of Ceiling Price Regula-
tion 32 fixes a specific ceiling price for
the East Texas Oil Field. Information
has been submitted and evidence pro-
duced which in the judgment of the Di-
rector indicates that it is necessary to
establish a ceiling price for the East
Texas Oil Field under the aforemen-
tioned section.

The Director has determined on the
basis of information available to him, in-
cluding the data and conclusions of fact
submitted by a number of purchasers in
the East Texas Field, that the ceiling

price of \$2.65 per barrel at the receiving
tank established by this supplementary
regulation represents the level of ceiling
prices under Ceiling Price Regulation 32.
This price is the ceiling price now ap-
plicable to roughly 96 percent of the pro-
duction in this major oil field according
to information received by the Director.
The other 4 percent may continue to be
sold at existing slightly higher prices un-
der section 16 of Ceiling Price Regula-
tion 32 which authorizes the continua-
tion of contracts in effect prior to Jan-
uary 25, 1951. This supplementary reg-
ulation, however, makes it clear that sec-
tion 15 of the regulation does not under
the circumstances present here enable
the 96 percent of the production in this
oil field to be sold at the higher prices
permissible for the 4 percent.

This supplementary regulation does
not relieve purchasers in the East
Texas Oil Field from compliance with
section 9, *Reporting and record keeping
requirements*, of Ceiling Price Regula-
tion 32.

Prior to the issuance of this supple-
mentary regulation, the Director con-
sulted with individuals in the area
involved and has given consideration to
their recommendations.

REGULATORY PROVISIONS

Sec.

1. Established ceiling price.
2. Relationship to Ceiling Price Regulation
32.
3. Power to revoke or suspend.

AUTHORITY: Sections 1 to 3 issued under
sec. 704, Pub. Law 774, 81st Cong., Pub. Law
96, 82nd Cong. Interpret or apply Title IV,
Pub. Law 774, 81st Cong., Pub. Law 96, 82nd
Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R.
6105, 3 CFR, 1950 Supp.

SECTION 1. *Established ceiling price.*
The ceiling price for crude petroleum
produced from the East Texas Oil Field
(Upshur, Gregg, Rusk, Smith and
Cherokee Counties), as designated by
the Railroad Commission of Texas, is a
flat price of \$2.65 per barrel at the
receiving tank.

SEC. 2. *Relationship to Ceiling Price
Regulation 32.* The provisions of this
supplementary regulation do not super-
sede the provisions of section 16 of
Ceiling Price Regulation 32.

SEC. 3. *Power to revoke or suspend.*
This supplementary regulation or any
provision thereof may be revoked, sus-
pended, or amended by the Director of
Price Stabilization at any time.

Effective date. This supplementary
regulation is effective August 13, 1951.

AUGUST 13, 1951.

MICHAEL V. DiSALLE,
Director,
Office of Price Stabilization.

To Adjust Ceiling
Prices When There is
Nonconformity in the
Same Area, Etc.

Ceiling Price Regulation 32
Supplementary Regulation 2

OCT. 3, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 32, Supplementary
Regulation 2]

CPR 32—CRUDE PETROLEUM

SR 2—HOW TO ADJUST CEILING PRICES WHEN
SUCH CEILING PRICES ARE NOT IN CON-
FORMITY WITH CEILING PRICES IN THE
SAME GENERAL PRODUCING AREA FOR COM-
PARABLE CRUDE PETROLEUM

Pursuant to the Defense Production
Act of 1950, as amended, Executive Order
10161 (15 F. R. 6105), and Economic Sta-
bilization Agency General Order No. 2
(16 F. R. 738), this supplementary regu-
lation is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation estab-
lishes an adjustment procedure whereby
the purchaser or seller of crude petro-
leum in oil fields or pools which are
frozen at ceiling prices below the in-
line ceiling price for comparable crude
petroleum produced in the same general
producing area may make application
for an adjustment of his ceiling price.
This is necessary because in the early
stages of production in a new field or
pool the producer must usually accept
a lower price for his crude petroleum
than that which he ordinarily receives
when full production is attained and di-
rect transportation facilities become
available and competitive factors de-
velop.

At the time of the general freeze, there
were numerous relatively new fields or
pools in the same general producing area
producing comparable crude petroleum.
Ceiling prices in these oil fields or pools
were frozen at levels below the in-line
ceiling price for the same general pro-
ducing area, because (1) full produc-
tion had not been attained, or (2) in-
stallation of adequate low-cost trans-
portation was not then available, or (3)
there was a lack of competitive factors,
or (4) there was a temporary excess sup-
ply of heavy crude petroleum, or (5)
there were other factors which tended
to prevent a normal price adjustment.
Purchasers or sellers in such fields are
unable, under Ceiling Price Regulation
32 as it now stands, to obtain adjust-
ments to establish in-line prices. This
Supplementary Regulation, however, will
allow purchasers or sellers in these af-
fected areas to make application for ad-
justment of their ceiling prices.

In the formulation of this supplemen-
tary regulation, special circumstances
have made it impractical to consult with
the official industrial advisory commit-
tee; however, a number of individuals
from the industry were consulted by the
Director prior to the issuance of this

supplementary regulation and consider-
ation was given to their recommenda-
tions. In the judgment of the Director,
the provisions of this amendment are
fair and equitable and are necessary to
effectuate the purposes of Title IV of the
Defense Production Act of 1950, as
amended.

So far as practicable, the Director has
given due consideration to the national
effort to achieve maximum production
in the furtherance of the objectives of
the Defense Production Act of 1950, as
amended.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Applicability of this supplementary regu-
lation.
3. How to adjust ceiling prices for oil fields
or pools in the same general producing
area for comparable crude petroleum.
4. Applicability of Ceiling Price Regulation
32.

AUTHORITY: Sections 1 to 4 issued under
sec. 704, Pub. Law 774, 81st Cong., Pub. Law
98, 82nd Cong. Interpret or apply Title IV,
Pub. Law 774, 81st Cong., Pub. Law 96, 82nd
Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105,
3 CFR, 1950 Supp.

**SECTION 1. What this supplementary
regulation does.** This supplementary
regulation permits a purchaser or seller
to apply for an adjustment of his ceil-
ing prices for certain oil fields or pools
which are frozen at ceiling prices below
the in-line ceiling price of comparable
crude petroleum in the same general pro-
ducing area. This adjustment procedure
can be used only when an oil field or pool
was frozen at a ceiling price which was
not in line with the ceiling price of com-
parable crude petroleum in the same
general producing area.

This section is intended only as a gen-
eral description to aid in understanding
this supplementary regulation; the fol-
lowing sections are controlling.

**SEC. 2. Applicability of this supple-
mentary regulation.** This supplemen-
tary regulation applies only to purchas-
ers or sellers in oil fields or pools which
have been frozen at prices below the in-
line ceiling price for comparable crude
petroleum in the same general produc-
ing area and who now, due to normal in-
dustry practice should be allowed to ad-
just their prices up to the in-line ceil-
ing price of comparable crude petroleum
in the same general producing area.

**SEC. 3. How to adjust ceiling prices for
oil fields or pools in the same general
producing area for comparable crude
petroleum.** (a) In oil fields or pools
frozen at below the in-line ceiling price
for comparable crude petroleum in the
same general producing area, the pur-
chaser or seller may make application
for an adjustment of his ceiling price
at the receiving tank which shall be in
line with the ceiling price of comparable
crude petroleum produced in the same

general producing area. An applicant
when making an application for adjust-
ment cannot use ceiling prices deter-
mined by Sections 16 and 17 as a basis
for determining the in-line ceiling price
of comparable crude petroleum in the
same general producing area. The per-
son making such application for adjust-
ment shall file said application with the
Petroleum Branch, Transportation, Pub-
lic Utilities and Fuels Division, Office of
Price Stabilization, Washington 25, D. C.
In connection therewith he shall include
a statement setting forth briefly:

(1) Such new ceiling price.

(2) An explanation as to why his ceil-
ing price under Sections 14, 15, 16, 17,
or 18 of this regulation has been estab-
lished at a price which is not in line with
the ceiling price of comparable crude
petroleum in the same general produc-
ing area.

(3) A description of the available
transportation facilities and a descrip-
tion of the gravity, characteristics and
source of the crude petroleum in ques-
tion and evidence to indicate that the
adjusted ceiling price will be in line with
the ceiling price of comparable crude
petroleum in the same general producing
area.

(b) Upon receipt of an application for
an adjustment for an in-line ceiling
price of an oil field or pool which is pro-
ducing crude petroleum of comparable
quality from the same general produc-
ing area, the Director shall either ap-
prove or disapprove the proposed in-line
ceiling price. If an application for ad-
justment is disapproved, the Director
may establish a substitute price. A ceil-
ing price established under this section
may be changed at any time by order of
the Office of Price Stabilization. If a
seller and purchaser have agreed upon a
price for the sale of crude petroleum sub-
ject to the approval of an application for
adjustment by the Director of the Office
of Price Stabilization, and said applica-
tion is granted, the ceiling price agreed
upon shall be effective retroactively to
the effective date of this regulation or to
the date of the agreement, whichever is
later.

**SEC. 4. Applicability of provisions of
Ceiling Price Regulation 32.** Except to
the extent expressly modified or supple-
mented by this supplementary regula-
tion all provisions of Ceiling Price Regu-
lation 32 shall remain in full force and
effect.

Effective date. This supplementary
regulation is effective October 9, 1951.

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

MICHAEL V. DISALLE,
Director,

Office of Price Stabilization.

OCTOBER 3, 1951.

Lubricating Oils, Greases, Waxes, Etc.

Ceiling Price Regulation 63

JULY 30, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

[Reprinted from the Federal Register of August 3, 1951]

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 63]

CPR 63—LUBRICATING OILS, GREASES,
WAXES AND CERTAIN OTHER PETROLEUM
PRODUCTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 63 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation is the fourth to be issued by the Office of Price Stabilization covering petroleum products. It applies to wholesale sales of stock lubricating oils, industrial lubricating oils, waxes, petrolatums, and all other petroleum products which are not covered by other price regulations except asphalt and asphalt products which will be covered by a separate regulation. The marketing of these products represents a sufficiently particularized and segregated aspect of the petroleum industry to make desirable, from the standpoint of efficient administration, the issuance of a separate regulation. This view is concurred in by representative members of the petroleum industry.

The regulation is of the formula-freeze type, but it is the intent of the Director of Price Stabilization to spell out specific dollar and cents prices for stock lubricating oils, waxes and petrolatums in principal marketing centers as quickly as studies now under way are completed. The ceiling prices established by this regulation are substantially the same as those provided by the General Ceiling Price Regulation. In common with the other specific regulations issued to date covering the products of the petroleum industry, the base period of December 19, 1950, to January 25, 1951, inclusive is adopted. The reasons for the selection of this base period are set forth in the Statement of Considerations issued with Ceiling Price Regulation 17. Also, as distinguished from the General Ceiling Price Regulation, this regulation defines the highest price charged during the period December 19, 1950, to January 25, 1951 inclusive, in such a way as to exclude from use in the calculation of ceiling prices sales made in the afore-mentioned base period pursuant to pre-existing contracts which were not adjustable to reflect market conditions at or about dates of deliveries thereunder. This provision embodies the principle of establishing ceiling prices on the basis of current market conditions prevailing in the base period.

A segment of the petroleum industry affected by this regulation purchases large quantities of non-petroleum products including agricultural commodities such as tallow, lard, castor oil and linseed oil. These commodities are used in compounded petroleum products for a wide variety of automotive and industrial applications. Due to substantial increases in the costs of these products and of shipping containers representing a significant element of cost to the industry, substantial reductions of margins have resulted since June 1, 1950. Representations have been made to the Office of Price Stabilization that failure to provide for adjustments in ceiling prices because of such increased costs might result in an interruption in the supply of many industrial lubricants vital to the defense effort. Moreover, since June, sellers have not priced uniformly on the basis of their increased costs. Many companies, particularly those working on short inventories, advanced their selling prices in conformity with their new costs. Other companies did not, but as a result of such higher costs many of these were contemplating changes in their selling prices during November and December to be made effective early in 1951. There is normally a time lag of between 60 and 90 days between pronounced changes in costs and their reflection in selling prices by this segment of the industry. On December 18, 1950, the Economic Stabilization Agency made a request of 31 principal refiners to hold in abeyance voluntarily any contemplated price increases pending the completion of price analyses of the industry. This request for voluntary cooperation was extensively publicized by industry trade journals and compliance appears to have been general. Consequently, with the issuance of the General Ceiling Price Regulation, a number of traditional price relationships which were distorted during this period were frozen into ceilings. To correct this situation, the regulation permits sellers to apply for an adjustment of their ceiling prices when, due to temporary conditions, such ceiling prices are either inconsistent with their customary pricing practices or their customary price relationship to other sellers of their class.

The regulation also makes provision to allow a refiner, blender or compounder whose total costs of components of a product on March 15, 1951, exceed by more than 5 percent such costs on June 1, 1950, because of a change in the costs of the purchased components entering directly into the product and/or the non-returnable container used for shipping such product, to modify his ceiling price for the product to reflect the dollar and cents increased costs of purchased components and/or non-returnable containers. However, this adjustment is subject to the proviso that in computing the

amount that may be added to ceiling prices there shall be deducted from the increased costs the amount by which the seller's ceiling price on March 15, 1951, exceeds his selling price on June 1, 1950. The effect of this provision is to restore and maintain dollar and cents margins in existence during the period immediately prior to the outbreak of hostilities in Korea for a large number of compounded petroleum products. It also substantially reduces an existing distortion in the price relationship between compounded and un-compounded products of the industry. In adopting the stipulation that the increase or decline in costs shall be more than 5 percent before a change in ceiling prices may be made or required, the Director of Price Stabilization gave consideration to the desirability of preventing every change in cost, no matter how infinitesimal, from being reflected in ceiling prices and to the customary practice of the petroleum industry of maintaining stable consumer prices within tolerable limits of cost variations. However, it is recognized that in some cases the 5 percent requirement may result in a distortion in the customary price relationships maintained by a seller on a given line of petroleum products. Accordingly, any seller who believes that meeting this requirement is a cause of such distortion may request that consideration be given to the special circumstances involved.

The above formula differs from that used in Ceiling Price Regulation 22 in several respects. Under Ceiling Price Regulation 22 sellers establishing their ceiling prices adjust their pre-Korean prices by adding to such prices an adjustment factor to reflect advances in labor and material costs. This is designed to preserve pre-Korean margins and to eliminate inflationary price increases not justified by cost increases in the post-Korean period. The adjustment procedure incorporated in this regulation allows a seller the choice of adopting either his base period ceiling price for a particular compounded product or of adjusting his June 1, 1950, selling price for the increased costs of purchased components and/or containers since that date. In computing increased costs, no allowance may be made for labor costs or increases in manufacturing costs of products directly produced from a seller's own refinery. Thus, the formula is narrower than the one in Ceiling Price Regulation 22. In adopting this limited adjustment factor, the Director was guided by the extreme difficulty of ascertaining a generally acceptable basis for allocating costs of products produced in a multiple products refinery. It is customary industry practice to impute a value to its products, such imputation being predicated on market values rather than cost. Because of this arbitrary costing method, it was deemed impracticable to reflect

in total cost the changes in these imputed values since the pre-Korean period. It was deemed undesirable for this reason, among others, to require a recalculation of all ceiling prices as provided by Ceiling Price Regulation 22. Such a recalculation would necessitate the adoption of arbitrary cost imputations to determine total cost changes. Also, to require reductions where price changes exceed the increases in the costs of purchased components or containers alone would be impractical because such price changes may have reflected total cost changes not accounted for in the formula.

The regulation also authorizes the addition to ceiling prices of transportation rate increases occurring between January 26, 1951, and May 15, 1951, inclusive, which have been authorized by Federal or State regulatory bodies or the Office of Price Stabilization. This provision has been adopted because transportation charges represent a significant element of cost in the case of many products governed by this regulation due to the long distances over which they are transported, often in small volume. Moreover, such products are frequently sold on narrow margins which are insufficient to allow marketers to absorb transportation rate increases.

One of the more serious problems confronting the petroleum industry is the growing scarcity of steel containers which are indispensable to the distribution of petroleum products. Customarily the petroleum industry sells a substantial portion of its products on a non-returnable drum basis. It has now become imperative that drums be returned to primary sellers, necessitating that such sellers shift from a non-returnable to a returnable drum basis. Since drums had a value during the base period to purchasers who are now required to return them, it is equitable that an allowance be made to such purchasers for the loss of value involved. Such value was variable depending upon the disposition individual purchasers made of these drums, and it is not possible to ascertain such values with any degree of accuracy. In the judgment of the Director of Price Stabilization, it is desirable that these values be specific and uniform and in conformity with the ceiling prices established for raw used drums purchased by container reconditioners. The specific allowances set forth in this regulation conform, therefore, to the ceiling prices as established for raw used drums under Ceiling Price Regulation 36, Used Steel Drums, effective May 16, 1951.

At the present time there exists a variance among suppliers in their ceiling deposit charges for returnable drums. Provision is made in the regulation to allow a uniform deposit charge of \$10 for 55-gallon steel drums and lesser appropriately related amounts for smaller size drums. This is designed to make possible a uniform deposit system for the petroleum industry and to provide a maximum deposit charge for sellers who since the base period have converted from a non-returnable drum basis to a returnable drum basis. The deposit charges are higher, in some instances,

than actually charged by suppliers during the base period, but under prevailing circumstances such higher deposits appear warranted. Moreover, although these deposit charges are also higher than replacement cost, they are not so high that they may be considered susceptible to evasive use.

A characteristic feature of the segment of the industry covered by this regulation is the large number of new products it constantly introduces to improve industrial processes and to meet novel and exacting engineering requirements. In establishing new product pricing methods and procedures, convenient and, where possible, practically automatic pricing mechanisms are provided for reaching sound results. The regulation contains three methods for establishing ceiling prices for new products.

(1) *Minor differences method.* For any new product that differs from a product for which a ceiling price has been established under the regulation only by reason of minor differences in composition which do not prevent its offering substantially equivalent serviceability, the ceiling price for such product shall be the same as the ceiling price for the product from which it differs only because of such minor changes. Specifically, if the minor changes do not reduce or increase the cost of the product for which a ceiling price has been established by more than 5 percent and if the new product will render substantially equivalent serviceability, the ceiling price remains unchanged. Sellers pricing under this provision are not required to file with the Office of Price Stabilization since it is the intent of the Office of Price Stabilization to reduce the reporting burden both on industry and government whenever possible. The requirement of "substantially equivalent serviceability" is intended to preclude the risk of product deterioration which may not be reflected in ceiling prices. At the same time, the provision makes possible changes of an inconsequential nature, either to meet more perfectly an engineering requirement or because identical components are not available, without disturbance of ceiling prices. By further requiring that the difference in cost shall be confined to 5 percent, a greater degree of price stability is assured. However, provision is made for sellers who believe that a hardship results from this requirement to use the "Comparable Products Margin Method" of pricing.

(2) *Comparable Products Margin Method.* This method permits a seller who cannot price under other provisions of the regulation to determine his ceiling price on the basis of the average of the percentage mark-ups on two of the seller's comparable products on which he has established ceiling prices. The seller chooses his two most comparable products, one next lower in cost and one next higher in cost; calculates the percentage markup included in the ceiling price of each product; takes an average of these two percentage mark-ups, and uses this figure in determining his mark-up in the new ceiling price.

Comparability of products is determined on the basis of similarity of end

use and proximity of costs. Two products are of similar end use if sold for the same general purpose such as motor oils, gear lubricants, quenching oils. However, consideration is to be given to products of similar specifications and composition. Having similar end use, products may be considered comparable if their costs do not vary by more than 20 percent.

For resellers, current delivered costs of the products are to be used as costs in making comparisons. For blenders and compounders, the costs to be used are current delivered costs of components. For refiners on the other hand, while using current delivered costs for the components they purchase, some other value factor must be used for components they produce. It is recognized that it is not possible to determine the actual cost of a product produced in a multiple product refinery. Therefore, in evaluating such a component, the refiner must use the refinery value, inventory value, works billing price, or some other appropriate value which has been imputed to the component during the base period as evidenced by accounting records maintained for this purpose. This value factor must have been customarily used for evaluating the components of the new product as well as for the comparable products. Although the use of this method will not always result in 100 percent accuracy in determining margins, particularly when the proportion of purchased to produced components varies greatly for the products being compared, it nevertheless provides as satisfactory a method as possible for the purpose of determining new ceiling prices under this provision, and will result in ceiling prices which are in line with other prices established by the regulation. A form is provided for reporting to the Office of Price Stabilization ceiling prices established by this "comparable products margin method." Upon filing the price determined by use of this method, the price so established is the seller's ceiling price until changed or disapproved by the Office of Price Stabilization.

(3) *Final Pricing Method.* When the "comparable products margin method" cannot be used, the seller is permitted to establish a ceiling price in line with the level of ceiling prices otherwise established by this regulation. In substantiation thereof, the seller is required to submit certain specified information.

In establishing the foregoing pricing methods and procedures, the Director of Price Stabilization has given careful consideration to their adaptation to the customary practices of the industry so as to provide as flexible an instrument as possible within the general context of price controls.

Prior to the formulation of this regulation the Director of Price Stabilization advised with a large number of persons representing a substantial part of the industry and the regulation has been reviewed by the Petroleum Industry Advisory Committee for Lubricating Oils, Industrial Oils, Waxes and Petrolatums established by the Director of the Office of Price Stabilization.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the ceiling prices established by 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 far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives 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

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Sec.

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2. Experimental sale.
3. Transactions and persons covered.
4. Geographical coverage.
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7. Adjustable pricing.
8. Petitions for amendment.
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21. Containers.

AUTHORITY: Sections 1 to 21 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

SCOPE OF THE REGULATION

SECTION 1. Products covered and excluded. (a) This regulation covers the following products:

Lubricating stock oils.
 Engine crankcase oils.
 Aviation engine oils.
 Marine lubricating oils.
 Railroad lubricating oils.
 Industrial lubricating oils.
 Lubricating greases.
 Core oils.
 Mineral seal oil.
 Petroleum coke.
 Petroleum resins.
 White oils.
 Household lubricating oils.
 Upper cylinder lubricants and other specialty lubricants.
 Cutting oils.
 Process oils.
 Microcrystalline and paraffin waxes.
 Petrolatums.
 Insecticidal base oils.
 Naphthenic acids.
 Mercaptans from petroleum.
 Sulfonic acids from petroleum.
 Crude sulfonates from petroleum.
 Cresylates from petroleum.
 Cresylic acids from petroleum.
 Special liquid hydrocarbon polymers.
 Acid sludges from petroleum.

Processed oils and compounds where the non-aqueous content is 50 percent or more of one of the foregoing.

All other petroleum products not included in other specific price regulations relating to petroleum products.

(b) The following products are specifically excluded from this regulation:

Chemicals derived from natural gas or petroleum hydrocarbons by catalytic or chemical conversion.
 Resinous, viscous and elastic hydrocarbon polymers.
 Hydrogen sulfide.
 Products containing a major portion of petroleum derivatives primarily produced by non-petroleum industries.
 Asphalt and asphalt products.

Ceiling prices for these products are to be determined by the following regulations whichever is by its terms applicable: The General Ceiling Price Regulation, Ceiling Price Regulation No. 17, Ceiling Price Regulation No. 22, or any other specific price regulation which may hereafter be issued covering these products.

SEC. 2. Experimental sale. The first sale to one or more companies for experimental purposes of any product covered by this regulation is exempt from all ceiling price regulations and orders.

SEC. 3. Transactions and persons covered. This regulation covers all types of sales and deliveries of products covered by this regulation either by refiners, blenders, resellers, or any other person except the following:

(a) *Retail sales.* Retail sales at retail establishments, including transactions through stationary retail facilities which are in conjunction with bulk plants, terminals, refineries, or wholesale establishments.

(b) *Exchanges.* Exchanges of petroleum products between refiners and other petroleum sellers, provided such exchanges conform to customary practices of the industry during the base period. Such exchanges are also exempt from all ceiling price regulations. The Office of Price Stabilization will not grant any increases in the ceiling prices of petroleum products covered by this regulation where the requested revision in price is due to the price at which such products have been exchanged.

(c) *Subsidiaries.* Sales between corporations when one is a wholly-owned subsidiary of the other, or when both are wholly-owned subsidiaries of a third corporation, and sales between such other affiliated or controlled corporations as are especially excepted by order in writing by the Director of Price Stabilization or his duly authorized representative, provided prices at which such sales are made do not affect the level of existing ceiling prices. Such sales are also exempt from all ceiling price regulations.

SEC. 4. Geographical coverage. The provisions of this regulation are applicable to the United States, its territories and possessions and the District of Columbia.

SEC. 5. Imports. Ceiling prices in this regulation shall apply even though the product involved originated outside of

the area covered by the regulation and was imported into such area.

SEC. 6. Transfers of business or stock in trade. If the business, assets or stock in trade of any business are sold or otherwise transferred after January 26, 1951, and the transferee carries on the business or continues to deal in the same type of products in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 7. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the ceiling price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Stabilization, deliver at prices to be adjusted upward in accordance with action taken by the Director after delivery. Such authorization may be given when a request for a change in the applicable ceiling price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Defense Production Act of 1950. The authorization may be given by the Director or by any official of the Office of Price Stabilization to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 8. Petitions for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1.

SEC. 9. Applications for adjustment. (a) The Director of Price Stabilization may adjust by order any ceiling price established under this regulation for a seller when it appears:

(1) *Price inequities.* (i) That due to temporary conditions a seller has a ceiling price which is not in line with his customary pricing practice or with his customary price relationship with other sellers in the same marketing area.

(b) The seller applying under paragraph (a) (1) of this section shall show to the satisfaction of the Director:

(1) The basis upon which it is concluded that the ceiling prices are below normal, with a statement of how long the inequity has been in existence.

(2) The ceiling prices proposed.

(3) Information supporting why the proposed ceiling prices would be normal.

(4) A statement that the proposed ceiling prices will be in line with the level of ceiling prices otherwise established by the regulation.

(5) Applications for adjustment for price inequities shall be filed with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C.

SEC. 10. *Price revisions incident to orders establishing specific prices.* The Director of Price Stabilization may by supplementary regulation or by special order of general applicability establish specific ceiling prices or otherwise modify the provisions of this regulation with respect to certain products, transactions or geographical area.

SEC. 11. *Shifts which must be reported.* Where a seller has established a ceiling price on a delivered-at-destination basis at a given point for a particular petroleum product to a purchaser and thereafter sells such purchaser on an f. o. b. shipping point price basis, he shall report such shift to the Director of Price Stabilization within thirty days after the date such sale is made if the effect of selling on an f. o. b. shipping point price basis is to increase the laid-down cost to the purchaser above the seller's delivered-at-destination ceiling price to such purchaser. However, a seller may not shift to an f. o. b. shipping point price basis unless he has an f. o. b. shipping point ceiling price properly determined under the appropriate provisions of this regulation. The Director of Price Stabilization may by special order modify the terms and provisions applicable to such sales when in his judgment, the reported shift constitutes an evasion of the purposes of this regulation.

SEC. 12. *Records—(a) Record-keeping requirements.* (1) With respect to any commodity covered by this regulation the provisions of section 16 of the General Ceiling Price Regulation are hereby continued in effect insofar as they apply to the preparation and preservation of "base period records" and such "current records" as have been made as a result of sales between January 26, 1951, and the effective date of this regulation.¹

¹ The portions of the General Ceiling Price Regulation here referred to are as follows:

SEC. 16. (a) *Base period records.* You must preserve and keep available, for examination by the Director of Price Stabilization those records in your possession showing the prices charged by you for the commodities or service which you delivered or offered to deliver during the base period. * * *

(2) In addition, on or before March 22, 1951, you must prepare and preserve a statement showing the categories of commodities in which you made deliveries and offers for delivery during the base period. * * *

(3) On or before March 22, 1951, you must also prepare and preserve a ceiling price list, showing the commodities in each category (listing each model, type, style, and kind), or the services, delivered or offered for delivery by you during the base period together with a description or identification of each such commodity or service and a statement of the ceiling price. Your ceiling price list may refer to an attached price list or catalog. * * *

(4) You must also prepare and preserve a statement of your customary price differentials for terms and conditions of sale and classes of purchasers, which you had in effect during the base period. * * *

(2) (i) You shall prepare and preserve for the life of the Defense Production Act of 1950 and for two years thereafter all records necessary to determine whether you have computed your ceiling prices correctly, including (but not limited to) records showing base period prices and product costs, and records showing costs, prices, and sales for the other applicable periods and dates referred to in the regulation.

(ii) The records to be preserved under this paragraph must include appropriate work sheets. The work sheets may be in any convenient form so long as they include all data and calculations required to determine your ceiling prices.

(3) You shall preserve for a period of two years all records showing the prices at which sales of commodities subject to the regulation have been made.

SEC. 13. *Compliance with this regulation required—(a) Prohibitions against selling or delivery of petroleum products at prices above the ceiling.* On and after the effective date of this regulation regardless of any contract or other obligation, no person shall sell or deliver and no person shall buy or receive in the course of trade or business any petroleum product covered by this regulation at prices higher than the ceiling prices fixed by this regulation, and no person shall agree, offer, solicit, or attempt to do anything prohibited in this section. Prices lower than the ceiling prices may be charged, demanded, paid or offered.

(b) *Customary price differentials.* The ceiling prices determined under this regulation shall reflect customary price differentials, including discounts, allowances and premiums in effect during the base period to all classes of purchasers.

(c) *Evasion.* The ceiling prices established by this regulation shall not be evaded either by direct or indirect methods in connection with the purchase, sale, delivery or transfer of petroleum products alone or in conjunction with any other materials, or by way of any commission, service, transportation, or any other charge, or discount, premium or other privilege, or by tie-in-agreement or other trade understanding or by a change in the quality of the product, or otherwise, except when such change in quality results from order of any agency of the United States Government.

(d) *Enforcement.* Any person who violates any provision of this regulation is subject to the criminal penalties, civil enforcement actions, and suits for dam-

(b) *Current records.* If you sell commodities or services covered by this regulation you must prepare and keep available for examination by the Director of Price Stabilization for a period of two years, records of the kind which you customarily keep showing the prices which you charge for the commodities or services. In addition, you must prepare and preserve records indicating clearly the basis upon which you have determined the ceiling price for any commodities or services not delivered by you or offered for delivery during the base period. * * *

"Base period" as used in section 16 of the General Ceiling Price Regulation means December 19, 1950, to January 25, 1951, inclusive.

age provided for by the Defense Production Act of 1950.

SEC. 14. *Definitions—(a) "Person"* includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor and representatives 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.

(b) *"Retail establishment"* means the store, shop, garage, service station (land or marine), or other place of business at which the major portion of the sales of petroleum products is sold in customary small quantities to consumers.

(c) *"Contract"* means an agreement, the existence of which is established by written evidence.

(d) *"Comparable competitive product."* For a product of a particular seller to be regarded as comparable to the product of another seller, it must customarily have been so regarded in trade practice and it must be a product that has customarily been sold in competition with the product of such other seller.

(e) *"Offering price."* The price at which a product was offered means the price shown in the seller's price list, or if a particular price was not included therein, or if he had no price list, the price at which he offered products in any other written manner. Such prices shall be subject to the seller's customary allowances, discounts, and price differentials.

(f) *"End use."* Two products shall be considered as having similar end use if sold for the same general purpose; for example, products in each of the following categories may be considered as having similar end use; motor oils; pressure gun greases; gear lubricants; wheel bearing greases; hydraulic oils; rest preventives; cutting oils; turbine oils; quenching oils; textile oils; and ink oils. However, in making product comparisons under applicable provisions of this regulation, due consideration shall be given to products of similar specifications and composition. For example, if a new Pennsylvania motor oil is being priced, comparison shall be made with other Pennsylvania motor oils in the seller's line; if he has none, comparison shall then be made with those motor oils most nearly approximating the new product in specifications, e. g., Mid-Continent Solvent Refined.

(g) *"Purchaser of the same class."* This term refers to the practice adopted by the seller in setting different prices for a product for sales to purchasers performing different functions (for example, refiners; jobbers; distributors; commercial, industrial or private consumers) or for purchasers performing the same functions but located in different areas or buying in different quantities or grades or under different conditions of sale. Price is prima facie evidence but not conclusive evidence to be considered in determining if a purchaser belongs to a particular class; however, a lower price to a particular purchaser which was to meet competition and was otherwise inconsistent with the seller's practice in setting the same price to purchasers in the same functional class shall

neither result in placing the particular purchaser in a lower price class nor be considered in determining a seller's ceiling price.

(h) "Sale." The term "sale" for purposes of using the "ceiling price based on sales" method of section 16 shall include:

(1) Sales in the base period pursuant to oral or written contracts, including spot sales, made during such period.

(2) Written contracts made during the base period whether or not any deliveries were made thereunder, and written contracts made during the period June 1, 1950, to December 18, 1950, inclusive, under which no deliveries were made in the base period but which provided for performance to begin during or after the base period.

(3) Deliveries made during the base period under a contract made between June 1, 1950, and December 18, 1950, inclusive, if such contract was adjustable to reflect market conditions during the base period.

Provided, however, That in all cases deliveries made in the base period under contracts entered into prior to June 1, 1950, shall not be considered as a "sale," unless the buyer and seller agree to continue such contracts in which case the ceiling price may be established on the basis of such contracts.

(i) "Base period". This term means the period from December 19, 1950, to January 25, 1951, inclusive.

(j) "Delivery point". This term means the different customary price areas of the seller, such price areas being reflected by the seller on a stated price or differential basis. Each such price area shall be interpreted as a delivery point and the ceiling price of each seller in each such price area shall reflect his customary differentials or differences in prices.

CEILING PRICES

SEC. 15. *Specific ceiling prices for certain stock oils in bulk lots.* [Reserved].

SEC. 16. *Formula prices*—(a) *Ceiling price based on sales.* Where no applicable specific price has been established under section 15, the ceiling price of a seller for each product covered by this regulation at each shipping or delivery point shall be the highest price charged at that point by him during the period December 19, 1950, to January 25, 1951, inclusive, for a sale of such petroleum product to a purchaser of the same class.

(b) *Ceiling price based on offering price.* If a seller is unable to determine a ceiling price under paragraph (a) of this section, the ceiling price for such seller at each shipping or delivery point for each petroleum product covered by this regulation shall be the highest offering price at the shipping or delivery point during the period December 19, 1950 to January 25, 1951, inclusive, for sale of such petroleum product to a purchaser of the same class.

(c) Ceiling prices determined under paragraphs (a) and (b) of this section shall reflect the seller's customary allowances, discounts, and price differentials.

SEC. 17. *Seller unable to determine ceiling price*—(a) *Minor differences*

method. Where a ceiling price for a particular product cannot be determined under the preceding methods of this regulation and where the product differs from another product for which a ceiling price has been determined under this regulation, only by reason of minor differences in composition which do not prevent its offering substantially equivalent serviceability, the ceiling price of the particular product shall be the same as that of the product for which a ceiling price has been established except that:

(1) *Refiners, blenders, and compounders.* A refiner, blender, or compounder may not use this provision if the current delivered cost of the components of the particular product varies from the current delivered cost of the components of the product for which such sellers have an established ceiling price by more than 5 percent of the current delivered cost of the original product.

In computing cost, a refiner shall use with respect to the components obtained from his own refinery operations the value which he placed on those components during the base period as evidenced by accounting records maintained for this purpose.

However, any seller subject to this provision who believes that an undue hardship is imposed upon him by pricing hereunder, may file a ceiling price under section 17 (b) stating the reasons why he should not be required to price under the minor differences method. When such a filing is made, the Director of Price Stabilization may review all prices established by the seller under the minor differences method and revise them if, in his judgment, the over-all application of this section in the particular seller's case results in ceiling prices not in line with ceiling prices established for other sellers subject to this minor differences method.

(2) *Resellers.* A reseller may not use this provision if the current delivered cost of the particular product varies from the current delivered cost of the product for which he has an established ceiling price by more than 5 per cent of the cost of the original product.

(b) *Comparable products margin method: Where the seller has comparable products sold during base period.* Where a ceiling price for a particular product cannot be determined under the preceding pricing methods, a seller shall establish his ceiling price on the basis of the average of the mark-ups on two comparable products.

(1) *Resellers.* A reseller shall select two products of similar end use on which he has established ceiling prices. The two products selected shall be closest in composition, specifications and current delivered costs to the product being priced. Of the two comparable products, one shall be next lower in cost to the new product and the other shall be next higher in cost. In no case shall any product be selected which varies by more than 20 per cent from the current delivered cost of the product being priced. The seller shall establish his ceiling price by (i) dividing the ceiling price for each such product by its current deliv-

ered cost; (ii) adding the resulting figures and dividing by two; (iii) multiplying the current delivered cost of the product priced by the figure obtained in subdivision (ii) of this subparagraph; (iv) copying the form, in subparagraph (3) of this paragraph, filling it in and forwarding by registered mail, return receipt requested, to the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C.

(2) *Refiners, blenders and compounders.* A refiner, blender or compounder shall determine his ceiling price by the procedure for resellers in subparagraph (1) of this paragraph, using his current delivered costs for the components he buys. With respect to the components he manufactures, the refiner shall use in the place of current delivered costs of the components the value which he placed on such components during the base period, as evidenced by accounting records maintained for this purpose.

(3) *Filing provision.* The ceiling prices determined according to subparagraphs (1) and (2) of this paragraph shall be filed by registered mail, return receipt requested, within 15 days of the making of the sale, with the Petroleum Branch of the Office of Price Stabilization, Washington 25, D. C., in the form indicated below. Upon filing, the price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a different price is established by the Office of Price Stabilization. If he wishes, the seller may request a ceiling price before making a sale. A price established under this section may be changed at any time by order of the Office of Price Stabilization.

If a seller shall fail to report a ceiling price, the Office of Price Stabilization may establish his ceiling price for a particular product at the particular point, effective retroactively to the date of the making of the first sale of the product.

OFFICE OF PRICE STABILIZATION

REPORT OF CEILING PRICE

Section 17 (b)—Ceiling Price Regulation No. 63

Company name.....
Address.....
Product being priced.....
Unit of sale..... Class of purchaser.....
1. Name.....
2. End use.....
3. Current delivered cost¹.....
4. Ceiling price (line 3 multiplied by average ratio below).....

Comparable products having the same end use on which seller has established ceiling prices:
Unit of sale..... Class of purchaser.....

	Column 1	Column 2	Column 3	Column 4
	Name	Ceiling price	Current delivered cost ¹	Ratio: Column 2 divided by column 3
Product No. 1				
Product No. 2				
Total column 4				
Average ratio (total column 4 divided by 2)				

¹ Current delivered cost to be used by resellers. Refiners for components from own operations use value placed on the product during the base period as evidenced by accounting records maintained for this purpose.

(c) *Final pricing method: New products where the seller has not sold comparable products during base period.* If under other provisions of this regula-

tion, a seller is unable to determine his ceiling price at a given shipping or delivery point for any product covered by this regulation, the seller may nevertheless make a sale of such product at that point. If he wishes, he may request a ceiling price before making a sale. Within 15 days after making such a sale, the seller shall file by registered mail, return receipt requested, with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., a written request for approval of a ceiling price including a statement setting forth:

(1) Why he cannot establish a ceiling price under the methods set forth above.

(2) The name, established ceiling price, end use, pertinent specifications, composition and current delivered cost of the seller's product which is most comparable to the new product.

(3) The proposed ceiling price, class of purchaser to whom applicable, the method used to determine it and the reason why the seller believes the proposed price is in line with the level of ceiling prices otherwise established by this regulation.

(4) Names and established ceiling prices of two "comparable competitive products" giving the information which the seller is able to obtain regarding the pertinent specifications and end use of such products. If the seller or any other seller has an established ceiling price or prices at other points for the same commodity for which a tentative price is herein established, such prices for the three nearest points.

(5) Any other information which the seller can give to substantiate the ceiling price he is filing. The price filed shall be the seller's ceiling price unless it is disapproved in writing or a different price is established. A price established under this section may be changed at any time by order of the Office of Price Stabilization. If a seller shall fail to report a ceiling price, the Office of Price Stabilization may upon written notice to the seller establish his ceiling price for the particular product at the particular point, effective retroactively to the date of the making of the first sale of the product.

INCREASES PERMITTED OR REDUCTIONS REQUIRED

SEC. 18. *Transportation.* (a) There may be added to the applicable ceiling prices determined under other sections of this regulation an amount not in excess of the following:

(1) The exact amount of increase in transportation costs to the seller or his reseller customer resulting from transportation rate increases including excise taxes applicable to such rate increases between January 26, 1951, and May 15, 1951, inclusive, permitted by Federal or State regulatory bodies or by the Office of Price Stabilization.

(2) Where transportation is in facilities owned or controlled by the seller the same increases as provided in subparagraph (1) of this paragraph where the movement involved is in lieu of transportation by such regulated carrier.

SEC. 19. *Taxes.* Any seller may collect, in addition to the ceiling prices estab-

lished by this regulation, any new excise, sales, or similar tax imposed upon him after January 25, 1951, by reason of his sales of any of the products covered by this regulation if he is not prohibited by law from making such collection and if he states separately from his selling price the amount of the tax collected.

SEC. 20. *Changes in the costs of purchased products, components and containers—*(a) *Refiners, blenders and compounders.* When a refiner's, blender's or compounder's total cost of components of a product on March 15, 1951 exceeds by more than 5 percent, his total cost of components on June 1, 1950 because of a change in the costs of the purchased components entering directly into the product and/or the non-returnable container used for shipping such product, he may modify his ceiling price for the product to reflect the dollar and cents increased costs of purchased components and/or non-returnable container.

However, in computing the amount that may be added to his current ceiling price for each class of purchaser, he shall deduct from his increased costs the amount by which his current ceiling price exceeds his June 1, 1950, ceiling price to that class. In computing costs of purchased components and/or non-returnable containers on June 1, 1950, and March 15, 1951, refiners, blenders and compounders shall use the delivered costs of these products less any discounts or allowances obtained (not including customary cash discounts) as of the dates nearest, but prior to and including June 1, 1950, and March 15, 1951. These costs for both prescribed dates shall be based on normal buying practices. For example, any cost based upon smaller quantity purchases or use of a more distant source of supply than customary would constitute departures from normal buying practices. Refiners, in computing total cost of components on June 1, 1950, shall use as delivered cost for the components obtained from their own refinery operations the value placed on such components on June 1, 1950, as evidenced by accounting records maintained for this purpose. Any seller having used this provision to increase his ceiling price for a product shall reduce this new ceiling price by the dollar and cents decreased costs of purchased components and/or non-returnable container when his total costs of components of the product and/or non-returnable containers subsequent to March 15, 1951, have decreased by more than 5 percent. In computing total costs, refiners, blenders and compounders shall use the applicable procedures set forth above.

(b) *Refiners, blenders and compounders performing the function of resellers and other resellers.* When the delivered cost of a product and the non-returnable container used in shipping such product to a reseller (including refiners, blenders and compounders who resell the product in the same form as purchased) on March 15, 1951, exceeds by more than 5 percent his cost on June 1, 1950, he may modify his ceiling price for the product to reflect his dollar and cents increased costs.

However, in computing the amount that may be added to his current ceiling price for each class of purchaser, he shall deduct from his increased cost the amount by which his current ceiling price exceeds his June 1, 1950, selling price to that class. Any seller having used this provision to increase his ceiling price for a product shall reduce this new ceiling price by the dollar and cents decreased cost of the product when its cost subsequent to March 15, 1951, has decreased by more than 5 percent.

(c) *Distortions.* Any seller modifying his ceiling prices pursuant to paragraphs (a) or (b) of this section, who finds that a distortion results in the customary price relationships among products of a particular series due to the 5 percent limitation requirement may request that ceiling prices be adjusted on all products in the series in order to maintain their customary price relationships. When such a request is made, the applicant shall submit to the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., (1) the same information as required under paragraph (e) of this section; (2) a statement of the reasons why a distortion in customary price relationships is created by the seller's use of section 20; (3) the ceiling prices requested; and (4) why the establishment of such ceiling prices will result in the maintenance of the seller's customary price relationships for the products involved. The ceiling prices requested because of distorted price relationships cannot be used until adjusted by order of the Director of Price Stabilization.

(d) *Resellers.* Where a refiner's, blender's or compounder's ceiling price for a petroleum product has been increased or decreased by the use of this section, the reseller's ceiling price for such product shall be modified by the amount of the dollar and cents difference in cost to him.

(e) *Filing provision.* Any seller using paragraph (a) or (b) of this section shall file by registered mail, return receipt requested, with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., the following information:

(1) Selling price for the particular product on June 1, 1950.

(2) Ceiling price for the particular product as established under other provisions of this regulation.

(3) Ceiling price as determined by this provision.

(4) The identification and net delivered cost of the purchased product, components and/or non-returnable container on March 15, 1951, or the date nearest but prior thereto on which a purchase was made; the net delivered costs of the purchased product, components and/or non-returnable container on June 1, 1950, or the date nearest but prior thereto on which a purchase was made; and the costs at the time a recalculation is made to reflect decreased costs. Upon filing, the price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a different price is established by the Office of Price Stabilization. A price established under this section may

be changed at any time by order of the Office of Price Stabilization.

SEC. 21. *Containers*—(a) *Deposits*. Any seller subject to the provisions of this regulation may place deposit charges not to exceed the following amounts on the enumerated shipping containers, not including I. C. C. 5 or 5 B drums. Such deposit charges shall be subject to the seller's customary practice with respect to condition of drum and time allowed for return:

55-gallon or 400-pound, 16-20-gage steel drum	\$10.00
30-gallon or 200-pound, 16-20-gage steel drum	6.00
15-gallon or 100-pound, 19-24-gage steel drum	4.00

(b) *Reduction in ceiling price when shifting from a non-returnable to a returnable drum basis*. Any seller who during the base period sold on a non-returnable drum basis and subsequent to the base period shifts to a returnable drum basis shall make the following allowances for return of drums to his purchasers except in the States of California, Washington and Oregon.

55-gallon or 400-pound, 16-20-gage steel drum	\$1.75
30-gallon or 200-pound, 16-20-gage steel drum	1.50
15-gallon or 100-pound, 19-24-gage steel drum	1.00

In the States of California, Washington and Oregon, there shall be added an additional \$0.25 to each of the allowances set forth above.

Effective date. This Ceiling Price Regulation shall become effective on August 6, 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.

JULY 30, 1951.

Territories and Possessions
(Amending Sec. 4)

Ceiling Price Regulation 63
Amendment 1
DECEMBER 15, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 63, Amdt. 1]

CPR 63—LUBRICATING OILS, GREASES,
WAXES AND CERTAIN OTHER PETROLEUM
PRODUCTS

TERRITORIES AND POSSESSIONS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to Ceiling Price Regulation 63 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment excepts from the coverage of Ceiling Price Regulation 63 sales of lubricating oils, greases, waxes and certain other petroleum products which have been imported into the territories and possessions of the United States.

This action places the sales of these petroleum products in the territories and possessions under the provisions of Ceiling Price Regulation 9.

Ceiling Price Regulation 9 was first effective March 7, 1951. It is tailored to the needs and problems of the stabilization program in the sale in the territories and possessions of commodities imported into them. It covered the petroleum products dealt with here until Ceiling Price Regulation 63 became effective on August 13, 1951. Experience with the operation of Ceiling Price Regulation 63 on sales in the territories and possessions since then has shown that the considerations stated as the basis for the issuance of Ceiling Price Regulation 9 are fully present with respect to the products covered by Ceiling Price Regulation 63, and that the fair and effective administration of price control over them in the territories and possessions will be aided by removing them from Ceiling Price Regulation 63 and restoring them to Ceiling Price Regulation 9.

The Director of Price Stabilization has consulted with trade association representatives and members of the industry affected by this amendment and consideration has been given to the information and suggestions received from them.

AMENDATORY PROVISIONS

Section 4 of Ceiling Price Regulation 63 is amended to read as follows:

SEC. 4. Sales of products imported into the territories and possessions. This regulation does not cover sales of products imported into the territories and possessions of the United States, whether made by resellers or by refiners, blenders and compounders performing the function of reseller.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective December 20, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 15, 1952.

Transportation

Ceiling Price Regulation 63
Amendment 2
JANUARY 15, 1953OFFICE OF PRICE STABILIZATION
WASHINGTONTITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabilization,
Economic Stabilization Agency

[Ceiling Price Regulation 63, Amdt. 2]

CPR 63—LUBRICATING OILS, GREASES,
WAXES AND CERTAIN OTHER PETROLEUM
PRODUCTS

TRANSPORTATION

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 2 to Ceiling Price Regulation 63 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 63 revises the provisions of section 18, which deal with increased transportation costs. First, it eliminates the "cut-off" date of May 15, 1951, so as to permit transportation rate increases effective after that date to be passed on to the purchaser in the same manner as those transportation rate increases effective between January 26, 1951 and May 15, 1951. Second, it permits the pass-through of certain inbound freight increases in those situations where such inbound freight parallels outbound freight for the majority of the industry. Third, it permits a seller to increase his ceiling price to reflect increases in the transportation rate he used during the base period in accordance with his customary practice as a factor in his price, even though he does not actually use such facilities or actually incur the exact amount of such increases. Fourth, it permits sellers to round their increased ceiling prices according to customary base period practices.

Because of the number and size of the increases in transportation rates that have occurred since the "cut-off" date in this regulation and their significance in the marketing of the products covered by CPR 63, it is considered advisable to eliminate the "cut-off" date in line with the policy underlying similar action by the Office of Price Stabilization as expressed in other regulations, such as Supplementary Regulations 120 and 122 to the General Ceiling Price Regulation, Supplementary Regulation 35 to Ceiling Price Regulation 22, and others. Accordingly, Ceiling Price Regulation 63 as changed by this amendment, will permit increases in ceiling prices to reflect increases in outbound transportation costs resulting from authorized rate increases effective since May 15, 1951.

The transportation section was not intended to permit increased ceiling prices based on higher transportation rates on crude or semi-finished stocks. The lan-

guage of the amendment specifically excludes such increases as a basis of increasing ceiling prices. However, it is recognized that certain sellers must be permitted to reflect increases in inbound freight rates if a disruptive effect on the market is not to result. The great percentage of the products covered by this regulation are produced and sold by the major integrated petroleum companies. The transportation costs incurred by these sellers in the main are for outbound transportation. However, other compounders, blenders and refiners who must purchase their blending stocks or semifinished materials from these integrated companies incur inbound freight costs. The inbound freight they incur parallels the outbound freight of the integrated producers, who account for the greater part of the production, and who are in competition with the smaller independent compounders and blenders. To permit these smaller operators to retain their customary price relationship with those sellers supplying the bulk of these products, this amendment permits inbound freight increases on semifinished products as a basis for increased ceilings except where shipment is between units of the same company.

In the marketing of petroleum there are many instances where the market price of a product at a delivery point, while reflecting some elements of transportation, will not reflect the exact amount of freight that the individual seller incurs in making delivery to that point. Thus, a particular seller may use his freight cost in shipping product to one point in a pricing area for establishing prices throughout the pricing area. Again the seller may have had to absorb some freight because he has sold at a market price based on product shipped from a basing point. Conversely, he may have had an advantage in selling in a market where the price reflected freight from a point farther than his point of supply. In another situation a seller's market price may customarily reflect the rates for a means of transportation other than the means he actually uses, but which is the means normally used by most other sellers in that area. In order to maintain the stability of the market this regulation permits increases in ceiling prices based on the amount of increases in the transportation rate customarily used by the seller as a factor in his price if his base period prices reflected such customary rate. In this way sellers may not increase their ceiling prices more than they would have in ordinary practice, nor would those who had no or a lesser increase in transportation rates find themselves with ceiling prices that do not reflect their cus-

tomary price relationship with other sellers in the market.

Instances have come to the attention of the Office of Price Stabilization where sellers have attempted to raise ceiling prices because of a shift from a normal method of transportation or normal source of supply to a higher cost method of transportation or a source of supply incurring a higher transportation cost. It was not intended to provide for adjustment of ceiling prices because of cost increases resulting from shifts in source of supply. It is stated explicitly in the amendment that such abnormal supply situations do not qualify the seller for an increase in his ceiling prices under the transportation section of the regulation.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

In the judgment of the Director of Price Stabilization the changes set forth in these amendatory provisions are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Section 18 of Ceiling Price Regulation 63 is amended to read as follows:

SEC. 18. Transportation. (a) A seller may add to the applicable ceiling prices determined under other sections of this regulation an amount calculated in accordance with whichever of the following three methods conforms to his customary practice in the base period:

(1) A seller may add the increase in his unit cost resulting from transportation rate increases after January 25, 1951 permitted by Federal or State regulatory bodies or by the Office of Price Stabilization. Such increases may include excise taxes, which are a part of or are applicable to the increase. If the increase in transportation rates occurs after the effective date of this regulation the higher ceiling prices may be made effective on or after the day that the increased transportation rate goes into effect.

(2) Where the transportation of the product is in facilities owned or controlled by the seller and is in lieu of movement by a regulated carrier, he may add the unit increase that would be permitted him in subparagraph (1) of this paragraph, had he used such regulated carrier.

(3) Where a seller in accordance with his customary pricing practice included in his selling price during the base period the transportation rate from a point other than his own source of supply, or

the transportation rate to a point in a pricing area other than the rate to the actual point of delivery, or the rate of a means of transportation other than that actually used by him, he may add the unit increase permitted by Federal or State regulatory bodies or by the Office of Price Stabilization in such transportation rate.

(b) A seller may round the additions to his ceiling price determined under this section to the nearest cent or fraction of a cent in accord with his customary practice. If a seller elects to round one ceiling price he must similarly round all his ceiling prices increased under this section to reflect decreases as well as increases.

(c) Not included as the basis of increasing ceiling prices under this section

are increases in the cost of transporting crude petroleum and increases in the cost of transporting, for further processing, semifinished materials between units or controlled subsidiaries of the same company. Under this section compounders, blenders or refiners may increase the ceiling price of a finished product or for a product which has been further processed, only up to an amount which will reflect the proportionate freight increases of the various components or the proportionate freight increases for each refined product.

(d) Nothing in this section shall authorize a seller to increase his ceiling prices as a result of higher transportation costs (including excise taxes thereon) caused by a change from the normal

source of supply or a change to a different method of transportation.

(e) A seller adjusting his ceiling price under this section shall maintain a record of his adjustment and such records must substantiate that the adjustments relate directly to base period practice.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C., App. Sup. 2154)

Effective date. This amendment shall become effective January 20, 1953.

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

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 15, 1953.

Rental of Certain Types of Commercial Motor Vehicles

Ceiling Price Regulation 70 SEPT. 7, 1951

OFFICE OF PRICE STABILIZATION WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 70]

CPR 70—RENTAL OF CERTAIN TYPES OF COMMERCIAL MOTOR VEHICLES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2, (16 F. R. 738), this Ceiling Price Regulation 70 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes ceiling rates for the lease or rental of passenger automobiles, taxicabs, busses (other than school busses), trucks, truck tractors, commercial trailers, and semitrailers, or any combination thereof.

The ceiling rates for the lease or rental of commercial motor vehicles were heretofore determined under the General Ceiling Price Regulation or Ceiling Price Regulation 34. To the extent of its applicability this regulation supersedes the General Ceiling Price Regulation and Ceiling Price Regulation 34. The fundamental provisions of the regulations mentioned relating to the determination of ceiling rates have been retained. The general considerations which support these regulations are equally applicable to this regulation. The method of determining ceiling rates at the highest rates charged during the "base period," December 19, 1950, to January 25, 1951, inclusive, is incorporated, but that section of the General Ceiling Price Regulation which provides for determining ceiling rates by reference to the charges of a closest competitor has been eliminated. It appears that this method of establishing rates is impracticable and unsatisfactory as applied to the leasing or rental of commercial motor vehicles. A substitute provision has been provided whereby a lessor may compute and report the proposed ceiling rates on the basis of costs, such rates being subject to review and approval by the Office of Price Stabilization prior to becoming effective.

Because of the large number of short-term leases of commercial motor vehicles, the provisions of Ceiling Price Regulation 34 permitting adjustment by buyer-seller agreements are not suited to the truck and passenger-car rental industry. Accordingly, the provisions contained in Ceiling Price Regulation 34 relating to adjustments under buyer-seller agreements, are excluded from this regulation.

The adjustment provisions of this regulation provide a means whereby necessary rate adjustments for lessors of com-

mercial motor vehicles affected by this regulation may be made upon a showing that existing ceiling rates result in substantial financial hardship; or that the adjustment requested is necessary to permit the continuance of an essential service; and that the requested adjustment will not result in a higher ratio of net operating revenue to total operating revenue than during the base period.

Motor vehicle rental agreements which include the furnishing of drivers are not covered by this regulation since such arrangements have generally been construed to be transportation services rather than equipment rentals services. Provision is made in this regulation, however, to extend the applicability of this regulation to include leases or rentals of "commercial motor vehicles" with drivers, under special circumstances. Authorization to establish ceiling rates covering such services may be granted by the appropriate District Office of the Office of Price Stabilization upon a showing that a rental service with driver should be properly regarded as a rental service rather than as a transportation service.

This regulation provides for the exemption from price control of services afforded under "rental-purchase option agreements" having a term of not less than one year which contain an option in favor of the lessee to purchase the vehicle so rented at any time during the term of the lease at a price which is based upon the original cost to the lessor of the vehicle, when new, not in excess of the OPS ceiling price, less a credit to the lessee of a portion of the rental payments paid to the lessor by the lessee totaling a sum which, in the case of the purchase of trucks, tractors, trailers, semi-trailers, and busses, other than school busses, will not be less than the depreciation accruing on the vehicle during the period that the lease is in effect computed at 1 percent per each 30-day period of the original cost price of the vehicle to the lessor and, in the case of the purchase of passenger automobiles and taxicabs, will not be less than the depreciation accruing on the vehicle during the period that the lease is in effect computed at 2 percent per each 30-day period of the original cost price to the lessor for such vehicle. The limitations upon the exemptions made herein are such that adequate safeguards are provided against the transfer of motor vehicle equipment at exorbitant and inflationary prices.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Services covered.
3. Relation to other regulations.
4. Service furnished during the "base period".
5. Service not furnished during the "base period".

Sec.

6. Seasonal variations in rates and seasonal services.
7. Exemption of certain rental-purchase option agreements.
8. Multiple establishments and transfer of business.
9. Customary auxiliary services.
10. Taxes.
11. Rate base.
12. Adjustment of ceiling rates, and effectiveness of adjustments.
13. Where and how to apply for adjustment.
14. Record keeping requirements.
15. Compliance provisions.
16. Amendments.
17. Geographical applicability.
18. Definitions.

AUTHORITY: Sections 1 to 18 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 removes the leasing or rental of "commercial motor vehicles" from the General Ceiling Price Regulation and Ceiling Price Regulation 34 and puts them under this regulation. Generally this regulation establishes the ceiling prices for the rental of "commercial motor vehicles" at the levels prevailing during the base period December 19, 1950, to January 25, 1951, inclusive.

SEC. 2. Services covered—(a) General applicability. This regulation covers all leases and rentals, without drivers (except as hereinafter provided), of "commercial motor vehicles" as defined in section 18 (a) of this regulation. It includes rentals known as bare truck rentals, as well as other types, in connection with which the lessor agrees to furnish some or all of the operating and maintenance service.

(b) Special applicability. Applicability of this regulation may be extended to include leases or rentals of "commercial motor vehicles" with drivers, only by authorization from the appropriate District Director of the Office of Price Stabilization. The lessor shall file a written request for such authorization with the appropriate district office of the Office of Price Stabilization showing that the furnishing of the driver is:

(1) A transaction severable from the rental of the "commercial motor vehicle," and

(2) Performed for the accommodation of the lessee, and that the lessee has entered into an employer-employee relationship with the driver and has assumed full responsibility for the operation of the vehicle, and

(3) Performed by the lessor at no separate profit to himself.

The respective District Directors are hereby delegated authority to act upon and to handle to final conclusion all requests filed pursuant to the provisions of this regulation.

(c) *Exclusions.* This regulation does not apply to the following specified services, but such services, other than common carrier and public utility services, will nevertheless continue to be subject to such regulations of the Office of Price Stabilization as may otherwise be applicable:

(1) Lease or rental of "commercial motor vehicles" to or by a United States government agency.

(2) Any service of a common carrier or public utility.

(3) Lease or rental of "commercial motor vehicles" between carriers.

(4) Lease or rental of dump trucks used on construction or road maintenance projects.

(5) Lease or rental of ambulances, hearses, school busses, and funeral cars.

SEC. 3. Relation to other regulations. This regulation supersedes the General Ceiling Price Regulation and Ceiling Price Regulation 34 with respect to all services covered by this regulation.

SEC. 4. Service furnished during the "base period." Except as provided in section 6 of this regulation, for seasonal services, the ceiling rate for the rental or lease of any "commercial motor vehicle" is the highest rate charged by the lessor for the "same or similar service" during the "base period", December 19, 1950, to January 25, 1951, inclusive.

SEC. 5. Service not furnished during the "base period." (a) If the service was not actually furnished during the "base period" and is not a seasonal service to which section 6 of this regulation applies, the ceiling rate is the highest rate at which the lessor offered, in writing, to provide it during the "base period".

(b) If the service was neither furnished or offered in writing during the "base period", nor a seasonal service covered by section 6 of this regulation, and the ceiling rate has since been established under appropriate provisions of the General Ceiling Price Regulation or Ceiling Price Regulation 34, the ceiling rate for such service is the ceiling rate thus established.

(c) If the service was not furnished, or offered in writing, during the "base period", and if the ceiling rate has not been otherwise established since that time, the lessor shall determine his proposed ceiling rate in accordance with the following method. A report shall be submitted to the appropriate district office of the Office of Price Stabilization, which report shall set forth in detail:

(1) A description of the "commercial motor vehicle" to be furnished,

(2) The proposed ceiling rate,

(3) A detailed break-down of the estimated fixed and variable expenses,

(4) The rate charged for the most comparable service,

(5) The pricing formula normally used by the lessor in establishing his rates, and

(6) Any other information which the lessor deems pertinent to justify the proposed ceiling rate.

The respective District Directors are hereby delegated authority to act upon and to handle to final conclusion all re-

ports filed pursuant to the provisions of this section. Thirty days after the report has been received by the appropriate district office of the Office of Price Stabilization, or 30 days after the receipt of such additional information as may be requested, the lessor may charge the proposed ceiling rate unless advised by the Office of Price Stabilization that the proposed rate has been disapproved or modified.

The service may be furnished during the period pending consideration of the ceiling rate and the rate proposed may be charged for on open billing. However, no charge may be collected until the rate has been approved or until the 30-day period has expired without adverse action by the Office of Price Stabilization.

SEC. 6. Seasonal variations in rates and seasonal services—(a) *Commercial motor vehicle rentals supplied in the "base period" but subject to seasonal variations in rates.* If the lessor has had a regularly established seasonal variation in rates and leased or rented "commercial motor vehicles" during the "base period", the ceiling rates for other seasonal periods shall reflect the customary dollar differential between that season and the "base period". However, the provisions of this paragraph apply only if the season during which the variation in rates was in effect regularly consisted of at least 60 consecutive days.

(b) *Seasonal services not supplied during the "base period."* If the lessor supplied a seasonal service during the calendar year 1950 but did not supply that service during the "base period", the ceiling rate for such service shall be the highest rate charged in the comparable season of 1950.

SEC. 7. Exemption of certain rental-purchase option agreements. Services offered under a rental-purchase option agreement having a term of not less than 1 year and granting to the lessee an option, which may be exercised at any time during the period of the lease, to purchase the vehicle or vehicles leased under the agreement are hereby specifically exempted from price control provided the purchase price specified in the option does not exceed the original cost to the lessor of the vehicle or vehicles, when new (which cost does not exceed the Office of Price Stabilization ceiling price or prices) less a deduction therefrom of a sum which (a) in the case of the purchase of trucks, tractors, trailers, semi-trailers, and busses, other than school busses, is not less than the sum of 1 percent of the original cost of each vehicle to the lessor per 30-day period during the entire period from the date of execution of the lease until the date that the purchase option is exercised; or (b) in the case of the purchase of passenger automobiles and taxicabs, is not less than the sum of 2 percent of the original cost of each vehicle to the lessor per 30-day period during the entire period from the date of execution of the lease until the date that the purchase option is exercised.

SEC. 8. Multiple establishments and transfer of business—(a) *Multiple es-*

tablishments. Each "establishment" operated by a lessor shall be treated separately for the purpose of computing ceiling rates under this regulation.

(b) *Transfer of business.* If a person purchases, leases, or otherwise acquires the business, assets, or equipment of a "commercial motor vehicle" lessor, and the purchaser continues in the rental of "commercial motor vehicles" from an "establishment" thus acquired, the ceiling rates for services furnished from any such "establishment" shall be the same as those of the predecessor.

SEC. 9. Customary auxiliary services.

(a) The lessor shall provide the same auxiliary maintenance and operating services and supplies customarily furnished in the "base period" for the "same or similar service." If, in the "base period," for example, the lessor provided all maintenance, garaging, gasoline, and the like, he may not eliminate any part of those auxiliary services, such as discontinuing the furnishing of gasoline or other items previously furnished. If he wishes to reduce any such service, he must apply for a new rate for a new service as provided under section 5 (c) of this regulation. In his application he must show the reason for and the amount of his proposed reduction in service and there must be a reduction in the rate charged concurrent with any reduction in service.

(b) Upon written request supported by a satisfactory explanation, the appropriate District Director of the Office of Price Stabilization may approve a reduction in service where it appears that (1) the reduction in service is caused by conditions beyond the control of the lessor, and (2) such reduction in service does not accrue as a savings to the lessor. However, a lessor, who during the "base period" required a minimum period of rental or mileage or collected a service charge, may continue the same practice or charge.

SEC. 10. Taxes. Any direct tax upon the rental of "commercial motor vehicles" covered by this regulation, imposed by any statute of the United States or statute, regulation, or ordinance of any State or subdivision thereof, may be collected by the lessor in addition to the ceiling price established under this regulation, unless such statute, regulation, or ordinance prohibits the lessor from collecting such tax, and unless such tax if imposed, was absorbed by the lessor during the "base period".

SEC. 11. Rate base. The charges for the rental of any "commercial motor vehicle" shall be computed upon the "rate base", as defined in section 18 (d) of this regulation, most favorable to the lessee.

SEC. 12. Adjustment of ceiling rates and effectiveness of adjustments. (a) A lessor of "commercial motor vehicles" subject to this regulation may, by individual application filed with the appropriate District Director of the Office of Price Stabilization, request adjustment of any of his ceiling rates based upon a showing of: (1) Substantial financial hardship; or (2) that the adjustment re-

requested is necessary to permit the continuance of an essential service for which there is no adequate substitute available at a rate equal to or less than the maximum rate requested; and (3) that the rate adjustment requested will not result in a higher ratio of net operating revenue to total operating revenue than in the comparable six-month period prior to June 30, 1950. Thirty days after the application has been received by the Office of Price Stabilization district office, or 30 days after receipt of such additional information as may be requested, the lessor may charge the increased rate unless advised by the Office of Price Stabilization that the application has been denied in whole or in part. The application for rate adjustment may at any time be denied, in whole or in part, and any rate adjustment made hereunder may be revoked in any case where it appears to be inconsistent with the purposes of the Defense Production Act of 1950 as amended.

The respective District Directors are hereby delegated authority to act upon and to handle to final conclusion all applications for rate adjustment filed under the provisions of this section.

(b) *Effectiveness of adjustments.* Any increased rate requested under this regulation may be charged on open billing pending consideration of the application. Collection of any amount in excess of ceiling rates under this Section may not be made until an order has been issued (and then only to the extent permitted thereby), or until written notice of approval by the Office of Price Stabilization has been received, or until the appropriate 30-day waiting period has expired. After such period, a lessor may collect the full adjusted amount retroactive to the date on which the application was filed or to the date on which he entered into any adjustable pricing contract under section 2 (a) of Supplementary Regulation 15 to the General Ceiling Price Regulation, as amended by Amendment 3.

SEC. 13. *Where and how to apply for adjustment.* Applications for individual relief under section 12 of this regulation shall be made by properly executing O. P. S. Public Form No. 85. Copies of this form may be obtained from the

Office of Price Stabilization, Washington 25, D. C., or any regional or district office thereof. All such applications shall be filed in duplicate, and shall be sent to the appropriate district office of the Office of Price Stabilization. Applications, if mailed, should be sent by registered mail, return receipt requested. The date on the return receipt will indicate the effective date of filing. If the application is delivered in person to the district office, receipt as to the date of filing should be obtained from the docket clerk of such office.

SEC. 14. *Record keeping requirements.* Those engaged in the lease or rental of "commercial motor vehicles" and covered by this regulation shall preserve, for examination by the Office of Price Stabilization, for a period of two years, a record of all rentals or leases subject to this regulation, including as to each transaction the names and addresses of lessees, description of "commercial motor vehicle" rental charges, revenues actually received, and, where applicable, mileage involved.

SEC. 15. *Compliance provisions—(a) Prohibitions.* You shall not do any act prohibited or omit to do any act required by this regulation, nor shall you offer, solicit, attempt, or agree to do or omit to do any such acts. You shall not, irrespective of any contract or other obligation, sell, and no person shall buy from you, in the regular course of trade or business, at a price higher than the ceiling prices established by this regulation, and you shall keep, make and preserve true and accurate records and reports, required by this regulation.

(b) *Evasion.* No person shall evade this regulation directly or indirectly, whether by payment of charges for commissions or extra services, by decreasing the service, by tie-in agreements or other trade understandings (including but not limited to a requirement by a lessor that a lessee execute a purchase option agreement in connection with a leasing agreement, or an understanding between a lessor and a lessee that the latter will not exercise an option to purchase a vehicle from the former), or by refusing to rent the "commercial motor vehicle" to the lessee for the period for which it is requested in order that a higher "rate

base" may be used in computing the charge; or in any other way.

If you violate any provisions of this regulation, you are subject to criminal penalties, enforcement action, and action for damages.

SEC. 16. *Amendments.* Any person who seeks an amendment of any provision of this regulation may file a petition for amendment in accordance with Price Procedural Regulation 1, Revised.

SEC. 17. *Geographical applicability.* This regulation applies to the rental or lease of "commercial motor vehicles" in the 48 States and the District of Columbia.

SEC. 18. *Definitions.* The terms used in this regulation shall be construed in the following manner, unless the context clearly otherwise requires:

(a) "Commercial motor vehicle" means any passenger automobile, taxicab, bus (other than a school bus), truck, truck tractor, commercial trailer or semi-trailer, or any combination thereof, propelled or drawn by mechanical power and used for the purpose of transporting persons or property.

(b) "Establishment" means any separate location from which a lessor engages in the rental of "commercial motor vehicles."

(c) "Operating ratio" means a percentage relationship of the cost of supplying a rental service to the revenue derived from such rental service.

(d) "Rate base" means the mileage or time or combination mileage-time charge established for the rental of a commercial motor vehicle.

(e) "Same or similar service" means the rental or lease of the same or substantially the same type of vehicle, equipment, and service on the same rate base.

Effective date. This regulation shall become effective September 12, 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.

SEPTEMBER 7, 1951.

Miscellaneous Amendments

(Amending Secs. 5 and 7)

Ceiling Price Regulation 70

Amendment 1

AUG. 15, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 70, Amdt. 1]

CPR 70—RENTAL OF CERTAIN TYPES OF
COMMERCIAL MOTOR VEHICLES

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), Amendment 1 to Ceiling Price Regulation 70 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 70 is intended to conform certain provisions of the regulation to practices existing in the motor vehicle rental industry. The changes made by the amendment, refer primarily to the provisions of section 5 *Service not furnished during the "base period"*, and to section 7 *Exemption of certain rental-purchase option agreements*, of the regulation.

The first change in section 5 is concerned with the 30-day waiting period provided for in the last two paragraphs of that section. Inasmuch as the Office of Price Stabilization has determined that it can complete its action in connection with reports filed under this section within a shorter period than the 30-day period now provided and, as a shorter period would serve the best interests of the industry by expediting the establishment of ceiling rates in many instances, this section is amended to provide for a 15-day waiting period.

The second change in section 5 provides that rates proposed may be charged pending consideration of them by the Office of Price Stabilization. Since the equipment for which rates are proposed is generally in the possession of the lessor during the time the rates are being considered, and since a large percentage of the truck and car rental business is transient, a provision for open billing pending OPS action is not practicable. Therefore, it is the opinion of the Director that it will be more equitable to allow the collection of the proposed rates, provided ample safeguards are made for refunding any amounts in excess of the finally approved rates.

The six changes in section 7 of the regulation are intended to conform its provisions to long-established trade practices in the industry.

The first of these changes revises the wording of the regulation to provide that an option to purchase may be exercised only after cancellation or termination of the rental agreement.

Secondly, the method of computing the ceiling price of a vehicle in cases where the lessee exercises his right to purchase has been revised. This change was deemed necessary because, in its present form, the provision creates the possibility

of vehicles being purchased at prices that may result in lessors finding themselves in the automotive sale business rather than in the rental business.

The depreciation factor contained in section 7 (a) (2) has been changed from 2 percent to 1¾ percent of the retail ceiling price to conform with long established practice in the industry.

In addition to the above-described changes, two new paragraphs have been added to section 7. Since the exemption provisions of this section might be used as a guise for evading other regulations of the Office of Price Stabilization, paragraph (b) limits the exemption to truck and car rental operators who were doing business as such when Ceiling Price Regulation 70 was originally issued. All other lessors must first receive approval of the Director of Price Stabilization for inclusion within the exemption. Such approval will be granted upon a showing that the lessor is doing business as a bona fide truck or car rental operator. Paragraph (c) makes the amended section applicable to rental-purchase option agreements executed since the issuance of Ceiling Price Regulation 70. It further limits the effect of the exempting provision to January 1, 1953.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

The changes effected in Ceiling Price Regulation 70 by this amendment are, in large part, the result of informal suggestions of the industry affected. While formal Industry Advisory Committee consultation with representatives of the industry was not practicable, it is the opinion of the Director of Price Stabilization that these changes reflect, generally, the views of the industry. In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 70 is amended in the following respects:

1. The last two paragraphs of section 5 are amended to read as follows:

The respective District Directors are hereby delegated authority to act upon and to handle to final conclusion all reports filed pursuant to the provisions of this section. Fifteen days after the report has been received by the appropriate District Office of the Office of Price Stabilization, or 15 days after the receipt of such additional information as may be requested, the proposed ceiling rate shall be deemed approved unless the lessor is advised by the Office of Price Stabilization that the proposed rate has been disapproved or modified.

Upon receipt of the report by the appropriate District Office the service may

be furnished and the proposed rate may be charged, provided the lessor maintains complete records of all persons using the service, and all rental agreements expressly provide that any amount collected in excess of the rate approved by the Office of Price Stabilization will be refunded to the lessees.

2. Section 7 is amended to read as follows:

SEC. 7. *Exemption of certain rental-purchase option agreements.* (a) Services offered under a rental-purchase option agreement, having a term of not less than 1 year and granting to the lessee upon its termination or cancellation after 1 year an option to purchase the vehicle or vehicles covered by the agreement, are exempt from the other provisions of this regulation, provided the purchase price specified in the option agreement does not exceed (1) in the case of trucks, tractors, trailers, semi-trailers and busses, other than school busses, the Office of Price Stabilization retail ceiling price for the same type of vehicle at the time the lease was executed plus make-ready costs minus a deduction of 1 percent of the total of such ceiling price and make-ready costs for each 30-day period from the date of execution of the lease until the date the purchase option is exercised; or (2) in the case of passenger automobiles and taxicabs, the OPS retail ceiling price for the same type of vehicle at the time the lease was executed plus make-ready costs minus a deduction of 1¾ percent of the total of the retail ceiling price and make-ready costs for each 30-day period from the date of execution of the lease until the date the purchase option is exercised, and the rental rate under such rental-purchase option agreement does not exceed the lessor's transient ceiling rate for such vehicle or vehicles.

(b) The exemption contained in this section applies only to (1) lessors who were in the business of renting vehicles on or before September 12, 1951; or (2) lessors to whom this exemption is extended by specific authorization of the Director of Price Stabilization. Requests for such authorization shall be made in writing to the Office of Price Stabilization, Services, Transportation and Foreign Trade Division, Washington 25, D. C., and shall contain a detailed justification for such authorization.

(c) The provisions of this section shall apply to rental-purchase option agreements executed since September 12, 1951, but its provisions shall expire on January 1, 1953, unless extended by a subsequent amendment to this regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 to Ceiling Price Regulation 70 shall become effective August 20, 1952.

JOSEPH H. FREEHILL,

Acting Director of Price Stabilization,

AUGUST 15, 1952.

Elimination of Expiration
Date in Section 7 (c)

Ceiling Price Regulation 70
Amendment 2
JANUARY 16, 1953

OFFICE OF PRICE STABILIZATION
WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 70, Amdt. 2]

**CPR 70—RENTAL OF CERTAIN TYPES OF
COMMERCIAL MOTOR VEHICLES**

**ELIMINATION OF EXPIRATION DATE IN
SECTION 7 (C)**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to Ceiling Price Regulation 70 is hereby issued.

STATEMENT OF CONSIDERATIONS

Section 7 of Ceiling Price Regulation 70, as amended, provides for the exemption from other provisions of the regulation of certain types of rental-purchase option agreements entered into in con-

nection with the lease or rental of certain types of commercial motor vehicles. Paragraph (c) of section 7 provides, among other things, that the provisions of that section shall expire on January 1, 1953, unless extended by a subsequent amendment to the regulation. That expiration date was contained in the regulation because it was felt that the exemption provisions of Section 7 might be used as a guise for evading other regulations of the Office of Price Stabilization. Experience has shown, however, that these fears were unwarranted, and there appears to be no reason why the exemption provisions of section 7 should not continue indefinitely. Accordingly, this amendment deletes the automatic expiration date.

In view of the nature of this amendment special circumstances have rendered consultation with industry representatives impracticable. In the judgment of the Director of Price Stabilization, the provisions of this amendment

are generally fair and equitable and will effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Paragraph (c) of section 7 of Ceiling Price Regulation 70, as amended, is hereby amended by deleting the following, "but its provisions shall expire on January 1, 1953, unless extended by a subsequent amendment to this regulation", so that the paragraph will read as follows:

(c) The provisions of this section shall apply to rental-purchase option agreements executed since September 12, 1951. (Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 2 to Ceiling Price Regulation 70 shall become effective as of January 1, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 16, 1953.

INTERPRETATIONS
CPR 70, Sec. 12

ADJUSTMENTS

Insurance costs--application under this section required

Car rental operator who is required by State law to carry liability insurance, and who now wishes to increase his ceiling prices to include the newly added liability insurance premiums, must apply for adjustment under CPR 70, Section 12.
(3/27/52 No. 18)

OPS PUBLIC FORM NO. PUB85
(8 1/2 X 14)UNITED STATES GOVERNMENT
OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D.C.FORM APPROVED
BUDGET BUREAU NO. 94-R226APPLICATION FOR ADJUSTMENT IN RATE CHARGED-
BY LESSORS OF COMMERCIAL MOTOR VEHICLES
WITHOUT DRIVERS

PURSUANT TO CPR 70

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.

*This form may be reproduced without change.**See Instructions on Page 3 before filling out this form.*

NAME OF COMPANY

ADDRESS

(Street and No.)

(City, Zone, State)

TYPE OF FIRM

☐

INDIVIDUAL

☐

PARTNERSHIP

☐

CORPORATION

DO NOT WRITE IN THIS BLOCK

DOCKET NO.

DATE RECEIVED

APPROVED

SUSPENDED

FINAL ACTION

SECTION A - FILL OUT ONCE FOR ENTIRE APPLICATION

1 - DO YOUR PROPOSED RATES COVER YOUR ENTIRE OPERATION OR ONLY PART OF IT? (Explain)

2 - STATEMENT OF OPERATING REVENUE AND EXPENSES (See Item 2 of Instructions)

REVENUE AND EXPENSES	CURRENT PERIOD		PRE-KOREAN PERIOD	
	BEGINNING	19	BEGINNING	19
	ENDING	19	ENDING	19
A - REVENUES				
(1) Total revenues from vehicle rental	\$		\$	
(2) Other revenues				
B - FIXED EXPENSE OF RENTAL OPERATIONS				
(3) Depreciation (Attach explanation of method)				
(4) Insurance				
(5) License and registration fees				
(6) Personal property tax				
(7) Garaging and washing				
(8) Anti-freeze, skid chains and painting				
(9) Interest paid				
(10) Supervision				
(11) Other fixed expense				
(12) Total (Items 3 through 11)				

PAGE 1 OF PF-85 - CONTINUED

C - VARIABLE EXPENSE OF RENTAL OPERATIONS

(13) Maintenance (Labor and materials)		
(14) Tires		
(15) Gasoline, oil and grease		
(16) Accessories		
(17) Other variable expense		
(18) Total (Items 13 through 17)		
(19) Total fixed and variable expense (Item 12 plus 18)		
(20) Net income before federal income tax (Item 1 minus 19)		
(21) Federal income tax accrued during the periods specified		

OPS PUBLIC FORM NO. PUB85 (PAGE 2)

3 - TO BE EXECUTED BY THE APPLICANT

NAME OF APPLICANT

The applicant hereby certifies that the information supplied in items 1 through 7 of this form and any attachments is true and correct to the best of his knowledge and belief and that:

- a - Applicant cannot continue to supply commercial motor vehicles, without drivers, at present ceiling rates;
- b - The applicant is not knowingly paying more for material and labor than the legally authorized ceiling prices and wages; and
- c - The requested maximum price will not result in higher ratio of net operating revenue to total operating revenue than in the pre-Korean period.

NOTICE - A willfully false statement is a criminal offense.

SIGNATURE OF OWNER OR AUTHORIZED AGENT	TITLE	DATE
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**SECTION - B - FURNISH THE FOLLOWING FOR EACH CLASS OF VEHICLE OR SERVICE FOR WHICH
RATE ADJUSTMENTS ARE REQUESTED**

(If rate adjustments are being requested for more than one class of vehicle or service, separate statements must be prepared for each requested adjustment and attached hereto).

4A. DESCRIBE THE TYPE OF VEHICLE AND SERVICE FOR WHICH ADJUSTMENT IS SOUGHT (See Item 4a of Instructions)

4B. STATE THE MAINTENANCE AND OPERATING SUPPLIES AND SERVICES FURNISHED IN CONNECTION WITH THIS SERVICE AT THE CEILING RATE AND AT THE PROPOSED RATE (See Item 4b of Instructions)

5 - RATE CHANGES PROPOSED

A - PRESENT BASIC RATE		A - PROPOSED BASIC RATE	
(1) Per vehicle per hour	\$	(6) Per vehicle per hour	\$
(2) Per vehicle per day		(7) Per vehicle per day	
(3) Per vehicle per week		(8) Per vehicle per week	
(4) Per vehicle per month		(9) Per vehicle per month	
(5) Other basic rate (Specify)		(10) Other basic rate (Specify)	

B - PRESENT MILEAGE RATE		B - PROPOSED MILEAGE RATE	
(1) Per vehicle per mile	\$	(3) Per vehicle per mile	\$
(2) Other (Specify)		(4) Other (Specify)	

6. STATE THE AMOUNT OF ADDITIONAL REVENUE (in dollars) WHICH THE PROPOSED RATES WOULD HAVE PROVIDED HAD THEY BEEN IN FORCE THROUGHOUT THE "CURRENT PERIOD"

SECTION C - FILL OUT ONLY IF YOU FURNISH DRIVERS FOR THE OPERATION AND YOUR OPERATION FALLS UNDER SECTION 2 (b) (2) OF CPR 70

7. DO YOU DIRECTLY OR INDIRECTLY FURNISH DRIVERS FOR THIS OPERATION?

☐ YES

☐ NO

IF ANSWER IS YES, DESCRIBE IN DETAIL THE ARRANGEMENTS UNDER WHICH THE DRIVERS ARE FURNISHED

INSTRUCTIONS

GENERAL INSTRUCTIONS: This form must be submitted to obtain authority to increase the ceiling rate established under Ceiling Price Regulation 70 for the lease or rental of motor vehicles without drivers.

Part A of this form need be filled out only once for each application since it covers the whole of the application. Part B must be filled out separately for each type of vehicle for which a rate increase is requested. For example, if you wish to apply for an adjustment of rates applicable to ½ ton pick-ups, 1½ ton vans and 1½ ton stake-bodies, you must file three separate Parts B. However, one Part B may be filed for any number of vehicles, providing the vehicles are all of the same type and are all leased or rented at the same rate. Part C must be filled out only if you furnish drivers but believe that you are nevertheless subject to CPR 70 (see Sec. 2 (2) (b)). Any additional information that would facilitate the processing of your application should be attached.

Item 1: Indicate whether the proposed rates cover all or only a part of your operations. If only a part of your operation is covered, state which parts are covered and which are not and give some indication of the relative importance of each.

Item 2: Fill in the revenue and expense items requested for the current and pre-Korean periods.

The "Current Period" is the period of six calendar months most closely preceding the application.

The "pre-Korean period" is the corresponding six months during the period January 1949 through June 1950.

Example: If "current period" is March 1951 through August 1951 the "pre-Korean period" is March 1949 through August 1949.

If the "current period" is January 1951 through June 1951, the "pre-Korean period" is January 1950 through June 1950.

If your accounts are not kept in a form that makes possible the use of the break-down of expenses specified, present revenue and expense data in the most comparable form possible.

If the vehicle rental service is only a part of your business, the cost data should relate only to the vehicle rental portion of your business. If specific cost allocations are not maintained for that portion of the business, the cost should be allocated. This allocation should be made in the same manner for each of the periods reported; an explanation of the method of allocation should be attached to the application.

Item 3: Fill out Item 3 completely and sign.

Item 4a: Describe the vehicle and the service performed. For example, 1½ ton International Model K-5, 159 inch wheel base, equipped with a 12 foot van body, transient rental. (Attach separate sheet if necessary).

Item 4b: The maintenance and operating supplies and services furnished at the ceiling rate and the proposed rate should be enumerated. For example, if during the base period the applicant furnished all maintenance and all operating supplies necessary to operate the vehicle so state; and state whether these services and supplies will also be furnished under the proposed rates. Any change in service must be explained fully. (Attach separate sheet if necessary).

Item 5: Applicant must state clearly the legal ceiling rates and the proposed rates. Show your present ceiling rate per hour, per day, per week, or per month and your proposed rate on the same basis. If any of the blanks provided do not apply to your rate structure, insert "NA". Fill in all blanks which do apply to your rate structure and wherever you do not propose an increase indicate the same rate for both "present" and "proposed" rates.

NOTE: If your rate is not based on a combined charge per vehicle per hour (or day, or week, or month) plus a charge per mile, or on a flat charge per day, or week, or month, or on a flat charge per mile, attach separate sheet, showing your present and proposed rates.

Item 6: Determine the number of hours, days, weeks and/or months that the vehicle type in question was rented out for revenue and the revenue miles driven by that type during the "current period". Multiply by the appropriate proposed rates to determine what your revenues would have been if the proposed rates had been in effect during the "current period". Subtract from this figure the actual revenue earned by this type of vehicle in the current period.

Item 7: Fill out Item 7 only if you furnish drivers with your vehicles.

TIME AND PLACE OF FILING

Two copies of this application properly filled in and signed by the applicant must be filed with the appropriate District Office.

Applications, if mailed, must be sent by registered mail, return receipt requested. The date on the return receipt will indicate the effective date of filing. If the application is delivered in person, a receipt showing the date of filing should be obtained.

The adjusted rate shall become effective upon affirmative approval by the appropriate District Office or, in the absence of an order of disapproval or a request for further information, upon the expiration of the thirty-day period after filing or after such additional information as may be requested has been supplied.

Exemption of Certain
Fuel Products

General Overriding Regulation 12
Revision 1
FEBRUARY 12, 1953

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[General Overriding Regulation 12,
Revision 1]

GOR-12—EXEMPTION OF CERTAIN FUEL
PRODUCTS

Pursuant to the Defense Production Act of 1950, as amended (Public Law 774, 81st Cong.), Executive Order 10161 (F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this General Overriding Regulation 12, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

The President of the United States has announced that he does not intend to ask for a renewal of price control authority on April 30, 1953, when the present legislation expires. He has stated that in the meantime steps will be taken to eliminate controls in an orderly manner. The Office of Price Stabilization has been instructed to proceed accordingly.

This revision of GOR-12 is one of the actions by which OPS is carrying out that instruction.

GOR-12 was issued to provide a single listing of certain fuels and related commodities as to which changing conditions justified removal of price ceilings. A similar general regulation has been issued for each of the major commodity areas. Since these regulations are generally familiar to these sellers affected, the actions removing controls will utilize the convenient pattern already thus provided, and will be in the form of amendments adding additional groups of items which are to be exempted from price control. In this instance, because of several changes which are being made in the body of the regulation aimed at simplification and standardization in relation to other general overriding regula-

tions, the action takes the form of a revision of GOR-12.

This revised GOR 12 exempts from price control the following additional fuel products: All sales heretofore subject to CPR 13 (retail sales of petroleum products), all sales heretofore subject to CPR 17 except Number 2 heating oil (gasolines, naphthas, fuel oils and liquefied petroleum gases, natural gas, petroleum gas, casinghead gas and refinery gas), all sales subject to CPR 32 (crude oil), all sales heretofore subject to CPR 63 (lubricating oil, greases, waxes, and certain other petroleum products), and all sales heretofore subject to CPR 66 (asphalt and asphalt products).

This revised regulation also expressly continues the requirements heretofore in effect under the applicable ceiling price regulations respecting preservation of records as to past transactions.

In view of the special nature and basis of this revised regulation, consultation with industry representatives was impracticable and unnecessary.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Exemptions.
3. Exempt products or transactions (Solid Fuels).
4. Exempt products or transactions (Petroleum).

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. 2154. Interpret or apply 64 Stat. 803; 50 U. S. C. App. 2101-2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.

SECTION 1. *What this regulation does.* This regulation exempts all sales of the products and related services hereinafter listed from any ceiling price regulation issued by the Director of Price Stabilization.

SEC. 2. *Exemption.* No ceiling price regulation issued by the Director of Price Stabilization shall apply to the products or related services listed in sections 3 and 4 of this regulation. However, any record relating to a commodity or service

exempted from price control which you were required to have immediately prior to such exemption shall continue to be preserved, and made available for examination by the Office of Price Stabilization or any other authorized agency of the United States, in the manner and for the period stipulated in the regulation requiring you to have such record.

• SEC. 3. *Exempt products or transactions (Solid Fuels).* (a) Sales by producers or distributors of Pennsylvania anthracite when sold and delivered under the trade name, "Anthraflit," for use as a filter medium.

(b) Sales by producers or distributors of bituminous coal when sold and delivered as seacoal facing for use on a non-fuel basis in the preparation of molds for castings.

(c) Sales by producers or distributors of Pennsylvania anthracite when sold and delivered under the trade name "Philterkol," a specially prepared anthracite used as a medium in hot process filtration.

SEC. 4. *Exempt products or transactions (Petroleum).* (a) All retail sales of petroleum products covered by CPR-13 and the supplements thereto, except Number 2 heating oil.

(b) With the exception of Number 2 heating oil, all sales of gasolines, naphthas, fuel oils, and liquefied petroleum gases, natural gas, petroleum gas, casinghead gas and refinery gas covered by CPR-17.

(c) All sales of crude oil covered by CPR-32.

(d) All sales of lubricating oils, greases, waxes, and certain other petroleum products covered by CPR-63.

(e) All sales of asphalt and asphalt products covered by CPR-66.

Effective date. This General Overriding Regulation 12, Revision 1, shall become effective February 12, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 12, 1953.

**Exemption of Petroleum Products
in the Territories and Possessions**
(Adding Sec. 4(f))

General Overriding Regulation 12
Revision 1
Amendment 1
FEBRUARY 13, 1953

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[General Overriding Regulation 12, Revision
1, Amdt. 1]

GOR 12—CERTAIN SOLID FUEL EXEMP-
TIONS

EXEMPTION OF PETROLEUM PRODUCTS IN THE
TERRITORIES AND POSSESSIONS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 1 to General Overriding Regulation 12, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

By Revision 1, of General Overriding Regulation 12, the Director of Price Stabilization, pursuant to the President's program for the orderly removal of price controls, provided for the exemption of certain petroleum products from price control.

In the revision of General Overriding Regulation 12 exempting petroleum products, the exemption of sales in the territories and possessions was not covered. This amendment is issued to provide that petroleum products exempted from price control by this General Overriding Regulation are also exempted in the territories and possessions, except for sales in Puerto Rico of the petroleum products listed in Ceiling Price Regulation 13 and Ceiling Price Regulation 17.

In view of the nature of this action consultation with industry representatives including trade association repre-

sentatives has not been deemed practicable or necessary.

AMENDATORY PROVISIONS

Section 4 of General Overriding Regulation 12, Revision 1, is amended by adding a new paragraph (f) to read as follows:

(f) Petroleum products exempted by this general overriding regulation are also exempted in the territories and possessions, except for sales in Puerto Rico of the petroleum products listed in Ceiling Price Regulation 13 and Ceiling Price Regulation 17.

Effective date. This amendment to Revision 1, of General Overriding Regulation 12, shall become effective February 13, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 13, 1953.

**Solid Fuels and Related
Commodities and Services**

**General Overriding Regulation 12
Revision 1
Amendment 2
FEBRUARY 18, 1953**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 12,
Revision 1, Amdt. 2]

**GOR 12—EXEMPTION OF CERTAIN FUEL
PRODUCTS**

**SOLID FUELS AND RELATED COMMODITIES AND
SERVICES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to General Overriding Regulation 12, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from price control all solid fuels and related commodities and services not previously exempted. The nature and basis for this amendment is the same as that for GOR 12, Revision 1, issued February 12, 1953, and the statement of considerations accompanying the latter regulation is equally applicable to this amendment. In accordance with the provisions of GOR 12, Revision 1, any record relating

to a commodity exempted from price control which you were required to have immediately prior to such exemption shall continue to be preserved, and made available for examination by the Office of Price Stabilization or any other authorized agency of the United States, in the manner and for the period stipulated in the regulation requiring you to have such record.

In view of the special nature and basis of this amendment, consultation with industry representatives was impracticable and unnecessary.

AMENDATORY PROVISIONS

Section 3 of the General Overriding Regulation 12, Revision 1, is amended by adding the following new paragraphs:

(d) Sales of coal, except Pennsylvania Anthracite, delivered from mine or preparation plant, and related services, covered by CPR 3.

(e) Sales of bituminous briquets produced at plants in or near the coal fields, and related services, covered by SR 1 to CPR 3.

(f) Sales of Pennsylvania Anthracite delivered from mine or preparation plant, and related services, covered by CPR 4.

(g) Sales of anthracite briquets produced at plants in the Pennsylvania anthracite field, and related services, covered by SR 1 to CPR 4.

(h) Sales of coal sold for direct use as bunker fuel covered by CPR 21.

(i) Sales of solid fuels by Lake Coal Dock operators covered by CPR 27.

(j) Sales of solid fuels by retail coal dealers covered by GCPR and SR 2 to GCPR.

(k) Sales of coal by tidewater coal dock dealers covered by GCPR and SR 4 to GCPR.

(l) Sales of coal for export covered by GCPR and SR 8 to GCPR.

(m) Sales of coke, coal chemicals, and coke oven gas, as defined in SR 13 to GCPR, covered by GCPR and SR 13 to GCPR.

(n) Sales of coal briquets, petroleum coke briquets, and packaged fuel covered by GCPR and SR 78 to GCPR.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment to General Overriding Regulation 12, Revision 1, shall become effective February 18, 1953.

**JOSEPH H. FREEHILL,
Director of Price Stabilization.**

FEBRUARY 18, 1953.

Topic	Discussion	Action Items
The current state of the company	The company is currently in a state of flux. There are many challenges ahead, but we are confident that we can overcome them. We need to focus on our core business and make sure that we are providing the best possible service to our customers.	1. Review the current state of the company. 2. Identify the challenges ahead. 3. Develop a plan to overcome the challenges.
The future of the company	The future of the company is bright. We have a strong team and a solid business plan. We are confident that we can achieve our goals and become a leading company in our industry.	1. Develop a long-term vision for the company. 2. Create a strategic plan to achieve the vision. 3. Implement the plan.
The role of each person	Each person has a unique role to play in the success of the company. We need to make sure that everyone is clear on their role and that they are working together to achieve the common goal.	1. Define the roles and responsibilities of each person. 2. Communicate the roles and responsibilities to each person. 3. Monitor the progress of each person.

Imports

Ceiling Price Regulation 31
Collation 2
(Including Amendments 1-14)
NOVEMBER 26, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 31, Collation 2]

CPR 31—IMPORTS

COLL. 2—INCLUDING AMENDMENTS 1-14

Ceiling Price Regulation 31 is repub-
lished to incorporate the text of Amdts.
1 through 14, inclusive. Ceiling Price
Regulation 31 was issued May 4, 1951 (16
F. R. 4184). Statements of Considera-
tion for Ceiling Price Regulation 31, and
for Amdts. 1-14, inclusive, as previously
published, are applicable to this repub-
lication. The effective dates of this regu-
lation and the amendments are shown
in a note preceding the first section of
the regulation.

ARTICLE I—SCOPE OF REGULATION

Sec.

1. What this regulation does.
2. Applicability and prohibitions.

ARTICLE II—PRICING METHOD

3. Formula for sales by importers.
4. Formula for sales by wholesalers.
5. Retailers.
6. Calculation of base period dollar and cents import markup.
7. Sellers who cannot price under other sections.
8. Processing.
9. Sale of imported commodities in a related range or line.

ARTICLE III—GENERAL PROVISIONS

10. Taxes.
11. Restrictions on multiple handling.
12. Transfer of business or stock in trade.
13. Records.
14. Exemptions.
15. Enforcement.
16. Evasion.
17. Petitions for amendment.
18. Definitions.
19. Appendix.
20. Adjustments.
21. Reports.

AUTHORITY: Sections 1 to 21 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.

DERIVATION: Sections 1-21 contained in
Ceiling Price Regulation 31, May 4, 1951 (16
F. R. 4184), except as otherwise noted in
brackets following text affected.

EFFECTIVE DATES: CPR 31; The effective date
of this regulation shall be September 1, 1951
or such earlier date on which you file the list
required by sections 5 or 6 of this regu-
lation. [Effective date amended by amdts.
1, 3, 5, and 6.]

Amendment 1, May 9, 1951, 16 F. R. 4369
Amendment 2, May 24, 1951, 16 F. R. 4936
Amendment 3, June 1, 1951, 16 F. R. 5167
Amendment 4, June 27, 1951, 16 F. R. 6311

Amendment 5, July 13, 1951, 16 F. R. 6800
Amendment 6, July 31, 1951, 16 F. R. 7591
Amendment 7, August 30, 1951, 16 F. R. 8826
Amendment 8, September 11, 1951, 16 F. R.
9077
Amendment 9, August 31, 1951, 16 F. R. 8982
Amendment 10, December 1, 1951, 16 F. R.
11956
Amendment 11, May 10, 1952, 17 F. R. 4145
Amendment 12, August 1, 1952, 17 F. R.
7074
Amendment 13, August 21, 1952, 17 F. R.
7690
Amendment 14, September 12, 1952, 17 F. R.
8261, 8577

ARTICLE I—SCOPE OF REGULATION

SECTION 1. What this regulation does.
This regulation provides a formula
whereby importers, wholesalers, and re-
tailers of imported commodities shall
compute their ceiling prices for sales
thereof on the basis of prices in effect
during a base period extending from
July 1, 1949, to June 30, 1950, inclusive.
All of the provisions of the General
Ceiling Price Regulation, except section
14, heretofore applicable to importers
and to the sale of imported commodities
are superseded hereby except with re-
spect to the sale of the commodities
listed in Appendix A. Sales of the com-
modities listed in Appendix A shall con-
tinue to be governed by the provisions
of the General Ceiling Price Regulation
unless or until otherwise covered by
specific ceiling price regulations. With
respect to the sale by other than im-
porters of imported commodities at
wholesale and retail levels, Ceiling Price
Regulation 7 shall govern the pricing at
the retail level of all imported non-food
commodities specifically covered thereby,
and Ceiling Price Regulations 14, 15, and
16 shall govern the pricing at the whole-
sale and retail level of all imported food
commodities specifically covered thereby.
Any imported commodity which does not
specifically fall within the coverage of
Ceiling Price Regulations 7, 14, 15, and
16 shall be priced for wholesale or retail
sale under sections 4 and 5 of this regu-
lation, respectively.

**SEC. 2. Applicability and prohibi-
tions—(a) Applicability.** This regula-
tion is applicable to the continental
United States.

(b) Prohibitions. On and after the
effective date of this regulation, regard-
less of any contract or other obligation,
excepting as set forth in section 14 (c)
of this regulation, (1) you shall not sell
or deliver any imported commodities
covered by this regulation at prices
higher than the ceiling prices fixed by
this regulation; (2) you shall not buy
or receive in the course of trade or busi-
ness any imported commodities covered
by this regulation at prices higher than
the ceiling prices fixed by this regula-
tion; and (3) you shall not agree, offer,

solicit, or attempt to do anything pro-
hibited in this regulation.

Prices lower than the ceiling prices
may be charged, demanded, paid, or of-
fered.

ARTICLE II—PRICING METHOD

SEC. 3. Formula for sales by importers.

(a) If you are an importer, your ceiling
price for the sale of any commodity cov-
ered by this regulation to any class of
buyer (except retail customers) shall be
the landed cost of the commodity, plus a
dollar and cents markup based on sales
by you of such commodity to that class
of buyer during the base period, as cal-
culated under section 6 of this regula-
tion. If you made no sales of the com-
modity during the base period to buyers
of that class, your markup shall be cal-
culated under section 6 of this regulation
but by reference to other sales as pro-
vided for in section 7 of this regulation.

(b) Where the commodity you are
pricing is owned by you but has not ar-
rived in the United States, you may esti-
mate your landed cost of the commodity.
Such estimated landed cost shall reflect
your purchase contract cost and the
costs of importation reasonably to be
anticipated and not already included in
the purchase contract cost. In the event
such estimated costs exceed your actual
costs, as finally determined, you shall
either remit or credit the difference to
your purchaser.

(c) You may not receive a commission
from a foreign seller higher than that
which you received during the base pe-
riod, nor may you receive both a com-
mission from a foreign seller and a
markup on the same transaction, with-
out prior application to and approval
thereof by the Office of Price Stabiliza-
tion, Exports-Imports Branch, Wash-
ington 25, D. C. In your application you
must set forth in detail all of the facts
relating to, as well as the historical back-
ground for, such a request.

**SEC. 4. Formula for sales by whole-
salers.** If you are a wholesaler of im-
ported commodities which you sell in
essentially the same form in which im-
ported, your ceiling price for the sale
of any such commodity covered by this
regulation, except food commodities
specifically covered by name or category
by Ceiling Price Regulation 14, to any
class of buyer shall be your cost of ac-
quisition plus a base period dollar and
cents markup based on sales by you of
such commodity to that class of buyer
during the base period, as calculated
under section 6 of this regulation. If
you made no sales of the commodity dur-
ing the base period to buyers of that
class, your markup shall be calculated
under section 6 of this regulation but by
reference to other sales as provided for
in section 7 of this regulation.

SEC. 5. Retailers—(a) *Importing retailer.* If you are an importer who sells at retail the commodities imported by you in essentially the same form in which imported, your ceiling price for any sale to retail customers shall be the landed cost of the commodity plus a base period percentage markup determined as follows:

(1) Choose one of the following bases for computing your markup:

(i) A commodity by commodity basis e. g., a specific doll;

(ii) A category by category basis, e. g., all toys;

(iii) A country of origin basis, e. g., imports from the United Kingdom, Switzerland, etc.;

(iv) A storewide, departmental or smaller selling unit basis, e. g., a markup for the furniture sales department;

You may elect a different basis for computing a markup for each department or other selling unit. Once you have elected one of the bases of this subparagraph for a department or other selling unit, you must use that basis in determining the markup for all imported commodities you price under this section which that selling unit offered or would have offered for sale during the base period.

(2) You shall next choose from the base period a representative quarter for your import business for the purpose of calculating your markups. However, if, during this representative quarter, you received no invoices and made no initial offerings of the commodity for which a markup is being determined, you shall refer to your invoices and initial offerings for that commodity in a quarter within the base period nearest in time to the representative quarter.

(3) Determine your percentage markup by reference to those records available to you from the quarter chosen by you which show all your landed costs and initial offering prices. This percentage markup shall be the markup computed on one of the four bases referred to in subparagraph (1) of this paragraph.

For example, if you elect a commodity by commodity basis for the men's and boys' shoe department, the markup on each commodity offered for sale by that department must be computed separately. If, however, you elect a category by category basis for the men's and boys' shoe department, and if you divide that department into two categories—e. g., the category of men's shoes and the category of boys' shoes—then, in determining the markup of the commodities included in each category, you must refer to the invoices of all the commodities in that category. Each commodity in the same category will have the same markup. If you elect a country of origin basis for a particular department, then all imported commodities in the department must be grouped according to their country of origin. The markup will then be determined for each country of origin grouping so that all commodities from the same country that are offered for sale by that department will have the same markup. If you elect a storewide, departmental or smaller selling unit basis, then, in determining the markup of the commodities offered for sale by that unit

during the base period, you must refer to the purchase invoices of all those commodities. Each commodity will have the same markup.

All new commodities—that is, commodities that were not offered for sale during the base period—will have their markup determined in the following manner: Ascertain the department of selling unit which, in the base period would probably have been designated as the unit for selling that commodity. If that selling unit uses a commodity by commodity basis, then the new commodity must determine its markup under section 7 of this regulation. If that selling unit uses a category by category basis or a country of origin basis, then the new commodity must use the markup of that category or country of origin to which it belongs. If that selling unit uses the fourth basis, the selling unit basis, then the new commodity must use the markup of that selling unit to which it belongs.

To compute your percentage markup you shall:

(i) Total your landed costs as shown on your invoices;

(ii) Total your dollars and cents markups as calculated from the initial offering prices as shown on your invoices;

(iii) Divide your total dollars and cents markups by your total landed costs.

(4) You shall report all the base period percentage markups for imported commodities calculated by you under subparagraphs (1), (2) and (3) of this paragraph, not later than October 1, 1951. You shall furnish the Office of Price Stabilization District Office in your area by registered letter with the following information:

(i) The commodity or commodities you are pricing;

(ii) The department or selling unit selling the commodity or commodities during the base period;

(iii) Your basis elected under subparagraph (1) of this paragraph and described by you;

(iv) Your representative quarter elected under subparagraph (2) of this paragraph;

(v) The percentage markup per unit you have calculated under this regulation.

(5) For commodities not reported by you under subparagraph (4) of this paragraph and priced after October 1, 1951, you shall determine a percentage markup as provided in subparagraphs (1), (2), (3) of this paragraph, and report your percentage markup for each such commodity at the end of the calendar quarter during which it was first priced or offered for sale. You shall furnish the Office of Price Stabilization District Office in your area by registered letter with the following information:

(i) The commodity or commodities you are pricing;

(ii) The department or selling unit selling the commodity or commodities during the base period;

(iii) Your basis elected under subparagraph (1) of this paragraph, and described by you;

(iv) Your representative quarter elected under subparagraph (2) of this paragraph;

(v) The percentage markup per unit you have calculated under this regulation.

(6) If you are unable to determine a markup for such a commodity under subparagraphs (1), (2) and (3) of this paragraph, you shall determine your ceiling price and markup under the provisions of section 7 of this regulation.

(b) *Non-importing retailer.* (1) If you are a retailer (but not the importer) of imported commodities which you sell in essentially the same form in which imported, your ceiling price for any such commodity, except imported non-food commodities specifically covered by name or category by Ceiling Price Regulation 7, and except imported food commodities specifically covered by name or category by Ceiling Price Regulations 15 and 16, shall be your cost of acquisition plus a percentage markup calculated and reported in accordance with the provisions of paragraph (a) of this section. Use your cost of acquisition wherever "landed costs" is referred to in paragraph (a) of this section.

(2) If you have no records from the base period enabling you to price under the above provisions, you may either use your store markup or your departmental or other selling unit markup applicable to the imported commodity, reporting this markup pursuant to the provisions of paragraph (a) (4) of this section, or you may determine your ceiling price and markup for that commodity under the provisions of section 7 of this regulation.

(c) *Imported commodities in inventory at the effective date.* In determining your landed costs or cost of acquisition for your imported commodities in inventory on the effective date of this regulation, you shall take the invoice cost on the last invoice you received before January 26, 1951 for the particular commodity being priced. If you had no invoices for the commodity before January 26, 1951, you shall take the invoice cost from the first invoice received by you thereafter.

[Sec. 5 amended by Amdts. 1, 3 and 7]

SEC. 6. Calculation of base period dollar and cents import markup. (a) If you are an importer, wholesaler or a processor of imported commodities, unless you are a wholesaler pricing an imported food commodity under Ceiling Price Regulation 14, your base period dollar and cents markup for a commodity shall be calculated under this regulation as follows:

(1) You ascertain from your records all of your base period sales of the type upon which your base period markup is to be calculated, i. e., either base period sales of the commodity you are pricing to the class of buyer for which you are pricing, or base period sales of a kind you are permitted to use under the provisions of section 7 of this regulation.

(2) You then determine the total dollar sales value of all such base period sales.

(3) You then select, from such base period sales, any sale or sales which rep-

represent at least ten percent of the total dollar sales value of all such base period sales and calculate the weighted average dollars and cents markup per unit over landed cost of the commodity, if you are an importer, or over your cost of acquisition, if you are a wholesaler or a processor, yielded by those selected sales. Such weighted average may be determined, as illustrated in the example below, by computing the total dollar and cents markup for those selected sales (total sales price minus total of landed costs for an importer, or total costs of acquisition, for a wholesaler or processor) and dividing that total markup by the total number of units. The result is your weighted average dollar and cents markup per unit for sales of the commodity you are pricing to the class of buyer involved. (If you selected a single sale, which accounts for ten percent of your total dollar sales value of such base period sales, you may use the dollar and cents markup yielded by that single sale.

(1) *Example:* Suppose you base period sales upon which you are calculating your markup under the provisions of this section were as follows:

Sale	Units	Sales price	Percentage of total sales	Cost of acquisition or landed cost	Dollars and cents markup	Dollars and cents markup per unit
#1....	2,500	\$250.00	5%	\$225.25	\$24.75	\$0.0099
#2....	4,000	400.00	8%	364.00	36.00	.009
#3....	11,000	1,100.00	22%	1,012.00	88.00	.008
#4....	12,500	1,250.00	25%	1,150.00	100.00	.008
#5....	20,000	2,000.00	40%	1,850.00	150.00	.00755
			100%			

(11) You may select sales #1 and #2 in order to determine the markup. You may not select either sale #1 or sale #2 alone, since neither sale alone accounts for ten percent of the total dollar sales value of base period sales. Taking the weighted average of the dollar and cents markups yielded by the two sales, you obtain a unit markup of $\$.009346$ ($\$24.75 + \$36.00 \div 2,500 + 4,000 = \$.009346$).

(b) In every case where you calculate for the first time the dollar and cents markup per unit you are going to use or do use in determining the ceiling price of an imported commodity, you shall furnish the Office of Price Stabilization District Office in your area by registered letter the following information in duplicate:

- (1) The commodity.
- (2) The class of buyer.
- (3) The dollar and cents markup per unit you are permitted to use under this regulation.

List of markups for commodities in inventory as of May 9, 1951, shall be reported on or before July 15, 1951. Lists of markups for commodities contracted for as of May 9, 1951, shall be reported on or before July 15, 1951. Lists of markups for commodities neither in inventory nor contracted for as of May 9, 1951, shall be reported within fifteen days after receipt of the commodity.

[Paragraph (b) amended by Amdts. 1, 3 and 11]

SEC. 7. Sellers who cannot price under other sections. (a) If you are unable to compute your markup and ceiling price under any of the other sections of this regulation, then your markup and ceiling price shall be the landed cost or cost of acquisition, as the case may be, plus a base period markup as calculated under section 5 or section 6 of this regulation, whichever is applicable, based on sales, if you are an importer or wholesaler, or initial offerings, if you are a retailer, during the base period of the type set forth below in the following order of preference:

(1) Sales of the commodity you are pricing to buyers of the next most closely related class;

(2) Sales, if you are an importer or wholesaler, or initial offerings if you are a retailer, of a comparison commodity to buyers of the class for which you are pricing;

(3) Sales of a comparison commodity to buyers of the next most closely related class.

If you calculate your base period markup and ceiling price by reference to one of the types of base period sales or offerings set forth above, you shall, before making sales of the commodity you are pricing, advise the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C., by registered letter, what markup and ceiling price you propose to use, showing how they were computed and describing the "comparison commodity" and/or "class of buyer" used. Unless this proposed markup and ceiling price are rejected by the Office of Price Stabilization within ten days of the postmarked date of your letter, you may proceed with sales until advised to the contrary.

(b) If you are unable to compute a markup and ceiling price for the commodity you are pricing, under paragraph (a) of this section, or under any provisions of this regulation, you may apply in writing to the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C., for the establishment of a markup and ceiling price. Your application shall contain: (1) An explanation of why you are unable to compute a markup and ceiling price under this regulation; (2) a complete description of the commodity; (3) the nature of your business; (4) your landed costs or cost of acquisition broken down into the elements thereof; (5) your proposed markup, indicating how it was computed; (6) your proposed ceiling price, indicating how it was computed; (7) a reasonable markup and ceiling price, if any exists currently, and can be ascertained, in the trade for the commodity or for a comparison commodity. If your proposed markup and ceiling price are not rejected by the Office of Price Stabilization within ten days of the postmarked date of your letter, you may proceed with sales until advised to the contrary.

(c) Once you have determined under the provisions of this section a markup which has not been disapproved by the Office of Price Stabilization, you may continue to use that markup for future

sales of the same commodity to the same class of buyer.

[Sec. 7 amended by Amdts. 6 and 7]

SEC. 8. Processing. If you are an importer and also process (as defined in section 18 of this regulation) commodities you import, you may, in determining your ceiling price, add the actual costs of processing to your landed costs. If you process imported commodities purchased from an importer, you may, in determining your ceiling price, add the actual costs of processing to your cost of acquisition: *Provided*, That if your markup as calculated under section 6 of this regulation included the costs of processing, you may add only those costs of processing which were in excess of the cost of processing during the base period.

SEC. 9. Sale of imported commodities in a related range or line. (a) If you are a seller of imported commodities in a related range or line, you may maintain your customary price differentials on those imported commodities, provided that their total sales value does not exceed that which would otherwise be their total sales value if you sold the items in the range or line separately at their respective ceiling prices.

(b) Where you have an inventory or purchase commitment of a commodity at a different ceiling price than the ceiling price of the same commodity received in a different shipment, you may use a uniform selling price (for that commodity), provided that in such case you shall compute a ceiling price for the entire inventory and purchase commitments by using properly weighted average costs of your inventory and purchase commitments, and provided that the total sales value shall not exceed that which would otherwise be the total sales value at ceiling prices for each item in such lot if sold separately.

ARTICLE III—GENERAL PROVISIONS

SEC. 10. Taxes. In addition to your ceiling price, you may collect the amount of any excise, sales, or similar taxes paid by you only if, during the base period, you stated and collected such taxes separately from your selling price. In the case of such a tax imposed by law which is not effective until after June 30, 1950, you may collect the amount of the tax actually paid by you, in addition to your ceiling price, if not prohibited by the tax law. You must in all such cases state separately the amount of the tax.

SEC. 11. Restrictions on multiple handling. For the purposes of this Ceiling Price Regulation, markups shall be allowed only when the following sequences of distribution are followed. These are (a) sales by importers to industrial users, to processors, to wholesalers, or to retailers; (b) sales by wholesalers to industrial users, or to retailers; (c) sales by processors to wholesalers, to retailers or to consumers; (d) sales by retailers to consumers. If you are a wholesaler who buys commodities from another wholesaler, no markup may be added unless specifically authorized by order of the Office of Price Stabilization. Such authorization may be granted upon application to the Office of Price Stabiliza-

tion, Exports-Imports Branch, Washington 25, D. C., when it can be established that the second wholesaler performs a recognized distributive function in accordance with the usual practice of the trade.

SEC. 12. Transfer of business or stock in trade. If the business, assets or stock in trade of any business were sold or otherwise transferred since July 1, 1949, or are sold or transferred after the effective date of this regulation, and the transferee carries on the business, or continues to deal in the same type of commodities, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 13. Records. (a) This section tells you what records you shall preserve and what additional records you must prepare and keep available for examination by the Office of Price Stabilization for so long as the Defense Production Act of 1950 is in effect and for two years thereafter.

(b) You must preserve and keep available as required in paragraph (a) of this section those records in your possession showing the prices charged by you for the commodities you delivered during the base period, and those records you used to establish the markups you charged during the base period, and those records you used showing how you calculated your base period markup. You must also prepare and preserve a statement of your customary price differentials, terms and conditions of sale, and classes of purchasers, which you had in effect during the base period.

(c) You shall prepare and keep available, as required in paragraph (a) of this section, records of the kind you customarily keep; specifically you must also keep records showing the date of each sale or contract, the names of the parties thereto, the prices charged, the landed cost or the cost of the commodity to you. If you are a retailer, however, you are required only to preserve your purchase invoices and to record thereon your selling price.

(d) If you are a seller who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase, you shall continue to do so. Upon request from a purchaser, any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of each commodity or service sold, and the price received for it.

SEC. 14. Exemptions. (a) This regulation does not apply to sales of commodities for which import ceiling prices have been or hereafter will be established under other regulations or supplements, or to sales of commodities which are specifically exempted from

the application of ceiling prices by other regulations or orders of the Office of Price Stabilization.

(b) This regulation does not apply to sales of hand knotted oriental rugs and imported handicraft objects which are sold for household or personal use in substantially the same form as imported, and which are the product of individuals, families, tribes, or other small groups.

(c) Nothing in this regulation shall operate to prevent the performance of a written contract for the sale of an imported commodity entered into prior to May 9, 1951 and executed in strict compliance with the provisions of the General Ceiling Price Regulation: *Provided*, (1) That such contract covers a commodity which the seller as of the date of the contract had in inventory or under purchase commitment, and (2) That such contract covers a specified quantity of a described commodity at a fixed price per unit.

[Paragraph (c) amended by Amdt. 1]

(d) This regulation does not apply to the sale of the commodities listed in Appendix A.

(e) This regulation does not apply to the sales of commodities transported into the continental United States for transshipment abroad and which do not enter into the domestic commerce of the United States and which are either,

(1) Entered at Customs in transit on a "Transportation and Exportation (TE) entry" or on an "Exportation (Exp.) entry" or

(2) Stored in transit in a bonded warehouse or stored in a foreign trade zone.

SEC. 15. Enforcement. If you violate any provision of this Ceiling Price Regulation you are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Defense Production Act of 1950.

SEC. 16. Evasion. Any practice which results in obtaining indirectly a higher price than is permitted by this regulation is a violation of this regulation. Such practices include, but are not limited to, devices making use of commissions, services, cross sales, transportation arrangements, premiums, discounts, special privileges, tie-in agreements or combination sales, and trade understandings.

SEC. 17. Petitions 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 (15 F. R. 9055).

SEC. 18. Definitions. This Ceiling Price Regulation and the terms which appear in it shall be construed in the following manner:

(a) *Classes of sellers and buyers*—(1) *Importer.* This term means the person by whom a commodity is imported and who first sells it after importation.

(2) *Wholesaler.* This term means any person who performs a recognized distributive function, purchases imported commodities directly from an importer and who sells or delivers them in essentially the same form as imported to an-

other wholesaler, industrial user, or a retailer in accordance with established trade practice.

(3) *Retailer.* This term means any person who buys or receives imported commodities and who actually sells them in essentially the same form as imported to an ultimate consumer other than an industrial or commercial user.

(4) *Supplier.* This term means the person from whom an importer covered by this regulation procures a commodity.

(5) *Industrial user.* This term means a person who uses an imported commodity or commodities in fabrication, manufacture, or production.

(6) *Retail customer.* This term means the person who buys commodities from a retailer in customary retail quantities and at customary retail prices for the purpose of normal individual or household consumption rather than for resale, fabrication, processing or manufacture.

(7) *Wholesale customer.* This term means the person who is not a "retail customer" and who buys commodities in customary wholesale quantities and at customary wholesale prices for purposes other than for normal individual or household consumption.

(8) *Seller.* This term includes the seller of any commodity. Where a seller at retail makes sales through more than one selling unit or place of business (other than salesmen making sales at uniform prices) each such selling unit or separate place of business shall be deemed to be a separate seller.

(9) *Class of buyer.* This term means that group of persons to which you sell imported products and which you distinguish from other groups of buyers with respect to price or terms and conditions of sale by reason of location, quantity purchased, or functions in distribution, i. e., manufacturer, wholesaler, retailer, processor or end user.

(10) *Category.* This term means a group of commodities which are normally classed together in your industry for purposes of accounting or sales.

(11) *Selling unit.* This term means an organizational grouping selling one or more commodities that are classed together in your business for purposes of accounting or sales.

[Subparagraphs 10 and 11 added by Amdt. 7]

(b) *Pricing*—(1) *Commodity.* This term includes not only those items or groups of items generally called commodities, but also materials, articles, or products.

(2) *Comparison commodity.* This term means a commodity which is one with the same or next lowest or highest current unit direct cost, whichever is closer to the cost of the new commodity, and which has the same essential characteristics as does the new commodity for which you are computing a ceiling price.

(3) *Cost of acquisition.* This term means the actual cost of the commodity to a buyer, which shall not exceed the ceiling price of the supplier at the point of delivery plus such costs of delivery actually incurred by the buyer.

(4) *Foreign invoice cost.* This term means the amount stated on your for-

foreign invoice less any discount or allowances, but including separately stated charges except such charges as are included in costs of importation as herein defined.

(5) *Costs of importation.* This term means those costs actually incurred or to be incurred by you in moving the goods from the place of foreign origin to the place of destination and include, but are not necessarily limited to, foreign export and other taxes directly related to the transaction, foreign ocean and domestic transportation costs, customs duties, dock charges, clearance, insurance, letter of credit or other finance charges, and any customary buying commission to a purchasing agent outside the continental United States.

(6) *Landed cost.* This term means the foreign invoice cost plus the costs of importation. If your foreign invoice states charges included in the costs of importation, you shall not include the same item more than once.

(7) *Purchase contract cost.* This term means the price the importer paid for the commodity including any charges and expenses incurred in, or in connection with, the moving of the commodity to destination which are borne by the foreign seller.

(8) *Next most closely related class of buyer.* This term means the class of buyer to which you sold, during the base period, the commodity you are pricing, or a "comparison commodity," and which in terms of quantity and conditions of sale is most similar to the class of buyer for which you are pricing.

(9) *Most closely competitive seller of the same class.* This term means the seller with whom you are in most direct competition even though he may perform a different function with respect to the commodity. You are in direct competition with another seller who sells the same types of commodities to the same classes of purchaser in similar quantities, in similar terms and, if you are selling a commodity you supply approximately the same amount of service.

(10) *Inventory.* This term means the sum total of stocks or goods owned by the importer which are in the United States, its territories and possessions, or which are afloat destined for the United States, its territories and possessions.

(11) *Purchase commitment.* This term means an agreement between the foreign seller and American buyer for a specified quantity of a described article for definite shipment to the United States, its territories or possessions at a stated fixed price.

(c) *General*—(1) *Base period.* This term means the period from July 1, 1949 to June 30, 1950, inclusive.

(2) *Ceiling price.* This term means the highest price at which an imported commodity covered by this regulation may be sold.

(3) *General Ceiling Price Regulation.* This term means the General Ceiling Price Regulation issued on January 26, 1951 by the Director of Price Stabilization as amended and supplemented.

(4) *You or person.* This term includes any individual, corporation, partnership, association or any other organized group of persons, or legal successors or repre-

sentatives of the foregoing, and the United States or any other government or their political subdivision or agencies.

(5) *Records.* This term includes but is not limited to books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(6) *Sell.* This term includes sell, supply, dispose, barter, exchange, transfer or deliver.

(7) *Imported.* A commodity is imported which is transported from a place outside the continental limits of the United States to a place inside the continental limits of the United States, its territories and possessions. However, commodities shipped into the United States, its territories and possessions from outside thereof and entered in a foreign trade zone or under general order or in a bonded warehouse for transshipment and actually transshipped to a destination outside the continental limits of the United States shall not be deemed to be "imported".

(8) *Delivered.* A commodity shall be deemed to have been delivered during a specified period if during that period it was received by the purchaser or his agent or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(9) *Processing.* This term means the sorting, grading, cleaning, repacking, assembling, or otherwise manipulating of a commodity but not to the extent that there results therefrom a new and different article having a distinctive character. The term "processing" includes, among other things, the grinding of imported or mixed domestic and imported spices, seeds or herbs, and the shelling, roasting or salting of imported nuts. If you process imported or mixed domestic and imported spices, seeds or herbs, or if you process imported nuts, you may continue to use your ceiling prices in effect on July 31, 1952 for such commodities, but if you have not previously filed for any such commodity under this regulation, you must comply with the provisions of section 7 (b) of this regulation before September 15, 1952 or before making any sales of the commodity, whichever occurs later.

[Subparagraph (9) amended by Amdt. 12]

SEC. 19. *Appendix.* The appendix to this regulation entitled "Appendix A" and listing the commodities excluded from the application of this regulation, is incorporated herein and made a part hereof.

SEC. 20. *Adjustments.* (a) Application for adjustment of price under this regulation shall be filed in accordance with Price Procedural Regulation No. 1, Revised. The Office of Price Stabilization may adjust by order any markup established under this regulation for any seller or group of sellers when it can be shown that the applicant had a markup for a commodity substantially below the normal markup in the trade so as to create a situation of hardship; or that the applicant's dollars and cents markup has become so small because of increased landed costs as to create a situation of hardship.

(b) The applicant in filing under this provision shall provide the following information:

(1) The percentage the sales of the commodity in question bore to the applicant's total sales of imports during the six months prior to the date of application for adjustment;

(2) An explanation of the abnormality of the markup and of the hardship resulting therefrom;

(3) His ceiling price under Ceiling Price Regulation 31;

(4) His markup under Ceiling Price Regulation 31;

(5) His ceiling price under the General Ceiling Price Regulation;

(6) His markup under the General Ceiling Price Regulation;

(7) His proposed ceiling price;

(8) His proposed markup;

(9) An explanation of the method by which he determined his proposed markup.

(c) The relief granted under this provision shall be no more than may bring the applicant's markup in line with markups prevailing in the trade.

[SEC. 20 added by Amdt. 7]

SEC. 21. *Reports.* Copies of forms that may be used in filing under this regulation may be obtained from any Regional or District Office of the Office of Price Stabilization.

[SEC 21 added by Amdt. 7]

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.

TIGHE E. WOODS,
Director of Price Stabilization.
By: JOSEPH L. DWYER,
Recording Secretary.

APPENDIX A TO CEILING PRICE REGULATION No. 31

1. The important strategic commodities that are today excepted from this regulation are as follows:

	Paragraph
Aluminum—metal, ore, foil, alloys.....	207, 374, 382
Arsenic, metallic.....	379
Bauxite.....	6, 207
Bismuth.....	22, 377
Cadmium.....	378
Celestite.....	1776
Chrome—salts, metal and alloys.....	5, 301, 302
Cobalt, compounds and salts (except oxide).....	29
Copper—metal, concentrates, blister, compounds, and salts.....	5, 76, 302, 381, 387, 1657, 1658, 1659
Corundum and emery.....	1514, 1672
Ferro-alloys.....	302
Iron ore.....	1700
Lead—metal (ores, concentrates, com- pounds and alloys.....	46, 391, 392
Magnesite.....	201, 204
Magnesium.....	375
Manganese, metal.....	302
Mica, waste and scrap, ground and pulverized.....	208
Molybdenum—metal, ore, concen- trates.....	301, 302, 305, 316
Monazite sand.....	1721
Naval Stores.....	90
(Except gum rosin and gum turpentine)	
Nickel—ores, concentrates, metal, al- loys.....	302, 380, 389, 1734
Platinum.....	1734, 1744
Quartz crystals.....	1636

	Paragraph
Quinine sulphate, all alkaloids and salts of alkaloids derived from cinchona bark	1748
Shellac	1707
Spiegeleisen	301, 302
Talc, steatite	209
Thorium—metal, ores, alloys, nitrate, oxides and other salts	87, 302, 1721
Titanium—metal, ore, compound and mixtures	89, 302, 1719
Tungsten—metal, concentrates, powder, alloys and compounds	302
Uranium—ores, metal, alloys, oxides, salts and compounds	302, 1719, 1792
Vanadium—metal, ore, alloys, compounds, mixtures and salts	91, 302, 1719
Zinc—metal, ore, concentrates, scrap	393, 394

2. Important commodities that are highly essential to the basic cost of living that are today excepted from this regulation are as follows:

	Paragraph
Butter and substitutes	709
Cocoa—specifically covered by Supplemental Regulation No. 3 to the General Ceiling Price Regulation.	
Coffee—specifically covered by Supplemental Regulation No. 3 to the General Ceiling Price Regulation.	
Eggs	713
Hides and skins:	
Calf	1530 (a)
Cattle	1530 (a)
Buffalo	1530 (a)
Cabretta	1765
Deer	1765

	Paragraph
Hides and skins—Continued	
Goat	1765
Horse	1765
Kangaroo	1765
Kid	1765
Kipskins	1530 (a)
Lamb, including cooled and shearlings	1765
Sheep	1765
Leather—including tanned and finished, semi-tanned or rough tanned or otherwise partly finished	1530 (b), 1530 (d)
Leather, made from goat or sheep skins, raw, semi-tanned, rough tanned or pickled	1530 (c)
Lumber, including lots	401, 402, 404, 1803
Meats, fresh, chilled or frozen	701, 702, 703, 704
Milk—fresh or sour, whole or skimmed, condensed, evaporated, dried, malted	707, 708
Molasses and sugar syrup	502
Tea	1783 (b)
Woven fabrics, containing 25 percent or more of woolen fabric by weight	1108, 1109 (a)

3. Important commodities that are excepted from this regulation because they are covered by a United States Government purchase program today include the following:

	Paragraph
Rubber, crude, latex and synthetic	1558, 1697

NOTE: The paragraphs referred to and as shown above opposite each category or com-

modity are the pertinent paragraphs from the current U. S. Tariff Schedule as published by the U. S. Tariff Commission. The purpose of specifying these paragraph numbers is to fully describe the item, and the description given in the Tariff Schedule is the governing factor per item, to the extent such paragraph applies to the item as stated in the list.

4. Commodities excepted from this regulation because they are or will be adequately dealt with under other regulations are as follows:

	Paragraph
Distilled spirits—but only when sold by non-importing wholesalers	802
Wines—but only when sold by non-importing wholesalers	803, 804

[Paragraph 4 added by Amdt. 9]

5. Any sale of the following important commodities is excepted from coverage by this regulation provided that the selling price does not exceed \$1.21½ per pound, metal content, f. o. b. New York; however, a seller may choose to comply with the provisions of CPR 31 and calculate a ceiling price under that regulation even though such price may be higher than the \$1.21½ per pound price:

Tin—metal, ore, concentrates, powder, scrap alloys	88, 382, 392, 1785, 1786
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[Paragraph 5 added by Amdt. 14]

[Appendix A amended by Amdts. 1, 2, 3, 8, 10 and 13]

Definition of Processing

Ceiling Price Regulation 31

Amendment 15

NOVEMBER 26, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTONTITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 31, Amdt. 15]

CPR 31—IMPORTS

DEFINITION OF PROCESSING

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 15 to Ceiling Price Regulation 31 is hereby issued.

STATEMENT OF CONSIDERATIONS

The definition of "processing" in section 18 (c) (9) of Ceiling Price Regulation 31 is amended to give effect to the exemption from price control of all imported spices, seeds, and herbs under section 2 (h) (2) of General Overriding Regulation 7, Revision 1 (Amendment 13). The statement of considerations

applicable to the action providing the exemption under COR 7 is equally applicable here.

This amendment also eliminates the shelling, roasting or salting of imported nuts from the definition of "processing" in section 18 (c) (9) of Ceiling Price Regulation 31. This is done to conform this regulation to CPR 22, under which a supplementary regulation is being issued to provide that persons performing such operations constitute manufacturers covered by that regulation.

FINDINGS OF THE DIRECTOR

In formulating this amendment the Director of Price Stabilization has consulted extensively with industry representatives, including trade association representatives, and has given full consideration to their recommendations. In his judgment the provisions of this amendment are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and

comply with all the applicable standards of that act.

AMENDATORY PROVISIONS

Section 18 (c) (9) is amended by deleting everything after the first sentence, so that the section, as amended, reads as follows:

(9) *Processing*. This term means the sorting, grading, cleaning, repacking, assembling, or otherwise manipulating of a commodity but not to the extent that there results therefrom a new and different article having a distinctive character.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective November 26, 1952.

EDWARD F. PHELPS, Jr.,
Acting Director of
Price Stabilization.

NOVEMBER 26, 1952.

Suspensions and Exemptions

(Adding Sec. 22)

Ceiling Price Regulation 31**Amendment 16**

DECEMBER 30, 1952

OFFICE OF PRICE STABILIZATION**WASHINGTON****TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 31, Amdt. 16]

CPR 31—IMPORTS**SUSPENSIONS AND EXEMPTIONS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 16 to Ceiling Price Regulation 31 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation (CPR) 31 adds a new section to the regulation to clarify the applicability of a General Overriding Regulation (GOR) to imported commodities. Consistent with prior interpretations this

section provides that: Unless language appears in a General Overriding Regulation which limits the applicability of that regulation to domestic sales only, the General Overriding Regulation cuts across CPR 31. Thus, if sales of a commodity are suspended or exempted from price control generally by a General Overriding Regulation, such suspension or exemption includes sales of imported commodities.

FINDINGS OF THE DIRECTOR

In view of the nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives impracticable. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply

with all the applicable standards of that act.

AMENDATORY PROVISIONS

Ceiling Price Regulation 31 is amended by adding the following new section:

SEC. 22. *Suspensions and Exemptions.* When a General Overriding Regulation is issued by the Office of Price Stabilization exempting or suspending controls on certain commodities, unless language appears in the General Overriding Regulation which limits the applicability of that regulation to domestic sales only, the General Overriding Regulation is applicable to all sales of such commodities otherwise under this regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective January 5, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

DECEMBER 30, 1952.

INTERPRETATIONS
CPR 31, Sec. 1

IMPORTER

Person through whom seller bills--when not importer

Purchaser located in U. S. orders goods from Canadian subsidiary of U. S. corporation to be shipped to destination in U. S. for re-exportation by purchaser, and the goods are sold to the purchaser f.o.b. a shipping point in Canada. Because the purchaser desires that payment be made in U. S., the Canadian corporation bills the purchaser, through its U. S. parent corporation, for exactly the same amount for which it was billed by Canadian subsidiary and receives payment from the purchaser. Under these circumstances the U. S. corporation is merely the agent of its Canadian affiliate. The purchaser, rather than the U. S. corporation, is the importer of the goods and hence the U. S. corporation is not subject to CPR 31.

The U. S. corporation furnishes a service to its Canadian subsidiary and should file a statement of such service with the appropriate district office, even though the service is rendered gratuitously, under Section 18(b) of CPR 34.
(5/16/52 No. 42)

100-100000-100

100-100000-100

100-100000-100

100-100000-100

INTERPRETATIONS
CPR 31, Sec.1, (App. A-2)

EXCEPTIONS

Woolens scarves and knitted cashmere sweaters not included

Inquiry has been received whether imported woolen scarves and knitted cashmere sweaters are "woven fabrics" within the meaning of Appendix A-2 of CPR 31 and thereby excepted from the coverage of the regulation.

Imported woolen scarves and knitted cashmere sweaters are not considered to be fabrics and hence are not included within the exception contained in Appendix A-2. Accordingly, these imported commodities must be priced pursuant to CPR 31. (9-16-52 No. 8)

INTERPRETATIONS
CPR 31, Sec. 1

COVERAGE

Imported soyabean meal included

Sales of imported soyabean meal by importers, wholesalers and retailers are covered by CPR 31, not by SR 3 to the GCPR.
(9-8-52 No.15)

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

INTERPRETATIONS
CPR 31, Sec. 1

SUSPENSIONS

Imported soft surface floor coverings included (see Interps. following
GOR 5, Rev. 1, section 105, page 65 Dur 11:2105.1)

100-100000

INTERPRETATIONS
CPR 31, Sec. 1

COVERAGE

Imported watches included. (See interps. following CPR 22, Sec. 1,
page 42 Reg 33:201.7)

INTERPRETATIONS

CPR 31, Sec. 1

COVERAGE

Sales at cost by wholesaler to affiliated corporation, included
(see Interps. following CPR 31, section 6, page 85 Serv 31:206.1)

INTERPRETATIONS
CPR 31, Sec. 1

COVERAGE

Importer of sewing machine heads for resale in a package with other parts required for an electric sewing machine, included (see Interps. following CPR 22, Sec. 47, page 42 Reg 33:247.23).

INTERPRETATIONS
CPR 31, Sec. 1

COVERAGE

Foreign product, manufactured from U. S. parts, included (see Interps. following CPR 22, Sec. 1, page 42 Reg 33:201.23).

INTERPRETATIONS
CPR 31, Sec. 4

APPLICABILITY

On sales at cost to affiliated corporation (see Interps. following
CPR 31, section 6, page 85 Serv 31:206.1)

INTERPRETATIONS
CPR 31, SEC. 5

IMPORTED COMMODITIES

Commodity by commodity basis chosen in absence of refiling

CPR 31, Section 5, as amended by Amendment 7, does not require retailers who filed prior to the issuance of such amendment to refile.

Within the meaning of Section 5, as amended, retailers who filed prior to the issuance of such Amendment 7 are considered to have chosen a commodity by commodity basis for their entire store.

(5/7/52 No. 12)

INTERPRETATIONS
CPR 31, Sec. 5

RETAIL CEILING PRICES FOR IMPORTS

May not be determined by foreign manufacturer's suggested price list

The question is whether farm equipment dealers in this country who handle products manufactured by a company in Canada and imported in this country may sell at the manufacturer's suggested factory list prices.

The ceiling prices for sales by dealers of imported farm equipment are established by CPR 31, Imports. This regulation does not permit a retailer of imported commodities to establish his ceiling prices by reference to the foreign manufacturer's suggested retail prices. It is not feasible to establish ceiling prices for sellers of imported commodities on this basis, since OPS has no power to control the suggested resale prices of a foreign manufacturer. (8/13/51 No. 20)

INTERPRETATIONS
CPR 31, Sec. 6

APPLICABILITY**Report required on sales at cost to affiliated corporation**

A corporation, continuing its base period practice, purchases imported shells and resells them at its cost of acquisition to an affiliated corporate manufacturer. The latter converts the shells into buttons and resells them to the corporation. Inquiry is made as to whether the corporation's sales to its affiliate are subject to CPR 31 and, more particularly, whether the corporation is covered by sections 4 and 6 thereof.

Under the facts given and in the light of the definition of "sell" in section 18(c)(6), the corporation is a seller under the regulation.*

Sales of imported shells are subject to CPR 31 providing that such sales are made, by those persons, inter alia, who are wholesalers within the special meaning of CPR 31. The commodity here involved is imported, and under section 18(a)(2) the importer is a wholesaler since it resells to an "industrial user", namely, the affiliate, who is a person using an imported commodity in fabrication or manufacture as required under section 18(a)(5). It follows from the foregoing that the above described sales by the corporation are covered by CPR 31.

Since the corporation is a wholesaler with base period experience it prices under the method provided in section 4. In addition, it must comply with the reporting requirements of section 6(b) notwithstanding the fact that the sales to its affiliate are at cost of acquisition and without markup.

(12-2-52 No. 12)

*The inquirer states that the transfer from the corporation to its affiliate includes the passage of title and it is assumed for the purpose of this interpretation that a sale is involved. Such assumption makes unnecessary a discussion of the questions that would be raised in the event that the affiliate is, in fact, performing industrial services for the corporation.

Abstract

The purpose of this study is to investigate the effects of various factors on the performance of a system. The study is divided into three main sections: Introduction, Methodology, and Results and Discussion.

In the Introduction section, the background and objectives of the study are presented. The Methodology section describes the experimental setup and the procedures used to collect and analyze the data. The Results and Discussion section presents the findings of the study and discusses their implications.

The study shows that the performance of the system is significantly affected by the factors investigated. The results indicate that the system performs best under certain conditions and that there are areas for improvement.

The findings of this study have important implications for the design and optimization of similar systems. Further research is needed to explore the effects of other factors and to develop more effective strategies for improving system performance.

In conclusion, this study provides valuable insights into the performance of the system and identifies key factors that influence its operation. The results suggest that careful attention to these factors can lead to significant improvements in system performance.

INTERPRETATIONS
CPR 31, Sec. 7

COMPARISON COMMODITY

Domestic commodity may be used where foreign commodity not available.

Under CPR 31, Section 7(a)(2) an importer who is unable to locate a comparison commodity of foreign origin, may use a comparison commodity of domestic origin provided its basic cost and essential characteristics are most nearly the same as the new imported commodity.

(5/7/52 No. 10)

INTERPRETATIONS
CPR 31, Sec. 18

WHOLESALE

Importers not included (see Interps. following SR 29 (GCPR) see 2, page 42 Reg 11:3152.1)

RECEIVED

U.S. AIR FORCE

INTERPRETATIONS
CPR 31, Sec. 18(c)(9)

PROCESSING

Does not include conversion of raw herring to pickled herring

A seller who buys herring from Newfoundland, which he cuts into small pieces and which, after adding pickling, spices and brine, he packs in small size containers for sale to wholesaler and retailers is not engaged in processing as that term is used in section 18(c)(9) of Ceiling Price Regulation 31. Under that section "processing," as defined, includes: Sorting, grading, cleaning, repacking, assembling, or otherwise manipulating of a commodity but not to the extent that there results therefrom a new and different article having a distinctive character.

The seller in this case is, in effect, converting raw whole or slightly salted herring into pickled herring to be sold in containers and is therefore a manufacturer. However, since paragraph 24 of Appendix A of CPR 22 excludes non-sterile fish products, the sale of such herring is subject to GCPR.
(10-23-52, No. 25)

**Ceiling Prices for
Baler and Binder Twines
Manufactured in Canada**

**Ceiling Price Regulation 31
Supplementary Regulation 1
NOVEMBER 20, 1952**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 31, Supplementary
Regulation 1]

CPR 31—IMPORTS

**SR 1—CEILING PRICES FOR BALER AND
BINDER TWINES MANUFACTURED IN
CANADA**

Pursuant to the Defense Production Act of 1950 as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this Supplementary Regulation 1 to Ceiling Price Regulation 31 is hereby issued.

STATEMENT OF CONSIDERATIONS

Baler and binder twines manufactured in Canada from sisal and henequen fibres are identical with such twines manufactured in the United States, and to the extent that they are sold in the United States, have always been sold on a directly competitive basis with and at the same prices as domestic twines.

Jobbers and wholesalers of baler and binder twines have customarily not distinguished between such twines manufactured in Canada and domestic twines, either as to identity for filling orders or as to price, and these twines are normally commingled in warehouses.

Domestic twines are covered by Supplementary Regulation 89 to the General Ceiling Price Regulation. Twines manufactured in Canada are covered by Ceiling Price Regulation 31 with respect to sales by importers and wholesalers. Due to the different techniques of these two regulations, ceiling price differentials may be created between Canadian and domestic twines due to fluctuations

in cost, resulting in differences in mark-ups.

In an industry where customarily no distinction is made between Canadian and domestic twines, a difference in markup by operation of ceiling price regulation constitutes an inducement to the seller in the United States to tend to favor one source of supply or the other. Where the commodity involved is an important one in our economy, the resulting distortion of normal channels of distribution may tend to aggravate a condition of short supply. It is desirable, therefore, that sellers of Canadian and domestic twines should be able to follow their customary practices of commingling the twine and selling both twines at the same prices.

This will operate to relieve possible inequities and to prevent an unnecessary burden of bookkeeping and warehouse segregation, according to the place of manufacture, of what is essentially the same commodity.

This supplementary regulation to CPR 31 establishes the ceiling prices for domestic twines as the ceiling prices for similar twines manufactured in Canada. (This action does not affect sales of sisal and henequen fibres, which are presently covered by CPR 31.)

Due to the nature of this action, formal consultation with the industry representatives, including representatives of trade associations, has not been practicable. However, there have been numerous consultations with individual members of the industry and consideration has been given to their recommendations.

In the judgment of the Director of the Office of Price Stabilization, this supplementary regulation is generally fair and equitable and will effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Applicability.
2. Sales by importers and wholesalers.
3. Definitions.
4. Miscellaneous.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2164. 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.

SECTION 1. Applicability. This supplementary regulation applies to all sales by importers and wholesalers in the United States of imported baler and binder twines manufactured in Canada from sisal and henequen fibres which are otherwise covered by CPR 31.

SEC. 2. Ceiling prices. The ceiling prices of importers and wholesalers for sales covered by this supplementary regulation shall be the same as their ceiling prices for sales of similar twines of the same grade which are manufactured in the United States.

SEC. 3. Definitions. The term "wholesaler" and "wholesale customer" is defined in section 18 of CPR 31. For the purpose of this supplementary regulation, a sale by a wholesaler to a farmer is considered to be a sale to a wholesale customer.

SEC. 4. Miscellaneous. Except as herein modified, all the provisions of CPR 31 remain in effect with reference to sales made under this supplementary regulation.

Effective date. This supplementary regulation to CPR 31 shall become effective on November 25, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.
NOVEMBER 20, 1952.

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Imported Steel

Ceiling Price Regulation 31
Supplementary Regulation 2

JANUARY 16, 1953

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency[Ceiling Price Regulation 31, Supplementary
Regulation 2]

CPR 31, SR 2—IMPORTED STEEL

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 2 to Ceiling Price Regulation 31 is hereby issued.

STATEMENT OF CONSIDERATIONS

Normally, prices in the United States for imported steel must be competitive with, and are therefore limited by, prices for steel domestically produced. When the supply of domestic steel is insufficient to meet the demand and is subject to allocations or price control sellers of imported steel are able to obtain prices substantially in excess of domestic steel prices.

Recently, shortages of domestic supply have produced a condition under which imported steel and steel mill products are in relatively high demand. This extraordinary demand may well produce pressures which induce distortions in the price structure and in the distribution pattern for such steel. Sellers who had not been in the business of importing steel prior to or during the base period have undertaken the business of importing and selling steel. Other sellers who have been in this business previously have undertaken in some cases to obtain higher prices for the steel by by-passing their usual buyers. These conditions tend to change the normal pattern of distribution, causing inflationary pressures that are a common result of such changes.

The importation and distribution of imported steel are presently covered, with respect to the establishment of ceiling prices, by either Ceiling Price Regulation 31 or Ceiling Price Regulation 98, depending upon the specific combination of importation and distribution involved.

For most sellers, these regulations are sufficient. However, under the situation that presently exists, the specific applications of these regulations in the various types of situations presented are insufficient for a number of major reasons. First, in a quickened market the application of more than one regulation makes enforcement more difficult than would be the case under a single clear regulation. Second, sellers of imported steel may be put to a disadvantage where they are not able to determine quickly just what their permissible ceiling price is, inasmuch as the risk in-

volved in dealing in imported steel under the present conditions is increased where delays are encountered in completing transactions. Third, new sellers, or old sellers dealing in new items of imported steel, may encounter unavoidable delays in establishing ceiling prices for their sales.

For these reasons, it is necessary to issue this supplementary regulation. The regulation provides specific dollars and cents markups for various categories of imported steel and steel mill products which an importer must use to determine his ceiling price. In addition, when steel or steel mill products are warehoused, the regulation provides for markups for such warehousing which are in line with the markups allowed for domestic steel. Further, limitations are placed upon multiple handling and unreasonable warehousing to prevent a pyramiding of markups by resellers of steel.

In the formulation of this supplementary regulation, there has been consultation to the extent practicable with industry representatives, including trade association representatives, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization, the provisions of this supplementary regulation are generally fair and equitable, are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended, and comply with all of the applicable standards of that Act.

Sec.

1. What this supplementary regulation does.
2. Applicability.
3. Ceiling prices for importers; specified markup.
4. Ceiling prices for resellers; specific markups.
5. Addition for warehousing.
6. Definitions.
7. Miscellaneous.

AUTHORITY: Sections 1 to 7 issued under Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, September 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

REGULATORY PROVISIONS

SECTION 1. What this supplementary regulation does. This supplementary regulation establishes specified dollars and cents markups to be used in determining ceiling prices for the sale of imported steel and steel mill products by importers and resellers of such commodities to the extent that their sales are covered by CPR 31. Methods are also provided for computing an additional markup by importers and wholesalers who warehouse such of these commodities which are covered by CPR 31.

SEC. 2. Applicability. This supplementary regulation applies to sales of imported steel and imported steel mill products by importers and wholesalers thereof to the same extent as CPR 31, that is, in the continental United States to all sales of imported steel and imported steel mill products by the importer thereof and to all such sales by resellers to the extent that such sales are covered by CPR 31 (and not by CPR 98). Unless otherwise provided by this supplementary regulation, the markups established under this supplementary regulation must be used in place of any other markups otherwise determined under CPR 31.

SEC. 3. Ceiling prices for importers; specified markup. (a) The ceiling price per ton, FOB importer's receiving point, for sales by the importer thereof to any reseller, end user, or the government of the United States or any State, or any Agency or political subdivision thereof, located in the United States of the following ordinary hot-rolled low-carbon steel mill products, whether coated or uncoated, shall be the landed cost of such commodity plus the applicable markup shown below:

1. A markup of \$15.00 per ton for:

Angles, tees, beams.	Billets.
Channels, zeos.	Sheet bars, ingots.
Commercial bars.	Wire.
Reinforcing bars.	Sheet piling.
Wire rods.	

2. A markup of \$20.00 per ton for:

Hot and cold rolled sheets.
Blades.
Strip.
Cold finished bars.
Quality steels (special analyses).
Nails.
Galvanized barbed wire.

3. A markup of \$25.00 per ton for:

Oil country tubular products.
Wire rope.
Alloyed steels.

4. A markup of \$20.00 per ton for all other steel mill products not otherwise specifically listed in this section and covered by this supplementary regulation.

(b) The importer may add to his ceiling price the actual transportation charges made by others for delivery to his buyer which are paid by the importer.

SEC. 4. Ceiling prices for resellers; specific markups. (a) Except as otherwise provided, the ceiling prices for sales at wholesale of the commodities shown in section 3 shall be the cost of acquisition to the reseller plus the markups specified for importers in section 3.

(b) When a reseller buys a commodity described in section 3 from another reseller, then the ceiling price for his sale of such commodity shall be the ceiling price of his supplier.

(c) A reseller may add to his ceiling price the actual transportation charges made by others for delivery to his buyer which are paid by the reseller.

SEC. 5. Addition for warehousing—(a) By importers. Any importer covered by this supplementary regulation who warehouses steel or steel products imported by him may add to his ceiling price for sales as an importer established under section 3 of this supplementary regulation an additional dollars and cents markup for such warehousing computed as follows:

(1) For the commodities described in Table 1: Multiply the mill base price for domestic steel which is similar to the imported steel you are pricing by the applicable percentage markup shown in Table 1 according to the area in which the warehouse from which you are making the sale is located. The mill base price shall be the price at the producing mill nearest to the location of your warehouse and it shall be that price listed by the mill on the date the imported steel is entered in your warehouse. Extras are allowed only where indicated in Part II of Table 1.

TABLE 1—PART I

Product	Metro-politan area, New York	State of California	State of Texas	States of Oregon and Washington	All others
	Percent	Percent	Percent	Percent	Percent
Standard structural shapes.....	55	47	56	51	52
Junior channels.....	55	60	56	51	52
Junior beams.....	55	60	56	51	52
Wide flange beams.....	57	47	65	51	52
Hot rolled carbon bars and bar shapes.....	52	41	56	50	45
Hot rolled carbon plates.....	55	46	53	52	50
Floor plates.....	47	56	44	50	43
Abrasion resisting—All products.....	64	60	60	64	60
Hot rolled carbon sheets.....	56	46	57	52	51
Hot rolled carbon strip.....	59	50	63	56	54
Cold rolled sheets.....	46	47	43	46	43
Cold rolled and hot rolled electrical (silicon) sheets, all grades.....	56	56	56	56	56
Enameling sheets.....	52	52	52	52	52
Cold rolled strip-low carbon.....	48	48	48	48	48
High tensile low alloy—All products.....	48	50	48	50	48
Cold finished carbon bars.....	36	31	59	46	33
Reinforcing bars unfabricated.....	52	41	56	50	45
Tin plate, black plate and short ternes.....	45	45	45	45	45

TABLE 1—PART II

Product	Percentage markup	Permitted extras
Galvanized sheets—hot dipped.....	50	Mill extras for gage (24- to 30-inch width) and coating.
Galvannealed, electric coated sheets and other related zinc coated sheets.....	50	Do.
Terne coated long sheets.....	50	Do.
Alloy bars:		
Hot rolled.....	50	Mill extras for grade (chemistry).
Cold finished.....	50	Do.
Alloy plates.....	50	Do.
Tool steel sheets (approximately 1 percent carbon grade).....	45	None.
Structural tubing (hot rolled, butt welded).....	54	Do.
	California	All other
"4130" aircraft sheets:		
0.1875 and heavier.....	40	40
0.160 and lighter.....	50	40
"1020 grade" aircraft sheets.....	50	40

(2) For the commodities not described in Table 1: A markup equal to the markup provided for sales by importers in section 3 of this supplementary regulation.

(b) **By resellers.** Any reseller covered by this supplementary regulation who warehouses imported steel or steel mill products not included in Table 1 of paragraph (a) of this section may add to his ceiling price established under section 4 of this supplementary regulation a dollars and cents markup computed in the same manner as provided for importers in section 5 (a) (2) above.

(c) **By buyers of warehoused commodities.** The ceiling price for the sale

by any person of any commodity covered by this supplementary regulation which is purchased from a warehouse shall be the ceiling price of his supplier.

(d) No markup shall be permitted under this section for any direct sale. No markup shall be permitted under this section for any sale made prior to receipt of the steel by the seller when it is not necessary to perform any warehousing operation on the steel such as cutting, coating, or otherwise processing the steel beyond storage, provided that the markup may be taken in such cases where circumstances beyond the control of the seller require that the steel be

taken into the warehouse prior to delivery to the purchaser.

SEC. 6. Definitions—(a) Warehousing. Warehousing of iron and steel products consists of performing such operations as receiving, storing, sorting, grading and shipping, and other operations which are necessary or incidental to the resale and distribution of such commodities after they are brought into premises regularly maintained and equipped with facilities for performing these operations. In no case, however, will such operations be considered as having been performed unless the premises referred to are owned, rented, or otherwise regularly maintained by the owner of the material at the time it is put through such operations. The operation of warehousing of iron or steel products will not be considered as having been performed if the premises referred to are a public warehouse, except if you regularly maintain space in a public warehouse equipped with facilities for performing warehousing operations and in which you perform the operations of warehousing for your own account for which your records indicate that you charged a warehouse markup over your invoice costs. No commodity being sold under this supplementary regulation shall be deemed to have been the subject of a warehousing operation for the purpose of determining a markup unless the specific commodity being sold has been subject to the warehousing operation as defined herein.

(b) **Direct sale.** This term means the sale of an imported iron or steel product which is transported from an importer's receiving point to a buyer without being put through a warehousing operation.

(c) **Importer's receiving point.** This term means the point at which the steel is received from abroad by the importer which he uses for computation of his landed cost.

(d) **Reseller.** This term means a person who performs a recognized distributive function, buys an imported commodity of which he is not the importer, and resells it in essentially the same form to a retailer, industrial, commercial or institutional buyer, another reseller, or to the Federal or any State Government or any Agency or political subdivision thereof in accordance with accepted trade practice.

SEC. 7. Miscellaneous. Except as herein modified, all the provisions of CPR 31, including applicable record-keeping and reporting requirements, remain in effect with reference to sales made under this supplementary regulation.

Effective date. This supplementary regulation 2 to CPR 31 shall become effective on January 21, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 16, 1953.

Correction

Ceiling Price Regulation 31
Supplementary Regulation 2
Correction
FEBRUARY 4, 1953

OFFICE OF PRICE STABILIZATION
WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 31, Supplementary
Regulation 2, Correction]

CPR 31—IMPORTS

SR 2—IMPORTED STEEL

Due to clerical error a misprint has occurred in section 3 (a) (2) of Supplementary Regulation 2 to Ceiling Price Regulation 31. The word "Plates" should have been printed in place of the word

"Blades". Accordingly, section 3 (a) (2) of SR 2 to CPR 31 is corrected to read as follows:

2. A markup of \$20.00 per ton for:
- Hot and Cold rolled sheets.
 - Plates.
 - Strip.
 - Cold finished bars.
 - Quality steels (special analyses).
 - Nails.
 - Galvanized barbed wire.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 4, 1953.

1. Introduction

The purpose of this document is to provide a comprehensive overview of the project's objectives, scope, and deliverables. The project is designed to address the current challenges faced by the organization and to implement a solution that will improve efficiency and reduce costs. The project will be managed in a structured manner, with regular communication and reporting to ensure that all stakeholders are kept informed of the progress and any changes to the plan.

The project will be divided into several phases, each with its own set of tasks and deliverables. The first phase will involve the initial planning and scoping of the project. This will include identifying the key stakeholders, defining the project's goals and objectives, and developing a detailed project plan. The second phase will focus on the design and development of the solution. This will involve working closely with the technical team to ensure that the solution meets all the requirements and is scalable and secure. The third phase will be the implementation and testing of the solution. This will involve deploying the solution to the production environment and conducting thorough testing to ensure that it is working as intended. The final phase will be the evaluation and reporting on the project's outcomes. This will involve analyzing the data collected during the project and preparing a final report that summarizes the project's progress and the results of the implementation.

OPS PUBLIC FORM NO. PUB88

UNITED STATES GOVERNMENT
OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D. C.FORM APPROVED
BUDGET BUREAU NO. 91-2355

RETAILER'S PRICE REPORT FOR IMPORTED COMMODITIES

PURSUANT TO CPR 31, SEC. 5 AS AMENDED

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.

This form may be reproduced without change

This form is to be used by retailers only of imported commodities who have a base period markup on sales of the commodity or commodities described in Item 1.

Mail the original of this application by registered letter to the Office of Price Stabilization Regional Office in your region.

NAME OF FIRM

ADDRESS (Street and No)

(City, Zone, State)

1 - DESCRIBE THE COMMODITY OR COMMODITIES COVERED BY THIS REPORT

2 - YOUR ROLE IN PROPOSED TRANSACTION

☐ IMPORTER☐ PROCESSOR☐ RETAILER

3 - IF YOU ARE A PROCESSOR, WHAT DO YOU DO TO THE COMMODITY?

4A - BASIS ELECTED BY YOU FOR COMPUTING MARKUP REPORTED

(Name of country)

☐ COMMODITY BY COMMODITY BASIS☐ COUNTRY OF ORIGIN BASIS☐ CATEGORY BY CATEGORY BASIS☐ STORE WIDE, DEPARTMENTAL OR OTHER SELLING UNIT

4B - DESCRIBE DEPARTMENT OR OTHER SELLING UNIT WHICH SELLS THE COMMODITY OR COMMODITIES COVERED BY THIS REPORT, AND WHICH USES THE BASIS CHOSEN IN (4A) ABOVE

4C - CALENDAR QUARTER USED IN COMPUTING MARKUP

☐ 3RD QUARTER 1949☐ 4TH QUARTER 1949☐ 1ST QUARTER 1950☐ 2ND QUARTER 1950

4D - YOUR PERCENTAGE MARKUP

I certify that the information given in this report and any attachments is true and correct to the best of my knowledge and belief.

NOTICE - A willfully false statement is a criminal offense.

SIGNATURE OF OWNER OR AUTHORIZED AGENT

TITLE

DATE

INSTRUCTIONS

Item 1. You need not file a separate report for each commodity. You may list and describe all commodities for which you employ the same basis in computing their markup and which you sell through the same selling unit. You may list and describe these commodities below or on a separate sheet to be attached hereto. Should these commodities have the same markup, indicate this markup in your answer to item 4. Should these commodities have different markups, indicate the markup for each commodity opposite its description.

Item 4B - Describe the department or other selling unit so that the commodities sold by that unit may be easily identified

DEFINITIONS

Category. This term means a group of commodities which are normally classed together in your industry for purposes of accounting or sales, e.g., toys, men's shoes, women's shoes.

Importer. This term refers to the importer of record, that is, to the individual in whose name customs clearance is made.

COMMODITIES

DESCRIPTION	MARK UP

OPS PUBLIC FORM NO. PUB87
(8-1/2 x 14)UNITED STATES GOVERNMENT
OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D.C.FORM APPROVED
BUDGET BUREAU NO. 94-R354

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.

**APPLICATION FOR A MARKUP BY SELLERS
OF IMPORTED COMMODITIES**

PURSUANT TO CPR 31, SEC. 7 AS AMENDED

This form may be reproduced without change

This application form is to be used by those sellers only of imported commodities who have no base period markup for these commodities and who are seeking a markup and ceiling price under Section 7 of CPR 31.

Mail the original of this application by registered letter to the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C.

NAME OF FIRM

ADDRESS (Street and No.)

(City, Zone, State)

1 - DESCRIBE THE COMMODITY OR COMMODITIES COVERED BY THIS APPLICATION

2 - YOUR ROLE IN PROPOSED TRANSACTION

☐

IMPORTER

☐

WHOLESALE

☐

PROCESSOR

☐

RETAILER

3 - CLASS OF BUYER

4 - CHECK THE FIRST ONE OF THE FOLLOWING TYPES OF SALES ON WHICH YOU ARE ABLE TO COMPUTE A BASE PERIOD MARKUP

☐

BASE PERIOD SALES OF THE COMMODITY YOU ARE PRICING TO BUYERS OF THE CLASS MOST CLOSELY RELATED TO THE CLASS FOR WHICH YOU ARE PRICING. DESCRIBE THIS "MOST CLOSELY RELATED CLASS" OF BUYER.

☐

BASE PERIOD SALES OF A COMPARISON COMMODITY TO BUYERS OF THE CLASS FOR WHICH YOU ARE PRICING. DESCRIBE THE "COMPARISON COMMODITY".

☐

BASE PERIOD SALES OF A COMPARISON COMMODITY TO BUYERS OF THE CLASS MOST CLOSELY RELATED TO THE CLASS FOR WHICH YOU ARE PRICING. DESCRIBE THE "COMPARISON COMMODITY" AND THE "MOST CLOSELY RELATED CLASS" OF BUYER.

5A - IF YOU ARE A RETAILER, STATE BASIS ELECTED BY YOU FOR COMPUTING MARKUP REPORTED

(Name of country)

☐

COMMODITY BY COMMODITY BASIS

☐

COUNTRY OF ORIGIN BASIS.

☐

CATEGORY BY CATEGORY BASIS

☐

STOREWIDE, DEPARTMENTAL OR OTHER SELLING UNIT

5B - CALENDAR QUARTER USED IN COMPUTING MARKUP

☐

3RD QUARTER 1949

☐

4TH QUARTER 1949

☐

1ST QUARTER 1950

☐

2ND QUARTER 1950

5C - DESCRIBE DEPARTMENT OR OTHER SELLING UNIT WHICH SELLS THE COMMODITY OR COMMODITIES COVERED BY THIS APPLICATION, AND WHICH USES THE BASIS CHOSEN IN ITEM 5A ABOVE.

6 - If you are unable to check any of the types of sales in item 4 above, then fill in this section.

6A - STATE REASONS WHY YOU ARE UNABLE TO COMPUTE A MARKUP UNDER CPR 31.

6B - GIVE A REASONABLE MARKUP AND CEILING PRICE, IF ANY ARE CURRENTLY PREVAILING IN THE TRADE.

STATE HOW YOU DETERMINED THIS MARKUP AND CEILING PRICE TO BE THE ONES CURRENTLY PREVAILING.

7 - STATE YOUR LANDED COSTS BROKEN DOWN INTO THE ELEMENTS THEREOF OR YOUR COST OF ACQUISITION

8 - IF YOU ARE A PROCESSOR, WHAT DO YOU DO TO THE COMMODITY?

YOUR ACTUAL COST OF PROCESSING

9 YOUR PROPOSED MARKUP

JUSTIFY THIS MARKUP

10 - YOUR PROPOSED CEILING PRICE

I certify that the information shown on this form is true and correct to the best of my knowledge and belief.

NOTICE - A willfully false statement is a criminal offense.

SIGNATURE OF OWNER OR AUTHORIZED AGENT	TITLE	DATE

INSTRUCTIONS

Item 1. You need not file a separate application for each commodity if it is possible to use one application for several commodities. You may list and describe these commodities on a separate sheet to be attached hereto.

Item 5c. Describe the department or other selling unit so that the commodities sold by that unit may be easily identified.

Item 9. If you are a retailer, your proposed markup will be a percentage markup. All other sellers will have a dollars and cents markup.

DEFINITIONS

Category. This item means a group of commodities which are normally classed together in your industry for purposes of accounting or sales, e.g., toys, men's shoes, women's shoes.

Class of Buyer. This term refers to industrial users, processors, wholesalers, retailers, and individual consumers.

Comparison Commodity. This term means a commodity having general characteristics and uses similar to the commodity or commodities covered by this application. Of the commodities having these characteristics and uses, choose as the comparison commodity the commodity having a current unit direct cost closest to that of the commodity or commodities covered by this application.

Cost of Acquisition. This term means the actual cost of the commodity to a buyer, as reduced by all discounts, allowances and "commissions" received.

Importer. This term refers to the importer of record, that is, to the individual in whose name customs clearance is made.

Landed cost. This term means the foreign invoice cost plus the cost of importation as reduced by all discounts, allowances, and "commissions" received.

Most closely related class of buyer. This term means the class of buyer to which you sold, during the base period, the commodity you are pricing, or a comparison commodity, and which in terms of quantity and conditions of sale is most similar to the class of buyer for which you are pricing.

Services

Ceiling Price Regulation 34

MAY 11, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 34]

CPR 34—SERVICES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

The inflationary pressures incident to the Korean situation and the stepped up rearmament program brought on price increases throughout the economy during the latter part of 1950, which necessitated prompt action in direct price controls. Accordingly, on January 26, 1951, the Office of Price Stabilization issued the General Ceiling Price Regulation. This regulation, with certain exceptions, fixed the ceiling prices of all commodities and all services at the highest price charged by the seller during the base period, December 19, 1950, to January 25, 1951, inclusive. At the time of the issuance of the General Ceiling Price Regulation, it was understood that it did not adequately meet the specific needs of numerous suppliers of services and that it was to be replaced with respect to that field as soon as practicable. A new regulation, Ceiling Price Regulation No. 34 Services is issued separately covering the field of services, and, to the extent of its applicability, supersedes the General Ceiling Price Regulation in the services field. In the main, the fundamental provisions of the General Ceiling Price Regulation, including the base period of December 19, 1950, to January 25, 1951, for the determination of ceiling prices, have been retained in this new regulation. The considerations which support the General Ceiling Price Regulation are equally applicable to this Ceiling Price Regulation No. 34.

Services rendered in trade, commerce and industry, services integrated with such services as well as personal services, all vitally affect the national economy. The administrative problems involved in regulating the ceiling prices to be charged for such services are so much different from those involved in regulating the ceiling prices for commodities, that it has been determined to issue a

separate ceiling price regulation for such services. The new regulation removes from the coverage of the General Ceiling Price Regulation all services (except transportation services of contract carriers and certain industrial services in connection with the jobbing shop operations in metals and metal products and the plating of plastics or other non-metallic materials, except the repair and maintenance of automotive and farm equipment) and brings under the single Services Regulation all such services subject to price control with the exception of defense services exempted by Supplementary Regulation 1 to the General Ceiling Price Regulation, services exempted by Supplementary Regulation 15 to the General Ceiling Price Regulation, and those services which now or hereafter may be covered in other specific price regulations.

Many service functions rendered for the same general use and purpose vary with the specific task. This is particularly true in the repair trades. While certain of these trades permit a standardization of price because of the normal pattern of the requirements of the purchaser, other types of repair trades, because of the varying nature of the repair demands of the purchaser, do not permit a pre-determined price. The new regulation provides a method for determination of prices based upon the highest price charged in the base period for the same service. This provision permits the supplier of a service to determine his price in accordance with his own pricing method, but limits the elements which enter into the determination of the prices to their highest base period level. Under the regulation the highest price charged by the seller during the base period for any service customarily rendered but not in fact supplied during the base period is deemed to be that price which would have been charged upon a rate or pricing method regularly used for determining the price for such service during the base period, December 19, 1950, to January 25, 1951, inclusive.

Many services are seasonal in nature or subject to seasonal variation in price. In some cases the services are not performed during the base period. In other cases a seasonal variation in price occurs and it would be manifestly unfair to restrict the supplier of the service to his base period price. A provision has been added to the new regulation which provides for the determination of ceiling prices for seasonal services or services subject to seasonal variation in price. The provision limits the seller to the highest price charged in the last cor-

responding season, but permits an increase based upon the rise in the cost of living from that season.

The adjustment provisions of this regulation, with limitations, permit the filing of an application for adjustment by a seller of a service or services where substantial financial hardship exists. Service establishments are in the main small business establishments without substantial reserves of capital. Labor is the most important factor of cost and either direct labor wage increases or deterioration of labor supply can create financial hardship threatening the continuance of the establishment's existence.

In like fashion, the regulation is tailored to meet the various problems of pricing which arise in the services field that are foreign to the commodities field. The regulation is further designed by introduction of filing provisions to permit more effective enforcement in the services field and to provide a source for price data for the development of individual supplementary service regulations in particular service trades.

The foregoing modifications do not change in any way the fundamental economic policy which is effectuated by the General Ceiling Price Regulation. The base period of December 19, 1950, to January 25, 1951, as the appropriate date for the determination of ceiling prices, is maintained throughout this regulation. Within the general framework of the General Ceiling Price Regulation, however, flexibility is achieved which adapts that framework to the individual characteristics of the services field.

While the innumerable and diverse services cutting across a complex of different industries and trades has rendered impracticable the establishing of, and consultation with, formal service committees during the preparation of this regulation, nevertheless, the Director of Price Stabilization, wherever feasible, has consulted with numerous representatives from various services fields and given consideration to their recommendations. In the judgment of the Director of Price Stabilization, the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950.

So far as practicable, the Director of Price Stabilization has given consideration to the National effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, including prices prevailing during the period from May 24, 1950, to June 24, 1950, and to relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.

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8. Pricing of seasonal services.
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26. Applicability.
27. Definitions and explanations.

AUTHORITY: Sections 1 to 27 issued under Sec. 704, Pub. L. 774, 81st Cong. Interpret or apply Title IV, Pub. L. 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 C. F. R. 1950 Supp.

SECTION 1. What this regulation does. This regulation removes most services from the coverage of the General Ceiling Price Regulation (GCPR) and brings them under this regulation. This regulation in general establishes the ceiling price of most services at the levels prevailing in the period December 19, 1950, to January 25, 1951, inclusive.

SEC. 2. Services covered. This regulation covers all services except:

(a) Services exempted in the GCPR, as amended;

(b) Defense services exempted by Supplementary Regulation 1 to the GCPR, as amended;

(c) Services exempted by Supplementary Regulation 15 to the GCPR, as amended;

(d) Services covered by any specific price regulation now or hereafter issued by the OPS;

(e) The following services, which remain under the GCPR:

(1) Transportation services of contract carriers;

(2) The following industrial services (except services rendered in connection with the repair or maintenance of automotive or farm equipment) when performed on material or products owned by another:

(i) All jobbing shop operations customarily performed in the fabrication, conversion, repair or maintenance of metals or metal products. These operations include abrading, adjusting, assembling, cutting, forming, grinding, machining, shaping and welding or otherwise joining.

(ii) All jobbing shop operations customarily performed in the treatment, coating, or finishing of metals or metal products. These operations include annealing, anodizing, bonderizing, blasting, carbonizing, carburizing, case-hardening, cleaning, coronizing, deoxidizing, enameling, galvanizing, heat treating, heresiting, japanning, laquering, lead coating, metallizing, nitriding, normaliz-

ing, painting, pickling, phosphate coating, plating, polishing, sheradizing, shot peening, tempering and tinning.

(iii) Plating on plastics and other non-metallic materials.

SEC. 3. Prohibitions. (a) On and after May 16, 1951, regardless of any contract or other obligation:

(1) You may not sell any service covered by this regulation at a price higher than your ceiling price.

(2) No person in the course of trade or business may buy any service covered by this regulation at a price higher than the ceiling price.

Of course, you may charge lower prices than your ceiling prices at any time.

(b) Once you have reported your ceiling price or a proposed ceiling price for a service as required by this regulation, you may not thereafter redetermine it. A purely arithmetical error may, however, be corrected, but the correction must be reported to the Director of Price Stabilization, Washington 25, D. C.

SEC. 4. Prices previously established.

(a) This regulation supersedes the GCPR insofar as the GCPR dealt with services now covered by this regulation.

(b) Since this regulation keeps certain of the basic pricing provisions of the GCPR, many of your ceiling prices under this regulation will be the same as those you properly established under the GCPR.

(c) In addition all prices established under section 6 or section 7 of the GCPR remain in effect under this regulation.

SEC. 5. General pricing provisions.

(a) In determining your ceiling price (which you must report in the manner provided by section 18 of this regulation), use the first of the following provisions which applies to you. Your ceiling price shall be:

(1) The highest price at which you supplied the same service during the "base period" (December 19, 1950, to January 25, 1951, inclusive) to a purchaser of the same class. (Be sure to read the definition of "purchaser of the same class" in section 27 (a) (11) of this regulation.) If, however, in the base period you did not have a flat price for the service but did have a rate or a pricing method to determine your price, you may continue to use your highest base period rate or pricing method to determine your ceiling price for the same service, to a purchaser of the same class.

(2) If you did not actually deliver the service in the base period, then the highest price at which you offered in writing to supply the same service for delivery in the base period to a purchaser of the same class. If, however, in the base period you did not offer in writing to supply that service to that class of purchaser upon the basis of a flat price but did have a rate or pricing method upon the basis of which you could have supplied that service to that class of purchaser, then the price resulting from the application of your highest base period rate or pricing method which would, by your usual trade practice, have been used by you had you supplied the service in the base period.

(3) The ceiling price of your closest competitor for the same service to a purchaser of the same class, if you did not actually supply it or offer it for supply in the base period to any pur-

chaser. However, you may not take your closest competitor's ceiling price if such price is based on his offering price. The term "ceiling price" as used in this paragraph and in sections 6 and 7 of this regulation also includes a ceiling rate or pricing method. If you are a new seller first making sales after the effective date of this regulation, or a seller of a new service first sold by you after the effective date of this regulation, you will comply with section 6 of this regulation.

(b) In the use of a rate or a pricing method you may not charge more for each factor of the rate or pricing method than the highest price you charged for such factor in the base period. For example, you operate an automobile repair shop and you do not have a fixed flat price for body repair work but make a labor charge of \$3 per hour plus the price of any parts supplied. You may not now charge more than \$3 per hour for your labor charge even though you are paying your mechanics more than you paid them in the base period. Furthermore, you may not now charge more than the highest price you charged for the parts in the base period unless a commodity regulation establishes a new ceiling price for such parts in which case you may charge for such parts the ceiling price so established.

SEC. 6. Pricing for new services and sellers. (a) If you are a new seller or are selling a new service which cannot be priced under section 5 of this regulation, your selling price is the same as the ceiling price of your closest competitor for the same service to a purchaser of the same class.

(b) Within 10 days after determining the ceiling price under this section you must report the price in writing to the appropriate OPS district office explaining how the price was computed. You must also comply with the applicable provisions of section 12 of this regulation.

SEC. 7. Services which cannot be priced under section 5 or 6 of this regulation.

(a) If you cannot determine a ceiling price under section 5 or section 6 of this regulation, you must file an application with the Director of Price Stabilization, Washington 25, D. C., for approval of a ceiling price in line with the level of ceiling prices otherwise established by this regulation, and in the case of a commodity rental or a manufacturing or processing service, a ceiling price consistent with the level of ceiling prices established for the sale of the commodity by the applicable ceiling price regulation. The application shall contain a description of the service, anticipated direct labor and material costs, and the proposed ceiling price. It shall also contain a full explanation of the reasons why you cannot price this service under section 5 or 6 of this regulation. If you supplied any other service in the base period, submit, in addition, a description of the most comparable service showing your present direct labor and material costs for it and your present ceiling price.

(b) You may not sell the service for which a ceiling price is requested under this section until that price has been approved by OPS, but the proposed price shall be considered approved 20 days after mailing the application (or all ad-

ditional information which may have been requested), unless, within that time, OPS notifies you that your proposed price has been disapproved. You must also furnish any additional information which OPS may require and comply with the provisions of section 18 of this regulation.

SEC. 8. Pricing of seasonal services—

(a) *Services supplied in the base period but subject to seasonal variations in price.* If you have had a regularly established seasonal variation in price and delivered the service in the base period, your ceiling price for your other seasonal periods shall reflect your customary dollar differential between that season and the base period.

(b) *Seasonal services not supplied in the base period.* If the service was not supplied in the base period either by you, or by a competitor in the same general trading area serving the same kind of purchaser, and if you supplied the service regularly during one or more seasons of the period January 26, 1950, to December 18, 1950, inclusive, your ceiling price shall be the price you charged in the last season prior to the base period: *Provided, nevertheless,* That if you are one of the sellers referred to in paragraph (c) of this section you may add to that price the increase permitted in such paragraph (c). If you customarily maintain other seasonal variations in price you shall reflect your customary dollar differential in price between those seasons and the last season in which the service was supplied.

(c) You may under paragraph (b) of this section use the following table to compute your percentage increase if you are a seller who on each day of the last season prior to the base period employed not more than seven individuals. If, however, during the last season prior to the base period, you employed eight or more individuals in any one day and you can show in your report to the Director of Price Stabilization that your direct costs have now increased above your costs in the last season prior to the base period, you may under paragraph (b) of this section add no more than these direct costs to that price which you charged in the last season prior to the base period unless these direct costs exceed the table percentage applicable to you, in which case you will then use that table percentage.

(1) The table percentage applicable to you under this paragraph and paragraph (b) of this section shall be as follows for the applicable season:

8 percent Jan. 26, 1950, through April 30, 1950.

7 percent May 1, 1950, through June 30, 1950.

6 percent July 1, 1950, through July 31, 1950.

5 percent Aug. 1, 1950, through Aug. 31, 1950.

4 percent Sept. 1, 1950, through Sept. 30, 1950.

3 percent Oct. 1, 1950, through Nov. 30, 1950.

2 percent Dec. 1, 1950, through Dec. 18, 1950.

In selecting the appropriate percentage increase apply the percentage for the date in which the highest price for the season was first announced by you in writing or, if there was no such announcement, the first date on which the

service was sold by you at the highest price in the season.

(d) This section applies only if the season during which the variation in price was in effect regularly consisted of at least 14 consecutive days.

(e) *Reports.* Within 10 days after establishing or determining your ceiling price, or any change therein, under this section, you must report the price in writing to the Director of Price Stabilization, Washington 25, D. C., explaining how the price was computed. You must also comply with the applicable provisions of section 18 of this regulation.

SEC. 9. *Pricing changes.* OPS may at any time disapprove or revise ceiling prices proposed or established under this regulation or under section 7 of GCPR so as to bring them into line with the level of ceiling prices otherwise established by this regulation. You may not redetermine your ceiling price after it has been determined under this regulation unless it is changed by OPS, in which case the changed price shall be your ceiling price.

SEC. 10. *Central pricing.* OPS may when it deems it consistent with the purposes of this regulation establish uniform prices for sellers owning or operating more than one service establishment and may for this purpose require sellers to furnish necessary information.

SEC. 11. *Commodities included in services.* Your ceiling price for a service under this regulation includes any commodity furnished with the service. If your ceiling price includes a separately stated charge for the commodity, your ceiling price for the service shall be increased or decreased, as the case may be, by the difference between your separately stated charge for the commodity under this regulation and the ceiling price fixed by the applicable commodity regulation.

SEC. 12. *Special pricing provisions—*
(a) *Application of general pricing increase to long-term contracts, etc.* If in the base period you had in effect an increase in your prices for a service to your classes of purchasers generally, and you actually charged the increased price to the classes of purchasers whom you supplied in the base period, but you did not supply the service at the increased price in the base period to a particular class of purchaser because either:

(1) You did not supply the service to that class of purchaser in the base period after the price increase, or

(2) You supplied the service to that class of purchaser in the base period after the price increase at a lower price because you were bound to do so under a contract made before the price increase, then your ceiling price to that particular class of purchaser shall be:

(i) Your increased offering price to that class of purchaser for supply during the base period, or

(ii) If you had no such increased offering price, then the highest price at which you supplied the service to a purchaser of a different class during the base period adjusted to reflect the customary differential in price between the two classes of purchasers.

If, however, in the base period you announced in writing an increase in your

prices for a service to your classes of purchasers generally, but you did not deliver the service at the increased price to any of the purchasers whom you supplied in the base period because you were bound under contracts made before the announcement in writing of that price increase, and you did enter into new contracts for future delivery of the service at the increased price prior to December 19, 1950, then at the expiration of each old contract you may institute the announced price increase, adjusted to reflect the customary differential in prices among your classes of purchasers.

(b) *Percentage commissions on commodity sales or purchases.* If you are a commission seller, buyer, broker, or auctioneer, and in the base period you used a percentage rate to determine your commission in connection with the sale or purchase of a commodity, you may now apply your highest base period percentage rate to the current authorized price of a commodity under the applicable commodity ceiling price regulation, or to your sale or purchase price of the commodity if it is lower, to determine your commission for the purchase or sale of the same commodity to a purchaser of the same class.

(c) *Individual negotiated prices.* If you customarily made a practice of charging different purchasers different prices without regard to standards, such as quantity purchased and nature of business (wholesaler, retailer, etc.) each such customer is a separate class of purchaser.

(d) *New purchasers.* Your price to a new purchaser is your established ceiling price to the class in which the new purchaser falls. However, if you followed the practice of maintaining individually negotiated prices, the ceiling price to a new purchaser is the arithmetic average of your base period ceiling prices to purchasers of the same class for the same service. But if within one month prior or one month subsequent to the acceptance of a new purchaser you discontinue supplying an old purchaser to whom you sold during the base period at a price below your average price to purchasers of the same class, your ceiling price to the new purchaser shall be the same as the ceiling price you charged the purchaser you discontinued.

(e) *Refusing to supply lower priced services.* (1) A seller may discontinue selling his services. If, however, he discontinues a service that he offered in the base period or since, and sells or offers to sell in its place a higher priced service which will achieve the same general purposes as the service he discontinues, he is evading the Defense Production Act of 1950, and is violating this regulation, unless it appears that one or more of the following conditions exists:

(i) That specialized equipment or supplies requisite to a continuance of the particular service are not available; or

(ii) That the continuance of the particular service would be in violation of or would be rendered impracticable by a governmental order or regulation, or that it would be contrary to governmentally established standards or policies; or

(iii) That discontinuance of the particular service will enable the seller to maintain other services more neces-

sary to the community directly concerned; or

(iv) That other suppliers in the community are able and willing to supply the requested service or a similar service in requisite amount and at prices not exceeding the ceiling price of the particular seller.

(2) A seller refusing to supply a service must, unless otherwise permitted to do so by a general permissive order, certify by registered mail, for which a return receipt has been requested, to the Director of Price Stabilization, Washington 25, D. C., the existence of one or more of the conditions stated in this paragraph. Unless sufficient facts are given to support the certification, the request will be denied, without prejudice to an opportunity to the seller to furnish additional evidence.

(3) Effective date on which a service may be discontinued under this paragraph: Unless the Director of Price Stabilization or his authorized representative shall, by notice mailed to the seller within thirty days from the date of the receipt of the certified statement, disapprove the request, the seller may discontinue the service.

(4) Definition: As used in this paragraph, the term "service" means one of the types, forms, grades, or quantities offered for sale in the base period, or since, the description of which is required in your statement under section 18 of this regulation.

(f) *Cost plus contracts.* (1) If you customarily supplied service to a class of purchaser by the use of a cost plus contract, you may continue to use such a contract, limited to your highest base period fee or percentage, but in figuring your costs you must limit each element of cost to the highest rate or charge you made to the same class of purchaser in the base period.

(2) Within 10 days after determining the ceiling price under this section you must report the price in writing to the Director of Price Stabilization, Washington 25, D. C., explaining how the price was computed and stating your base period charges and method of computation for the supplying of the same service to a purchaser of the same class.

(g) *Flat rate manuals or catalogues.* If during the base period you used a flat rate manual to determine your price, you must use the same manual now, and you may not increase the hourly rate you charged in the base period. If you used a catalogue to determine your prices for parts in the base period you may continue to do so now. However, if a specific ceiling price is set by OPS for any item in the catalogue, you may not charge more than such specific ceiling price. You may not use a new edition of such flat rate manual or catalogue unless its use has been approved by the Director of Price Stabilization, Washington 25, D. C.

SEC. 13. Transfer of business; moving of business; chains—(a) *Transfer.* If you acquire a previously established business after May 16, 1951, and you carry on such business in an establishment separate from an establishment previously owned or operated by you, your ceiling prices shall be the same as those to which your transferor would have been subject if no such transfer

had taken place, and your obligation to keep records sufficient to verify such prices shall be the same. You must further prepare and preserve (if your transferor has not already done so) and keep up to date the statement required under section 18 of this regulation. Your transferor shall preserve and turn over to you all records of transactions prior to the transfer which are necessary to enable you to comply with the records provisions of this regulation.

(b) *Moving.* If you sell services at retail and move the business out of your trading area after May 16, 1951, you must apply to OPS for establishment of your ceiling prices for that unit under section 7 of this regulation except that if you close a selling unit and open another one in the same trading area, your ceiling prices for the new unit shall be the same as those of the unit you closed.

SEC. 14. Taxes. If a tax is imposed on a service covered by this regulation and the tax law does not forbid you to pass the tax on to your customers, you may add the tax to your ceiling price in accordance with the following provisions: If the tax becomes effective after January 25, 1951, you may add the tax to your ceiling price if you separately state it. If the tax was in effect in the base period and you were not then supplying the service, you may add the tax to your ceiling price as established under this regulation if such price does not already reflect the tax, if you separately state it. If the tax was in effect in the base period and you were then supplying the service and passing on the tax, you may continue to do so; if you separately stated the tax then, you must do so now. If in the base period you did not pass the tax on to your customers, you may not do so now. ("Tax" as used in this section also includes a tax increase.)

SEC. 15. Additional charges. You may not make a higher charge for expediting, packaging, or other incidents of a service than you made in the base period to a purchaser of the same class, nor may you now make any charge for any incident of a service if it was not your practice to do so in the base period, unless you are authorized to do so by the Director of Price Stabilization, Washington 25, D. C. You may not require a purchaser to pay a larger proportion of transportation costs incurred in the supply of any service than you required a purchaser of the same class to pay during the base period for the same service. Unless authorized by the Director of Price Stabilization, Washington 25, D. C., you may not require a deposit for any reason or make an extra charge for insurance, if you did not do so in the base period, nor may you now increase any such deposit or insurance charge made in the base period.

SEC. 16. Customary price differentials. Your ceiling prices, when determined, shall reflect your customary price differentials, including discounts, allowances, premiums and extras, based upon differences in classes or location of purchasers, or in terms and conditions of sale or delivery.

SEC. 17. Sales slips; receipts. If you have customarily given a purchaser a sales slip or receipt, you must continue

to do so. Upon request by a purchaser, you must regardless of your previous custom, give the purchaser a sales slip or receipt. Such sales slip or receipt must show your name and address, the date, the description and quantity of each service sold, the price charged for each such service, and the price charged for any parts or commodities furnished with the service.

SEC. 18. Records; filings of statements; posting. You must comply with the following provisions for keeping price records and for filing statements of your ceiling prices:

(a) *Records.* Preserve for examination by OPS all records regarding your prices, rates, or pricing methods for services supplied or offered for supply during the base period (or such other period as is specified as your base period) and thereafter.

(b) *Filings of statements.* (1) Prepare and keep for examination by any person during ordinary business hours, a statement of your ceiling prices, rates, or pricing methods for purchasers of each class together with an adequate description of each such service.

(i) If you have in any case taken the ceiling price of your closest competitor for any service as your ceiling price, indicate on the statement in every such case the service, the ceiling price, and your closest competitor's name and address.

(ii) If your ceiling prices are based upon a flat rate manual or similar pricing manual or parts catalogue or list, you may (instead of appending it to the statement) clearly identify on the statement such manual, parts catalogue, or list by name, edition number, and date, indicating the instances in which it was not your practice in the base period to follow it.

(2) File a duplicate of your statement with the appropriate OPS district office. You may request, if you wish, that the part of your statement insofar as it applies to non-retail services which you sell be treated as confidential and not subject to public disclosure. Such part of your statement as shall be so treated will then be withheld from public inspection unless the withholding of the information it contains would be contrary to the purposes of this regulation. You may also withhold from public inspection such part of your statement, insofar as it applies to non-retail services which you sell.

(3) You must prepare and file such duplicate statement within 30 days of the date that your ceiling price for a service is first established by this regulation. If you have previously prepared and preserved a statement of your ceiling prices under the GCPR and its amendments, and your ceiling prices have not changed under this regulation, you must prepare and file such duplicate copy of such statement under this regulation.

(c) *Supplements.* You must also prepare and keep available appropriate supplements of your statements, and you must file a duplicate copy of each such supplement with the appropriate OPS district office, within 10 days after you have delivered any new service or after any change in your selling price is authorized by OPS.

(d) *Signature.* These statements and all supplements thereto must be signed by you or your authorized agent.

(e) *Exception.* If you can show that the requirements of this section subject you to unusual hardship, you may apply to the Director of Price Stabilization, Washington 25, D. C., for written authorization to depart from these requirements. Such authorization will be given only if it will not be inconsistent with the purposes of this regulation.

(f) *Posting.* (1) OPS may require you to post your ceiling prices for any service which you sell at retail whenever it is deemed necessary to the effective enforcement of this regulation.

(2) If, however, you operate a service establishment making sales at retail, you must, not later than 30 days after the date that your ceiling price for a service is first established by this regulation, post your ceiling prices in a prominent or clearly visible position in your establishment.

SEC. 19. Violation—(a) *Civil and criminal action.* If you violate any provisions of this regulation you are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Defense Production Act of 1950.

(b) *Record-keeping and filing violations; failure to establish ceiling price.*

(1) If you fail to keep the records or statements as required by section 18 of this regulation, or if such records or statements or supplements are incorrect or incomplete, or if you fail to apply to OPS for the establishment of a ceiling price under section 7 of this regulation, if you are required to do so, OPS may issue an order establishing a ceiling price for each service you sell in line with prices established by this regulation. Such order may establish the ceiling price as of the date of the first sale of the service under this regulation. Such order may also require you to give sales slips or receipts to your customers as specified in the order, to retain copies thereof in your files, and to prepare and keep such records as may be specified in the order. These requirements will not, however, relieve you of your obligation to comply with the requirements of sections 18 and 7 of this regulation, or of the various penalties for failure to do so.

(2) The term "ceiling price" as used in this paragraph and in section 18 also includes a ceiling rate or pricing method.

SEC. 20. Adjustments—(a) *General adjustments.* OPS may adjust any ceiling price established under this regulation upon a demonstration of substantial financial hardship threatening your ability to continue to supply a service, subject to the following limitations:

(1) No adjustment will increase your ceiling price above the levels necessary to permit you to continue the sale of your services;

(2) No adjustment will be made if it will create or tend to create a need for increases in the prices of other sellers in your locality or elsewhere.

In judging whether a ceiling price subjects you to substantial financial hardship, OPS will take into account such pertinent factors as the nature of your business, its earnings, and the earnings

of your trade as a whole during a representative period. A price increase may be denied in whole or in part, however, if your hardship is attributable to such causes as a decline in sales volume because of reduced demand, general manpower shortage, shortage of essential supplies, or other difficulties apart from your ceiling price. Even though a particular service or type of service is not profitable, an adjustment may be denied in whole or in part if in the judgment of OPS, such action is justified in view of the profitability of your business as a whole.

(b) *Adjustment by buyer-seller agreement.* In order to permit the continuance of a limited supply of an essential non-retail service, you may, if the buyer agrees to absorb a price increase above your ceiling price for that service, apply to the Director of Price Stabilization, Washington 25, D. C., for permission to increase the price of that service to him by an amount not to exceed direct labor and material cost increases incurred by you since your ceiling price for that service was established. Twenty days after filing under this paragraph for a price increase or supplying such additional information as OPS may request, you may charge your increased price unless you are advised by OPS that your application has been denied. The Director of Price Stabilization or any official of OPS having authority to act may at any time deny the application for the price increase in any case where it appears to be inconsistent with the purposes of the Defense Production Act of 1950.

SEC. 21. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the ceiling price in effect at the time of delivery; but no person may, unless authorized by OPS, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by OPS after delivery. Such authorization may be given when a request for a change in the applicable ceiling price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Defense Production Act of 1950. The authorization may be given by the Director of Price Stabilization or by any official of OPS having authority to act upon the pending request for a change in price or to give the authorization. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 22. Petitions for amendment. If you seek a change in any provision of this regulation affecting sellers of a service generally, you may file a petition for amendment.

SEC. 23. Procedures. Petitions for amendment and applications for adjustment shall be filed in accordance with Price Procedural Regulation No. 1 except that such petitions and applications shall be filed with the Director of Price Stabilization, Washington 25, D. C.

SEC. 24. Amendments; supplementary regulations; orders. This regulation may be changed or supplemented at any

time by amendments, supplementary regulations, orders, or other appropriate action.

SEC. 25. Evasion. (a) This regulation shall not be evaded directly or indirectly.

(b) Any act or practice which results directly or indirectly in obtaining a higher price than is permitted by this regulation is a violation of this regulation. Such practices include, but are not limited to, devices making use of commissions, cross-sales, transportation arrangements, premiums, discounts or any other price differential, special privileges, tie-in agreements or combination sales which require the purchaser of a service covered by this regulation to buy or agree to buy any other commodity or service as a condition of receiving the desired service, or trade understandings; deterioration of services; or the practices not justified under section 12 (e) of this regulation.

SEC. 26. Applicability. This regulation applies to services supplied in the 48 States of the United States and the District of Columbia.

SEC. 27. Definitions and explanations. (a) When used in this regulation:

(1) "Appropriate OPS district office" means the district office of the Office of Price Stabilization for the district where your place of business is located and from which your sales are made.

(2) "Base period" means the period as of which your ceiling prices are fixed under this regulation.

(3) "Closest competitor" means that seller selling the same service under substantially the same conditions who is in close competition with you and is located nearest to you.

(4) "Commodity." This term includes commodities, materials, articles, products, supplies, components, processes and contracts to buy, sell or deliver any of the foregoing.

(5) "GCPR" means the General Ceiling Price Regulation.

(6) "Non-retail sale" means a sale to an industrial, commercial, or governmental user.

(7) "Offered" (as that word is used in connection with price) means the price quoted in your base period price list, or, if you had no price list in the base period, the price which you regularly quoted in any other manner, or the price determined by your base period rate or pricing method. But "offered" (price) does not include a price intended to withhold a service from the market, or a price you offered as a bargaining price if you usually sold at a price lower than your asking price.

(8) "OPS" means the Office of Price Stabilization and, for the purposes of authorizing, establishing, adjusting, revising or disapproving ceiling prices means the Director of Price Stabilization or any official to whom he by order shall delegate the authority therefor.

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

(10) "Pricing method" is a formula by which you determined a price for a service in the base period which in-

cluded a rate, and an item for labor, materials, and mark-up for overhead and profit, or any of such items, whether or not the formula was disclosed to the purchaser. Unless the formula included a rate, the figure which resulted from the application of the formula was a flat price (except where the supplying of a service was on a cost-sharing basis). See definition of "rate" in subparagraph (12) of this paragraph.

(11) "Purchaser of the same class" means a purchaser belonging to the same price class, that is, to a group of purchasers to whom it was your established practice in the base period to supply or offer to supply the same service at a particular price. If in the base period you customarily supplied or offered to supply the same service to any purchaser at a price different from the price at which you supplied or offered to supply the same service to other purchasers, that purchaser is in a purchaser price class by himself.

(12) "Rate" is a means of determining a price by multiplying the time involved in supplying a service by a fixed charge per unit of time, or by multiplying the price of the commodity involved by a fixed percentage.

(13) "Records" includes but is not limited to, books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and any other papers and documents relating to your prices.

(14) "Rental" means any leasing of a commodity except where the lease is a substitute for a conditional sales contract, chattel mortgage, or other security device in connection with an installment sale, or except where the lease contains a provision giving the lessee an option to buy the leased commodity at a stipulated price from which all or a portion of the payments made as rent are to be deducted.

(15) "Season" means any division of the year into periods of at least 14 consecutive days for pricing purposes, such division being based upon regular and recurrent differences in demand for or supply of the service.

(16) "Sell" or "supply" includes sell, rent, supply, dispose, barter, exchange, transfer, deliver, and contracts and offers to do any of the foregoing. The term "sale", "supply", "selling", "supplying", "sold", "supplied", "seller", "supplier", "buy", "purchase", shall be construed accordingly.

(17) "Service" or "services" means any act or acts performed or rendered, otherwise than as an employee, for a fee, charge or other consideration. The term includes any privilege sold or granted, or any forbearance to act, for a fee, charge or other consideration. The term also includes the rental of any commodity or service if the rental charge is not covered by another ceiling price regulation and has not been exempted from price control.

(18) "You" means a person and refers to any seller or supplier subject to this regulation. If you supply services through more than one place of business, each such place of business shall, for the purposes of this regulation, be considered a separate seller or supplier.

Effective date. This regulation shall become effective May 16, 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,
Price Stabilization.

MAY 11, 1951.

Miscellaneous Amendments

Ceiling Price Regulation 34
Amendment 1
AUGUST 20, 1951OFFICE OF PRICE STABILIZATION
WASHINGTONTITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Amdt. 1]

CPR 34—SERVICES

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 1 to Ceiling Price Regulation 34 clarifies and amplifies that ceiling price regulation. Sections 12 (d), 13 (a), 13 (b), 13 (c), 18, 18 (b) (1) and 18 (g) [new] have been the subject of miscellaneous clarifying amendments. Section 5 (a) (2) is amended to provide that an offer in writing to supply a service in the base period may be evidenced by a written invoice made prior to the base period but after December 31, 1949. An addition to section 20 (a) has been made prescribing the information required, by way of a form or otherwise, from a supplier who may seek a general adjustment of his ceiling price. Section 20 (b) is implemented by the introduction of a new adjustment paragraph (c), which permits a purchaser of non-retail services who agrees to absorb the increased price charged to him by his sellers, who are threatening to discontinue the supplying of those services and who are too numerous to make practicable any recourse to an adjustment of that price by a buyer-seller agreement under paragraph (b), to make an application to the Director of Price Stabilization to pay his sellers as much as but no more than the price he would be required to pay other supplying sources for such services.

Section 26 is amended, so that the provisions of Ceiling Price Regulation 34 are made applicable to the territories and possessions as of the effective date of this amendment. The territories and possessions were excluded from that regulation, as issued, because the supplementary regulations to be issued under such Ceiling Price Regulation 34 were to be tailored to conditions existing in the economy of the continental United States and, therefore, not necessarily suitable to the needs of the territories and possessions. It has now been determined that there will be two series of supplementary regulations issued under such Ceiling Price Regulation 34, one applicable to the continental United States, and the other to the territories

and possessions. The latter will be labeled "Territorial Supplementary Regulations". The filing date in section 18 for the listed territories and possessions will, of course, be computed only from the effective date of this amendment.

The technical nature and routine character of the provisions of this amendment made it unnecessary to consult formally with industry representatives, although wherever feasible various representatives from service fields were informally consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization 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.

AMENDATORY PROVISIONS

Ceiling Price Regulation 34 is amended in the following respects:

1. Subparagraph (2) of paragraph (a) of section 5 is amended by adding after the first sentence thereof the following: "Such an offer in writing must be one made in the base period or be evidenced by an invoice made prior thereto but after December 31, 1949."

2. The second sentence of paragraph (d) of section 12 is amended by striking "class" and inserting in the place thereof "category", and as amended to read as follows: "However, if you followed the practice of maintaining individually negotiated prices, the ceiling price to a new purchaser is the arithmetic average of your base period ceiling prices to purchasers of the same category for the same service."

3. Paragraph (a) of section 13 is amended by striking therefrom "May 16, 1951" and inserting in the place thereof "January 25, 1951".

4. Paragraph (b) of section 13 is amended to read as follows:

(b) *Moving.* If you sell services at retail and move the business out of your trading area after January 25, 1951, you must apply to OPS for establishment of your ceiling prices under section 7 of this regulation. If you move the business in the same trading area you must keep the same ceiling prices.

5. A new paragraph (c) is added to section 13 to read as follows:

(c) *Chains.* If you operate one or more selling units and you open a new unit after January 25, 1951, you must apply to OPS for establishment of your ceiling prices for that unit under section 7 of this regulation, except that if you close a selling unit and open another one in the same trading area, your ceil-

ing prices for the new unit shall be the same as those of the unit you closed.

6. The title of section 18 is amended by striking the period after "posting" in line 2 and inserting in the place thereof a semicolon followed by "reports", and as amended to read as follows:

SEC. 18. *Records; filings of statements; posting; reports.*

7. Subparagraph (1) of paragraph (f) of section 18 is amended by striking the phrase "at retail" in line 3, and as amended to read as follows:

(f) *Posting.* (1) OPS may require you to post your ceiling prices for any service which you sell whenever it is deemed necessary to the effective enforcement of this regulation.

8. A new paragraph (g) is added to section 18 to read as follows:

(g) *Reports.* The Director of Price Stabilization may from time to time require reports and information subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942. Such reports must be filed with the Office of Price Stabilization, Washington 25, D. C., or with the appropriate OPS district office if you are instructed to do so, at such time, in such form and in accordance with such instructions as shall be required or approved.

9. Paragraph (a) of section 20 is amended by adding at the end thereof the following:

You may apply to the Director of Price Stabilization, Washington 25, D. C., for an adjustment under this paragraph pursuant to the form listed below which is applicable to the services you supply:

(i) If you are a seller of automotive, farm implement, appliance or other repair services priced by a customers' hourly rate, you must complete and file, in duplicate, with the Director, OPS Public Form No. 42.

(ii) If you are a seller of any services other than those provided for in subdivision (i) above, you must complete and file, in duplicate, with the Director, OPS Public Form No. 43 and such other data as may be required thereby.

(iii) Should OPS Public Forms Nos. 42 or 43 be considered by OPS to be inappropriate for a particular applicant, OPS may require, as a condition for applying for an adjustment hereunder, that the applicant furnish to the Director the information OPS may prescribe.

10. A new paragraph (c) is added to section 20 to read as follows:

(c) *Application by purchaser who buys services from numerous sellers.* If a purchaser buys non-retail services from sellers who are too numerous to make recourse to paragraph (b) of this section

practicable and who are threatening to discontinue supplying him with such services, the purchaser may, if he agrees to absorb the price increase above the ceiling, apply to the Director of Price Stabilization, Washington 25, D. C., for permission to pay to his sellers for the supplying of such services as much as but no more than he would be required to pay other suppliers therefor. Such letter should show the nature and extent of the sellers' cost increases, and, where practicable the names and addresses of the sellers and the ceiling prices of each. A price increase under this paragraph may

not become effective until the applicant is advised in writing of OPS approval, which will be given only where it is clear that there is no practicable recourse to paragraph (b) of this section, and where granting such approval will not be inconsistent with the purposes of the Defense Production Act of 1950, as amended.

11. Section 26 is amended to read as follows:

SEC. 26. Applicability. This regulation applies to services supplied in the 48 States of the United States, the District of Columbia, and Alaska, Guam,

Hawaii, Puerto Rico, Samoa and the Virgin Islands.

Effective date. This Amendment 1 to Ceiling Price Regulation 34 is effective August 25, 1951.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

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

MICHAEL V. DiSALLE,

Director,

Office of Price Stabilization.

AUGUST 20, 1951.

Adjustment of Ceiling Prices

Ceiling Price Regulation 34 Amendment 2

JAN. 9, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Amdt. 2]

CPR 34—SERVICES

ADJUSTMENTS OF CEILING PRICES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment states the basis for granting individual adjustments in ceiling prices to those engaged in the service trades subject to Ceiling Price Regulation 34, including, particularly, the adjustments required by section 402 (d) (4) of the Defense Production Act of 1950, as amended. It also provides that henceforth such applications (with certain exceptions) are to be filed in the District Office of OPS rather than in the National Office of OPS as was previously the case. The field offices are being authorized to act upon such applications which will pertain primarily to the furnishing of local services to non-industrial consumers.

Applications for adjustment in certain cases will continue to be filed in the National Office of OPS. Such applications will include those made by persons engaged in the service trades whose business activities cross the boundaries of OPS regions or whose business activities may involve OPS regulatory policies embodied in regulations other than Ceiling Price Regulation 34. Perhaps the most important category of applications required to be filed in the National Office of OPS are applications pertaining to services supplied or sold in direct connection with industrial, manufacturing or agricultural activities.

OPS experience with the service trades under this regulation and with numerous service establishments seeking relief, highlights the unusual cost accounting difficulties peculiar to the service trades governed by CPR 34. Typical service establishments covered by Ceiling Price Regulation 34 are laundries, cleaning and dyeing plants, garment repair shops, radio and television repair services, automobile repair shops and home electrical and appliance repair shops. It would be extremely difficult for most of these service establishments to make the computations of cost increases or decreases in the manner prescribed by the so-called Capehart Amendment, i. e., section 402 (d) (4) of the Defense Production Act of 1950,

as amended. After careful evaluation, it is the opinion of the Director of Price Stabilization that the provisions of section 20 (a) of this regulation, as amended, generally afford so-called Capehart relief to the fullest practicable extent. This amendment provides, nevertheless, that if someone in a service trade covered by CPR 34 believes that he can show that he is entitled to a further increase in ceiling prices under the so-called Capehart Amendment, he is to inform OPS fully of all the circumstances and make a full showing so that appropriate study may be given the matter by OPS.

The general standard in this amendment provides for an adjustment where the ceiling prices established by the regulation impair the applicant's normal representative pre-Korean earnings to such an extent that the effective operation of his service business is threatened. The implementation of this general standard requires an analysis of the particular industry and service establishment involved. The OPS will consider such significant facts as the nature of the industry and the size and characteristics of typical service establishments in the industry, as well as of the applicant's establishment. OPS will consider also whether the applicant is engaged solely in rendering the services for which he seeks an adjustment, or whether he also sells commodities or other services. Likewise, the OPS will consider whether the industry, of which the applicant's establishment is a part, is a relatively self-contained industry or is closely related to a larger industry where the service is, for example, part of the production or the preparation for market of a commodity.

In many service trades, particularly those who supply services to nonindustrial consumers, many persons operate with very modest, if any, financial reserves and employ relatively few employees. These important facts also will be taken into account. In addition, this amendment takes into account the special problems of very small businesses, including the sketchiness of their records.

The technical nature of the provisions of this amendment made it impracticable to consult formally with industry representatives, although various representatives from the service trades were informally consulted and consideration was given to their recommendations.

AMENDATORY PROVISIONS

Section 20 (a) of Ceiling Price Regulation 34 is amended to read as follows:

(a) *Adjustments in general.* OPS will adjust your ceiling price upon a showing that your ceiling prices impair your normal earnings, in a representative pre-Korean period, to such an extent that the

effective operation of your service business is threatened.

In considering applications for adjustment under this section, and the extent, if any, to which relief should be granted, OPS will, so far as pertinent, take into account, among other things: Your post-Korean increases and decreases in cost; the earnings of your services business as well as the earnings of your entire business operation; the extent to which the impairment of your pre-Korean earnings results from non-recurring factors such as flood, fire, strike; change in sales volume; the nature and size of your firm or company and of the service trade of which it is a part; whether the services supplied or sold by you are a necessary part of the production of a commodity or of the preparation of a raw material for marketing; whether your ceiling price is established by a regulation supplementary to Ceiling Price Regulation 34; and whether the records upon which you rely to support your showing of impairment of earnings are reasonable and adequate for a business of your size in your service trade..

If you prove to the satisfaction of the OPS that you are entitled to relief under this adjustment provision, but, because of the extremely small volume of your business, you cannot establish clearly the extent of the impairment of your pre-Korean earnings, OPS may take into account the ceiling prices and underlying costs for substantially the same services sold or supplied by others in your area.

(1) Except under the circumstances listed or described in subparagraph (2) of this paragraph, you must file your application, in duplicate, on OPS Public Form Pub43, Revised, with the OPS District Office for the district in which your place of business is located. In addition to the information required of you by OPS Public Form Pub43, Revised, OPS may request such other information as may be found necessary in considering your application. The authority to act upon your application is being delegated to the OPS Regional Offices, with power to redelegate this authority to the OPS District Offices.

(2) You must file your application on OPS Public Form Pub43, Revised, in duplicate, with the Office of Price Stabilization, Washington 25, D. C., if you sell or supply any services, subject to Ceiling Price Regulation 34, which are listed or described below:

(i) Any services supplied by a person whose business (services, and other business) normally is carried on in more than one OPS region.

(ii) Any services rendered to manufacturing or industrial establishments which are either a necessary part in the production of a commodity or are useful

or necessary in the preparation of a raw material for marketing.

(iii) Any services rendered on food or agricultural commodities.

(iv) Royalty arrangements of any kind.

(v) Services of selling agents, brokers or auctioneers.

(vi) Real property management services.

(vii) Banking services.

(viii) Admissions to athletic and sporting events.

(ix) Non-exempt services performed or supplied by public utility and common carrier corporations, their lessees, concessionaires or assigns (such as parking facilities, locker facilities, installation of gas and electric ranges).

(x) Warehouse facilities.

(xi) Dock and terminal facilities.

If some of the services you sell or supply are listed or described in this subparagraph and some of the services you sell or supply are not so listed or described, you must file your application for adjustment for all of the services which you sell or supply with the Office of Price Stabilization, Washington 25, D. C.

In addition to the information required of you by OPS Public Form

Pub43, Revised, OPS may request such additional information as may be found necessary in considering your application.

(3) Because of inherent cost accounting problems peculiar to the various service trades, exact determination of cost increases or decreases under section 402 (d) (4) of the Defense Production Act of 1950, as amended, would impose an insuperable difficulty upon the service trades. Generally, the provisions of this section, other than this subparagraph, will afford, to the fullest practicable extent, the relief permitted by section 402 (d) (4) of the Defense Production Act of 1950, as amended. If, however, you believe that such other provisions of this section do not afford you an adjustment which permits as much of a ceiling price increase as you are entitled to under section 402 (d) (4) of the Defense Production Act of 1950, as amended, you may write and make a full showing to the Office of Price Stabilization, Washington 25, D. C., stating the relief to which you believe you are entitled and the reasons for your belief. You should also state the relief you have previously received under this section and the reasons why you believe that such relief is not sufficient; whether you have an application pending before OPS for relief

under any other provision of this section, and if so, the date of filing and the address of the OPS office with which you filed the application. You should also supply all of the reports required by General Overriding Regulation 20 or General Overriding Regulation 21, whichever by its terms would be applicable to your business if services covered by Ceiling Price Regulation 34 were not exempt from those regulations.

(4) Any application filed prior to January 14, 1952 will be given due consideration in accordance with the standards provided in this section, as amended. Accordingly, you need not revise such application. If supplementary information is necessary you will be advised by OPS in due course.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This Amendment 2 to Ceiling Price Regulation 34, is effective January 14, 1952.

NOTE: The record-keeping and reporting requirements of this amendment 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.

JANUARY 9, 1952.

**Adjustment of Ceiling
Prices for New Service Sellers
(Amending Sec. 20(a))**

**Ceiling Price Regulation 34
Amendment 3
APRIL 23, 1952**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 3]

CPR 34—SERVICES

**ADJUSTMENT OF CEILING PRICES FOR NEW
SERVICE SELLERS**

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 3 to Ceiling Price Regulation 34 provides that ceiling prices for services supplied by sellers, without normal earnings experience in the pre-Korean period because they have been in business a relatively short time, may be adjusted upon a showing of financial hardship under section 20 (a) of that regulation. Before Amendment 2 to Ceiling Price Regulation 34 became effective on January 14, 1952, sellers regardless of when they entered into business, could apply for relief under this section upon a demonstration of substan-

tial financial hardship threatening their ability to continue to supply a service. By Amendment 2 to Ceiling Price Regulation 34, section 20 (a) was revised so that it appeared to apply to only those suppliers of services who had suffered an impairment of normal earnings in a representative pre-Korean period. This amendment clearly restores the broader scope to section 20 (a).

In order to qualify for relief under this amendment the seller of services must show first, that he had no normal earnings in a representative pre-Korean period because his service business is relatively new. It must also appear, if the facts can be reasonably ascertained, that his present ceiling prices for services are below the prevailing level for such services in his trading area. Finally, the applicant must show that his ceiling prices are causing or will cause him to operate his service business at a loss.

The technical nature and routine character of the provisions of this amendment made it impracticable to consult formally with industry representatives, although wherever feasible various representatives from service fields were informally consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization 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.

AMENDATORY PROVISIONS

Section 20 (a) of Ceiling Price Regulation 34, as amended, is further amended by adding after the first sentence thereof, the following: "OPS will also adjust your ceiling prices upon a showing that you had no normal earnings, in a representative pre-Korean period, because your service business is relatively new; that your ceiling prices are below the prevailing level of ceiling prices for the same services in your trading area; and that because of the level of your ceiling prices, your service business is, or will soon be, operated at a loss."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This Amendment 3 to Ceiling Price Regulation 34 is effective April 28, 1952.

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

ELLIS ARNALL,

Director of Price Stabilization

APRIL 23, 1952.

UNITED STATES DEPARTMENT OF AGRICULTURE
BUREAU OF PLANT INDUSTRY

No.	Name of Plant	Common Name
1	Abies balsamea	White Pine
2	Pinus strobus	White Pine
3	Pinus resinosa	White Pine
4	Pinus contorta	White Pine
5	Pinus edulis	White Pine
6	Pinus mitis	White Pine
7	Pinus rigida	White Pine
8	Pinus taeda	White Pine
9	Pinus strobus	White Pine
10	Pinus strobus	White Pine
11	Pinus strobus	White Pine
12	Pinus strobus	White Pine
13	Pinus strobus	White Pine
14	Pinus strobus	White Pine
15	Pinus strobus	White Pine
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47	Pinus strobus	White Pine
48	Pinus strobus	White Pine
49	Pinus strobus	White Pine
50	Pinus strobus	White Pine

Modification of Posting Requirements

(Amending Sec. 18(f)
(2); adding Sec. 18(f)(3))

OFFICE OF PRICE STABILIZATION WASHINGTON

Ceiling Price Regulation 34 Amendment 4 OCT. 22, 1952

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Amdt. 4]

CPR 34—SERVICES

MODIFICATION OF POSTING REQUIREMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment 4 to Ceiling Price Regulation 34, as amended, amends section 18 (f) (2) of that regulation to require all service establishments making sales at retail to post, on an official poster supplied by the Office of Price Stabilization, a list of the ceiling prices of its principal services. This amendment also modifies the existing requirement that service suppliers post all ceiling prices, by requiring such suppliers to keep available for public inspection, either on additional posters or in separate lists, the ceiling prices of additional services which are offered for sale.

Service establishments making sales at retail which were doing business during the base period December 19, 1950 to January 25, 1951, inclusive or which commenced doing business prior to May 16, 1951, were required by CPR 34 to file a list of their ceiling prices with the District Office of the Office of Price Stabilization and to post such ceiling prices on or before June 15, 1951. New service businesses and sellers of new services were also required to post and file their

ceiling prices within thirty days of the date that the ceiling price for the service was established by this regulation. Informal surveys of service establishments by representatives of the Office of Price Stabilization has shown a lack of uniformity with respect to the size of posting, the subject matter covered, and the visual accessibility to the purchaser of the posted ceiling prices. In accordance with a basic program of price stabilization, the Director has determined that in order to apprise purchasers of services subject to Ceiling Price Regulation 34, that modification of the posting requirements as contained in section 18 (f) (2) is necessary and thus is providing official posters upon which sellers may list the ceiling prices of their most representative services, these posters be prominently displayed in the service establishment where it can be easily seen and read by the customers.

The numerous and diverse establishments which will be affected by this amendment have made it impracticable to consult formally with Industry Advisory Committees including trade association representatives, however, the Director has given consideration to informal recommendations from various service trades.

In the judgment of the Director 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.

AMENDATORY PROVISIONS

Ceiling Price Regulation 34, as amended, is further amended in the following respects:

1. Section 18 (f) (2) is amended to read as follows:

If you operate a service establishment making sales at retail, you must, not

later than 7 days after you receive an official OPS poster, post your ceiling prices for your principal services on such official poster in a prominent place in your service establishment where it can easily be seen and read by your customers. In the event you do not receive an official poster, you must, not later than November 26, 1952, or 30 days after the date your ceiling price for a service is first established by this regulation, whichever is later, obtain an official poster from your OPS District Office and post your ceiling prices in accordance with this section. Ceiling prices for additional services must be kept readily available for public inspection at your place of business. You may use either additional posters or separate lists identifying each service and ceiling price.

2. Section 18 (f) is further amended by adding new subparagraph (3) which reads as follows:

(3) If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your OPS District Office. Erasures or changes in ceiling prices listed on the poster, excepted to correct clerical or arithmetical errors are prohibited, unless authorized by OPS.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This amendment 4 to Ceiling Price Regulation 34 shall be effective October 27, 1952.

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

TIGHE E. WOODS,
Director of Price Stabilization.

October 22, 1952.

**Base Period Contracts for
Delivery at Increased Prices**
(Amending Sec. 12(a))

**Ceiling Price Regulation 34
Amendment 5**
OCTOBER 31, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 5]

CPR 34—SERVICES

**BASE PERIOD CONTRACTS FOR DELIVERY AT
INCREASED PRICES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 5 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment changes the cut-off date for allowing recognition of contracts for increased prices under section 12 (a) of CPR 34. This section has provided, in part, that if in the base period a seller announced in writing an increase in his prices for a service to his classes of customers generally but did not deliver the service at the increased price to any of the purchasers supplied in the base period because he was bound under contracts made before the announcement in writing of the increase, then the seller could institute the increase at the expiration of each old contract if new contracts for future delivery of the service at the increased prices were entered into prior to December 19, 1950. This critical December 19, 1950 date is now changed to January 26, 1951.

The purpose of including this provision in section 12 (a) was to permit sellers to use increased prices at which

they did not actually deliver during the base period but at which they would have delivered had they not been bound by contractual commitment. It is an exception to the pricing rules of section 5 of the regulation which require a seller to establish his ceiling prices for a service on the basis, generally, of the highest price at which he supplied the service during the December 19, 1950 through January 25, 1951 base period. At the time section 12 (a) was formulated the Director determined, in the light of the rapid raise of prices during the months of December, 1950 and January, 1951, that the section 12 (a) exception to the provisions of section 5 should be restricted by the requirement of the seller having made the contracts before December 19, 1950. This was to prevent the possibility of letting in under this exception any price increases which were announced by the seller in order to gain a price advantage in anticipation of the issuance of ceiling price regulations.

Experience under CPR 34 indicates, however, that the purpose of the section can be attained without rigidly excluding those sellers who entered into their future delivery contracts between December 19, 1950, and January 25, 1951, inclusive. There are many sellers who in good faith announced price increases during the base period, were not able to deliver at the higher price immediately because of prior contractual obligations, but did contract during the base period for future delivery at the increased prices. The Director has concluded that the provisions of section 12 (a) should be amended to permit the sellers who entered into such future delivery con-

tracts prior to January 26, 1951, to use the increased prices for the services if they are able to meet the other conditions of the amended portion of section 12 (a).

In view of the nature of this amendment, consultation with industry representatives, including trade association representatives, has been impracticable.

AMENDATORY PROVISIONS

The last unnumbered paragraph of section 12 (a) of Ceiling Price Regulation 34 is amended to read as follows:

If, however, in the base period you announced in writing an increase in your prices for a service to your classes of purchasers generally, but you did not deliver the service at the increased price to any of the purchasers whom you supplied in the base period because you were bound under contracts made before the announcement in writing of that price increase, and you did enter into new contracts for future delivery of the service at the increased price prior to January 26, 1951, and all such new contracts provided for delivery at the increased price, then at the expiration of each old contract you may institute the announced price increase, adjusted to reflect the customary differential in prices among your classes of purchasers.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective November 5, 1952.

TIGHE E. WOODS,

Director of Price Stabilization.

OCTOBER 31, 1952.

Miscellaneous Amendment

(Amending Title and Paragraph (a) of Sec. 13)

Ceiling Price Regulation 34**Amendment 6**

NOVEMBER 6, 1952

OFFICE OF PRICE STABILIZATION**WASHINGTON****TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 6]

CPR 34—SERVICES**ACQUIRING A BUSINESS OR SUPPLYING SERV-
ICES PREVIOUSLY SUPPLIED BY ANOTHER
PERSON AT THE SAME BUSINESS ESTABLISH-
MENT; MOVING OF BUSINESS; CHAINS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 6 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

Section 13 (a) is being amended to clarify its scope and purposes. As the section was previously written it was clear that where there had been a voluntary transfer of a previously established service business such a transfer was subject to the provisions of section 13 (a) and the transferee was therefore governed by the ceiling prices applicable to the transferor. Section 13 (a), which deals with the acquisition of a previously established service business establishment, thus generally preserved to the classes of purchasers at that establishment the same services without any increase in their ceiling prices. It was also recognized that a mere formal break in the chain of direct transfer should not be allowed to become an easy way for bringing about an increase in those ceiling prices. Accordingly, the section also was considered to apply to a seller who acquired such a business by means other than by way of direct transfer from its previous owner. For example: Landlord A rented a vacant lot to tenant B for a period from January 1, 1950, to December 31, 1951. During the base period of December 19, 1950, to January 25, 1951, inclusive, B operated this lot as a parking lot and established ceiling prices for his parking lot services under section 5 of this regulation. On the expiration of this lease Landlord A rented the lot, effective January 1, 1952, to tenant C. Under such or similar circumstances C was considered to have acquired B's parking lot business and B's ceiling prices for parking lot services. Because, however, of questions raised as to the reasonableness of applying the language of

section 13 (a) to such a situation, that section is now amended to make plain that acquisitions of a previously established business whether with or without privity of contract are governed by the section.

Section 13 (a), however, does not apply under circumstances which demonstrate that there is no substantial continuity in the operation of substantially the same kind of service business at the establishment. For example, purchaser X buys a parking lot business from Y on May 1, 1952. Between May 1, 1952, and October 13, 1952, X operates an open air fruit and vegetable market at this parking lot location. Thereafter if X discontinues the operation of this market and establishes a parking lot business, his ceiling prices for parking services will be determined by the applicable sections of this regulation other than section 13 (a).

This amendment also clarifies the regulation by expressly stating the method of establishing new ceiling prices if the ceiling prices of the previously established service business are not on file in the OPS district office, and the person carrying on the business has not obtained the records necessary to establish the ceiling prices of the previously established service business.

In the judgment of the Director of Price Stabilization this amendment is generally fair and equitable and is necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

In view of the clarifying nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Ceiling Price Regulation 34, as amended, is further amended as follows:

1. The title of section 13 is amended to read as follows:

SEC. 13. Acquiring a business or supplying services previously supplied by another person at the same business establishment; moving of business; chains.

2. Paragraph (a) of section 13, as amended, is further amended to read as follows:

(a) Acquiring a business or supplying services previously supplied by another person at the same business estab-

lishment. (1) If, after January 25, 1951, you acquire a previously established service business and you carry on such business in an establishment separate from an establishment previously owned or operated by you, or if, after January 25, 1951, you carry on a service business, at such a separate establishment, similar to a service business which within a reasonable period prior thereto had been carried on by another person at such a separate establishment, your ceiling prices for the services you supply at such a separate establishment shall be the same as those previously in effect for such services at that establishment, and your obligation to keep records sufficient to verify such prices shall also be the same. You must further prepare and preserve (if that has not already been done for this establishment) and keep up to date the statement required under section 18 of this regulation. The person from whom you acquire the business or the last person that carried on such a previously established business shall preserve and turn over to you all records of transactions he may have with respect to that business which are necessary to enable you to comply with the records provisions of this regulation.

(2) If you cannot obtain such records, and if the ceiling prices of the previously established service business are not on file in your OPS district office, you may apply for new ceiling prices under section 7 of this regulation. In addition to the information otherwise required by that section, your application must contain the trade name and address of the previously established service business and a statement that you cannot obtain such records. If your ceiling prices are established under section 7 of this regulation for the reason stated above, OPS may change them to the ceiling prices of the previously established service business when ascertained.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This Amendment 6 to Ceiling Price Regulation 34 is effective November 12, 1952.

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

TIGHE E. WOODS,
Director of Price Stabilization.

NOVEMBER 6, 1952.

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**Filing of Applications for
Adjustment
(Amending Sec. 20(a)(2))**

**Ceiling Price Regulation 34
Amendment 7
NOVEMBER 12, 1952**

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 7]

CPR 34—SERVICES

FILING OF APPLICATIONS FOR ADJUSTMENT

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment deletes from the list of services for which ceiling price adjustment applications must be filed with the National Office of OPS rather than the OPS District Office the following: services rendered on food or agricultural commodities; services of selling agents, brokers or auctioneers; real property management services; banking services; admissions to athletic and sporting events; non-exempt services rendered by public utility and common carrier corporations, their lessees, concessionaires or assigns; and dock and terminal facilities. The result is that all applications for adjustments of ceiling prices under section 20 (a) of Ceiling Price Regulation 34 must be filed with the appropriate OPS District Office, except in the following cases: Where the service is supplied by a person whose business normally is carried on in more than one OPS region; where the service is rendered to manufacturing or industrial establishments which are either a necessary part in the production of a commodity or are useful or necessary in the preparation of a raw material for marketing; royalty arrangements of any kind, and warehouse facilities. The requirement that applications must be filed with the National Office if any one or

more of the services sold or supplied by the applicant are required to be filed with the National Office is unchanged.

It is the policy of the Office of Price Stabilization to delegate to the field offices the duty of acting on applications by sellers wherever it is possible to do so. Ordinarily, the field office is better aware of local problems and situations than is the National Office, and it is usually more convenient for the seller to deal with a nearby office than with Washington, D. C. In most cases it is more efficient for both the seller and the Office of Price Stabilization if the field office can process applications. On the other hand, some matters by their nature require analysis and other processing by experts generally not available among the small staff of a District Office. Other matters involve inter-regional application, require liaison with other government agencies, or for various other reasons can be more efficiently disposed of in the National Office.

The Director of Price Stabilization has concluded, therefore, that applications for adjustment of ceiling prices under section 20 (a) of Ceiling Price Regulation 34 should be handled by OPS field offices, with the exceptions noted in the first paragraph above. All of the applications that must still be filed at Washington involve services or situations that in most cases the National Office is best equipped to process.

In view of the technical nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Section 20 (a) of Ceiling Price Regulation 34, as amended, is further amended by deleting from paragraph (2) thereof subparagraphs (iii), (v), (vi), (vii), (viii), (ix) and (xi), and by renumbering subparagraphs (iv) and (x) as (iii) and (iv), respectively, so that paragraph (2) reads as follows:

(2) You must file your application on OPS Public Form 43, Revised, in duplicate, with the Office of Price Stabilization, Washington 25, D. C., if you sell or supply any services, subject to Ceiling Price Regulation 34, which are listed or described below:

(i) Any services supplied by a person whose business (services, and other business) normally is carried on in more than one OPS region.

(ii) Any services rendered to manufacturing or industrial establishments which are either a necessary part in the production of a commodity or are useful or necessary in the preparation of a raw material for marketing.

(iii) Royalty arrangements of any kind.

(iv) Warehouse facilities.

If some of the services you sell or supply are listed or described in this subparagraph and some of the services you sell or supply are not so listed or described, you must file your application for adjustment for all of the services which you sell or supply with the Office of Price Stabilization, Washington 25, D. C.

In addition to the information required of you by OPS Public Form 43, Revised, OPS may request such additional information as may be found necessary in considering your application.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment to Ceiling Price Regulation 34 is effective November 17, 1952.

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

TIGHE E. WOODS,
Director of Price Stabilization.

NOVEMBER 12, 1952.

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Further Modification of
Posting Requirements
(Amending Sec. 18(f))

Ceiling Price Regulation 34
Amendment 8
DECEMBER 11, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 8]

CPR 34—SERVICES

**FURTHER MODIFICATION OF POSTING
REQUIREMENTS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 8 to Ceiling Price Regulation 34 amends section 18 (f) (2), as amended, to remove from the posting requirements of the regulation banks, funeral establishments, establishments to the extent they supply or service prosthetic devices, and establishments in which the posting of a price would be violative of a statute or ordinance.

The complexity of the price structure of services provided by banks differs from the ordinary pricing of a retail or consumer type of service. In view of this and of the special nature of the re-

lationship between the buyers and sellers of these services, it is deemed unnecessary to require banks to post their ceiling prices.

Prosthetic devices are usually tailored to a prescription, having to do with matters peculiar and personal to each purchaser with a resulting pricing formula that is difficult to reduce to a form that when posted has much informational value to the buyer.

The posting of ceiling prices for funeral services are inappropriate by the very nature of the service.

In order to avoid a conflict with local conditions, posting will not be required wherever a state statute or municipal ordinance prohibits the posting of a price for any reason.

These exemptions from the requirement of posting will not impair the price stabilization program, nor will such exemptions have any material effect upon the cost of living or upon the general level of prices. The technical nature and routine character of the provisions of this amendment made it unnecessary to consult formally with industry representatives, including trade association representatives, although wherever feasible various representatives from service fields were informally consulted and consideration was given to their recommendations. In the judgment of the Di-

rector of Price Stabilization 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.

AMENDATORY PROVISIONS

Section 18 (f) (2) of Ceiling Price Regulation 34, as amended, is further amended by adding a new sentence at the end thereof as follows:

"Provided however, that the provisions of this paragraph shall not apply to the following:

- (i) Banks.
- (ii) Funeral establishments.
- (iii) Establishments to the extent that they supply or service prosthetic devices.
- (iv) Establishments in which the posting of a price would violate a state statute or municipal ordinance."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This amendment to Ceiling Price Regulation 34 shall be effective December 16, 1952.

JOSEPH H. FREEHILL,
*Acting Director of Price Stabili-
zation.*

DECEMBER 11, 1952.

**Modification of Central
Pricing Provisions
(Amending Sec. 10)**

**Ceiling Price Regulation 34
Amendment 9
JANUARY 19, 1953**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 9]

CPR 34—SERVICES

**MODIFICATION OF CENTRAL PRICING
PROVISIONS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 9 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

Section 10 of Ceiling Price Regulation 34 provides for the establishment of uniform prices for sellers owning or operating more than one service establishment. Since there is no restriction on the applicability of this section, it is applicable in the territories and possessions of the United States. However, it has been the

experience of the Office of Price Stabilization that prices established in the continental United States are not necessarily fair and equitable when applied in the territories and possessions of the United States. This difference is brought about by differences in wage rates, increased costs of parts and materials due to shipping charges, and other similar factors. The OPS, in commodity regulations, has generally made the distinction that uniform pricing orders issued for the continental United States are not applicable in the territories and possessions of the United States.

This amendment changes section 10 to provide that no order issued under that section shall apply in the territories and possessions of the United States.

Special factors have made it impracticable to consult with the industries affected, including trade association representatives. In the judgment of the Director, this action is generally fair and equitable and is necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

1. Section 10 of Ceiling Price Regulation 34 is amended to read as follows:

SEC. 10. *Central pricing.* OPS may when it deems it consistent with the purposes of this regulation establish uniform prices for sellers owning or operating more than one service establishment and may for this purpose require sellers to furnish necessary information. No order issued under this section applies to sales of services in the territories and possessions of the United States. Ceiling prices for sales of services in the territories and possessions are to be determined under sections 5, 6, 7, or 8 of this regulation, as may be appropriate.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 9 to Ceiling Price Regulation 34 is effective January 24, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 19, 1953.

**INTERPRETATIONS
CPR 34, GENERAL****COMMON CARRIERS****Classification----exclusive function of National Office**

The determination of whether a person is a common carrier is the sole function of the National Office of OPS under existing policy. Once the National Office makes that determination, the person is not subject to any price control by OPS regulations. Thus the record-keeping, reporting or evasion provisions of the GCPR or CPR 34 cannot be made applicable to common carriers because these provisions are incidental to the control of prices.

(4/8/52 No. 5)

INTERPRETATIONS
CPR 34, General

JUKE BOX MUSIC

Seller is person who controls rendition of service

The facts disclose that X is the owner of automatic music machines, sometimes called juke boxes, which play a record or records when a coin is deposited in them; that he installs these machines, retaining title to them, in the business premises of cafe and tavern operators; that he makes periodic record substitutions, and repairs and services the machines; that he alone determines the price that will be required to operate the machines; that he takes possession of the coins deposited in the machines; and that the arrangement under which he installs the machines is that he will pay the premises operator a percentage, usually 50% of the coins deposited. The question has been raised as to whether on the basis of these facts the machine owner and the proprietor of the establishment may both properly be regarded as sellers of the music service to the public.

Under the facts presented, the machine owner, X is the sole seller of the music service to the public. It is recognized that it would be possible to have an arrangement whereby the premises operator and machine owner jointly render the service, but not when the rendition of the service is completely under the control of the machine owner. It would also be possible to have an arrangement whereby the machine owner rents the machine to the premises operator who services the machine, substitutes records periodically, and collects the coins, and in which the machine owner does nothing but collect his rental. In such a case, the music service to the public would be rendered by the premises operator alone. In the case you state, however, the machine owner X has complete control over the music service. He substitutes the records, services the machine, determines the charge, and collects the coins. The only connection the premises operator has with the music service is in permitting the machine owner to operate the machine on his premises, and this is a service to the machine owner, not to the public generally.

Under these circumstances, the machine owner, and not the proprietor of the establishment, is the seller of the music service to the public.
(7/31/52 No. 18)

MEMORANDUM
FOR THE RECORD

DATE: 10/15/57

SUBJECT: [Illegible]

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INTERPRETATIONS
CPR 34, SEC. 2

COVERAGE

Consignee of goods-----supplier of services not wholesaler of goods

A consignee of goods is not a wholesaler of such goods, but a supplier of services to the consignor of the goods. His ceiling prices for the sale of such services are determined under CPR 34. In the sale of the consigned goods the ceiling price is that of the consignor.

(6/10/52 No. 5)

1877

1877

1877

INTERPRETATIONS
CPR 34, SEC. 2

COVERED SERVICES

Brokers and commission agents

Commission agents fees and brokers' fees are services subject to CPR 34 unless specifically established under other regulations.

(5/8/52 #13)

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Coin operated toilet facilities

The subject company installs toilet equipment with coin operated locks in buildings owned and operated by others under a contract whereby the lock company and the building owner or operator divide the coins collected in designated proportions. Both the subject company and the owner or operator of the building are subject to CPR 34.

The Company is rendering a toilet service to the public, and the building owner or operator is rendering a service to the company in permitting the installation and operation of locks and equipment. Both services are subject to CPR 34.

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Construction services exempted under CPR 93, Section 1(b)--exempt also from CPR 34 (see Interps. following CPR 93, Sec. 1, page 61 Ind 49a:201.1).

INTERPRETATIONS
CPR 34, Sec. 2

MAIL ADVERTISING

--typing, addressing, mailing, etc., as separate service

If the charge for the services of typing, addressing, mailing, etc., are included in the ceiling price for the manufacture of mailing circulars then such services are "services related thereto" within the coverage of GOR 8.

However, if the printing and publishing of mailing circulars are separate from the services connected with the distribution of the circulars and a separate charge is made for services of distribution then such services are within CPR 34 and the ceiling prices are governed accordingly.

(8/3/51 No. 13)

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Printing names or identifying marks on cartons which belong to another person

A printer who prints identifying names or marks on cartons which originally were and remain the property of another person is performing a service under CPR 34 and is not a manufacturer under CPR 22.
(6/21/51 No. 15)

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Repair of clocks and watches

The repair of watches and clocks is subject to CPR 34; but the repair of a grandfather clock which was manufactured prior to 1850 is exempt, however, under GOR 14, Section 3(2)(43).
(8/3/51 No. 10)

INTERPRETATIONS
CPR 34, SEC. 2

COVERAGE**Funeral director supplying extras - sale and agency distinguished**

Ordinarily a funeral director supplies extra services as a principal and not as an agent either for the supplier of the service or commodity or for the estate. In the usual case, the director deals directly with the suppliers, obligating himself to pay for the services and commodities, taking title to the latter and then reselling both to the customer. In such an event, with the possible exemption of commodity items for which charges were separately stated during the base period, funeral directors may not pass on increased costs to the customers (section 11 of Ceiling Price Regulation 34, as amended). Furthermore, when a funeral director resells a commodity or service which was exempt when sold to him by the original supplier such an exemption does not extend to the resale of that commodity or service by the funeral director.

Of course, there may be instances when the funeral director does act as agent for the supplier or the estate, in which event he may be entitled to his agent's fee from his principal. This presents no particular problem if in the base period he customarily acted as agent. In such case, he may, if he is an agent for the supplier, pass on the legal prices of his principal, the fee for his services then being paid by the supplier-principal; or he may, if he is the agent for the estate, charge the estate the legal price of the supplier plus his CPR 34 ceiling price for his services as an agent. He may also, even if in the base period he acted only as a principal for the supply of these services, supply these services as an agent. In that event, if the agency is for the supplier, the estate pays the supplier's legal price for the supplier's service, a component of which may be the agent's charges. If, however, under those circumstances, the agency is for the estate, the ceiling price he may charge the estate for the supply of these services plus his agency fee shall in no event exceed his base period ceiling prices as a principal supplier of these services.
(5/16/52 No. 51)

INTERPRETATIONS
CPR 34, SEC. 2

COVERAGE

Admission prices to automobile and livestock shows,
basketball games and Boy Scout circuses - subject to CPR 34

Admission charges for automobile and livestock shows, basketball games and Boy
Scout circuses are not exempt under section 14(d) of GCPR and are covered by CPR 34.
(7/3/52 No. 17)

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Kiln-drying of lumber

CPR 140 covers Northeastern White Pine lumber in all degrees of seasoning and all states of working.

A seller of kiln-dried lumber may apply for a ceiling price under Section 4.1 of CPR 140. If he does not so apply, he must, for lumber kiln-dried to a moisture content of 17 per cent or less, use the air-dried lumber ceiling prices of CPR 140, and for lumber kiln-dried to a moisture content of more than 17 per cent, use the green lumber ceiling prices of CPR 140.

If the lumber is sold green, and the kiln-drying is supplied as a separately requested service, then, because CPR 140 does not establish specific ceilings for kiln-dried lumber, the seller may charge the ceilings for the green lumber under CPR 140 and may make a further charge for the services of kiln-drying under CPR 34.
(6/18/52 No. 15)

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Perpetual care of a burial lot--when subject to price regulation

Perpetual care of a burial lot, if it is a covenant running with the deed of sale of the lot, is a price or rental of real property and is, therefore, exempt under DPA of 1950, as amended, Section 402(e)(i). On the other hand, if perpetual care is an independent covenant or a covenant in gross or a matter of separate contract, it is subject to CPR 34.

(8/28/51 No. 16)

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Towing service--incidental to repair of motor vehicle

Service rendered by a company in providing towing service for disabled motor vehicles is not essentially a transportation service, but is merely incidental to the repair of the motor vehicle towed. The towing service, therefore, is subject to CPR 34.

8/21/51 No. 4

INTERPRETATIONS
CPR 34, SEC. 2

COVERAGE**Cleaning pipeline refinery storage tanks and salvaging crude oil**

A company is engaged in the business throughout the oil states of cleaning pipeline refinery storage tanks and processing a by-product of such cleaning (BS&W) in an oil separating plant for the recovery of crude. The company has a permanent plant and three portable plants which are used to fulfill contracts at locations other than at the permanent plant. The company apparently enters into some six different types of contracts for its services. While the price terms of these contracts vary, it appears that these contracts relate to two types of services, namely, either the cleaning of pipeline refinery storage tanks without more or the cleaning of such tanks and the processing of BS&W for the recovery of crude. Contracts for cleaning of tanks only are made on a flat cash basis per tank or for BS&W removed from the tank with or without an additional fixed amount paid by the company to the buyer of the service. Contracts for both cleaning of tanks and recovering crude from BS&W removed from the tanks are made on the basis of the posted field price plus or minus a fixed amount per barrel of recovered crude and sometimes plus a fixed amount per barrel of BS&W removed paid by the company.

The cleaning of oil storage tanks is a service for which ceiling prices can be established under Section 5 of CPR 34. However, when the company sells the combined service of cleaning tanks and recovering crude from the BS&W removed from the tanks, this constitutes a second type of service for which ceiling prices would also be established under Section 5 of CPR 34. It appears from the price terms of the various contracts employed by the company that it sold the same service in the base period at the same time to different purchasers at different prices on an individual negotiated basis. Under Section 12(c) of CPR 34, each such customer constitutes a separate class of purchaser.

Although the principal place of business of the company is located within one district of OPS and it merely operates portable equipment outside the district, a filing by the company pursuant to the provisions of Section 18 of CPR 34 with the OPS district office in which the principal place of business is located is not sufficient. If the company both enters into and performs contracts for the cleaning of oil storage tanks outside this OPS district, then it is required to file its ceiling prices with the appropriate OPS district office in accordance with the provisions of Section 18(b) of CPR 34. (See Section 27(a)(1))

10-11-21

10-11-21

The first part of the report deals with the general situation of the country. It is a very interesting and informative study of the country's development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's development.

The second part of the report deals with the economic situation of the country. It is a very interesting and informative study of the country's economic development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's economic development.

The third part of the report deals with the social situation of the country. It is a very interesting and informative study of the country's social development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's social development.

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE**Photostatic work**

The question is posed whether photostatic work is a service or a manufacture. Many companies are engaged in photostatic and precision photostatic copy work. Customers bring the subject matter to them, but the companies supply all necessary material. Photostatic work does not fall within the definition of a manufacturer under section 47, CPR 22; but is considered to be the rendering of a service under CPR 34. GOR 8, Section 1 (a) (2) has no application to companies supplying such photostatic services. (12/28/51 No. 1)

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Parking lot--when operated by a concessionaire for a governmental agency

If parking facilities are operated by a concessionaire for a municipality, the charges therefor are subject to CPR 34.
(2/25/52 No. 19)

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Brand inspection fees for stockyards--when regulated by Department of Agriculture.

Stockyards, if they are not regulated by the Department of Agriculture under the Packers and Stockyards Act, are controlled in respect to their Brand Inspection Fees by CPR 34; if so regulated, such services are exempt under GOR 14, Section 3(a)(64)(i).

(2/20/52 No. 6)

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Ambulance and hearse services

The question posed is whether ambulance and hearse services are in the category of transportation by a contract carrier excluded from CPR 34 by Section 2(e)(1) and covered by GCPR.

These services are not so excluded and are subject to CPR 34.
(4/29/52 No. 5)

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INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Dental laboratories--processing and constructing oral prosthetics to specifications of dentists

Dental laboratory services are covered by Ceiling Price Regulation 34. The processing and constructing of oral prosthetics when done to the specifications of dentists is considered to constitute services subject to the provisions of CPR 34.
(2/25/52 No. 11)

INTERPRETATIONS
CPR 34, SEC. 2

COVERAGE

Admission charges for college sports event when staged by a profit organization.
(see interps following GOR 14, Sec. 3(a)(21), page 85 Serv 61:203a.23. and GOR
14, Sec. 3(a)(109), page 85 Serv 61:203a.24)

INTERPRETATIONS
CPR 34, SEC. 2

COVERAGE

Contract to deposit refuse on land

The question presented is whether a contract to dump refuse on land is exempt as a real estate transaction or is subject to price regulation.

B entered into a contract with A for the right to deposit in an excavated portion of certain land owned by A "clay, brickbats, earth, cinders, tile, rock, concrete, stone, rubbish, sand, industrial refuse, and other miscellaneous fill" for which B agreed to pay A a specified amount per cubic yard deposited. B permitted others to deposit debris on this land, and the question is whether B's charges therefor are subject to price regulation, or whether they are exempt as a price or rental for real property under Section 402(e)(i) of the Defense Production Act of 1950, as amended.

The charges are not prices or rentals for real property but charges for the privilege of depositing refuse on land. The land is not the real property of B, and its agreement with A is not a lease. It is a contract. Even if B had a lease or owned the property, however, its charges for the privilege of depositing refuse on the land would not be prices or rentals for real property. In this connection see GCPR Int. 36, Loose Leaf Service, 42 Reg. 11:203, that royalty payments for mining coal are not a price or rental for real property.
(4/24/52 No. 11)

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Line handling and mooring

The Boatmen's Association is composed primarily of individual boatmen who do not perform transportation services, as such, but merely provide line handling and mooring services for deep sea vessels.

The services performed by members of this association would not qualify as "maritime pilotage services supplied to ships and vessels" and, therefore, such services are not exempt under the provisions of GOR 14, Section 3(a)(78). Moreover, such services, not being those of contract carriers, do not remain under GCPR pursuant to section 2(e)(1) of CPR 34 but are subject to the latter regulation.

(12/12/52 No. 10)

MEMORANDUM FOR THE SECRETARY OF THE ARMY
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INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Included--contract logging

Excluded--contract hauling of logs and lumber

Contract logging services are covered by Ceiling Price Regulation 34. As regards contract hauling of logs and lumber, the rates charged for these services are controlled by the General Ceiling Price Regulation as indicated by Section 2(e)(1) of Ceiling Price Regulation 34.

(6/27/51 No. 4)

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INTERPRETATIONS
CPR 34, Sec. 2

TIRE DESKIDDING

A service, covered by CPR 34 (see Interps. following GCPR, General, page 42
Reg 11:200.13)

INTERPRETATIONS
CPR 34, Sec. 2

CONCESSIONAIRE AT STATE FAIR

Admission charges subject to CPR 34 though proceeds inure to State fund
(see Interps. following GOR 14, Sec. 3 (a)(89), page 85 Serv 61:203a.33)

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INTERPRETATIONS
CPR 34, Sec. 2

WARRANTY

Distinguished from insurance

The question posed is whether an optional warranty against chipping, cracking, or peeling of felt base rugs is insurance within the purview of that term, as used in Section 14(e) of GCPR. (the same exemption is contained in Section 402(e)(iv) of the Defense Production Act of 1950, as amended.) The seller seeks to make a \$1.00 charge for a warranty covering a 5 year period.

Section 14(e) of GCPR exempts "rates charged by any person in the business of selling or underwriting insurance." It can hardly be said that a seller of rugs is in the business of selling insurance when he warrants the serviceability of the commodities he sells. In such a case the seller merely undertakes to indemnify a purchaser of his commodity against defects in it or against its failure to perform as he has represented it. The warrantor is in the business of selling commodities and gives a warranty only in conjunction with the sale of such commodities. An insurer indemnifies the insured against the occurrence of an event or events which are in no way connected with or within the control of the insurer. In such case, the insurer is engaged in the business of selling insurance. A warranty is considered to be a service for the purposes of price control and is subject to CPR 34.
(7-8-52 No. 27)

FILE following 85 Serv 32:202.43 (10-23-52)
(REPLACES prior 85 Serv 32:202.45)

85 Serv 32:202.45

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Certain services in connection with printing and paper products (see Interps.
following GOR 8, Section 1(a), page 75 For 91:201a.11

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Grinding of optical lenses to individual prescription

Independent wholesalers of optical lenses who grind the optical lens blank to individual prescription, have inquired as to what regulation covers their operations. Such sales are under Ceiling Price Regulation 34, the Services Regulation. Where however, wholesale opticians and optical companies manufacture lenses in quantity without prescription the sales are covered by Ceiling Price Regulation 22, the Manufacturers' General Ceiling Price Regulation.

(9-30-52 No. 9)

(7-18-51 No. 4)

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INTERPRETATIONS
CPR 34, Sec. 2

DUES AND ASSESSMENTS

Services of a credit organization - when covered

Generally, dues charged by a credit organization for services which consist solely of the dissemination of general credit information are not subject to price stabilization pursuant to GOR 8, Sec. 1(a)(2). Service charges, however, which include the yearly dues of an association which has as members various commercial firms, are subject to the provisions of CPR 34, if for such charges specific credit information is furnished to members in addition to general credit information. Furthermore, per report charges for special services are subject to CPR 34.

The furnishing of a specific credit report is considered to be the supplying of a service and not the sale of a commodity or a service rendered in connection with the sale of a commodity. Consequently, GOR 8 Sec. 1(a)(2) has no application to the supplying of such credit reports.
(8-8-51 No. 5)

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INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE**Ambulance service, when included**

In determining whether rates charged by a company offering ambulance service are exempt from price control under the common carrier exemption contained in section 402(e)(v) of the Act, and section 14(f), GCPR, the test is whether such company is under a legal obligation to hold itself out to serve upon reasonable demand such part of the public as needs its services at fixed, uniform and nondiscriminatory rates.

If these conditions are not satisfied, the company is not regarded as a common carrier. Under such circumstances, its rates for ambulance services would be covered by CPR 34, since the principal service being sold is not the transportation service, but rather the medical or quasi-medical attention which is furnished to the person being carried.

(11-12-52 No. 1)

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INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE**Consignee - renders a selling service**

Under the following circumstances a manufacturer of fertilizer is the seller under GCPR, Sec. 22 and the merchant is a consignee whose services are covered by CPR 34 and who is required therefore to maintain records under Sec. 18.

The manufacturer pays all transportation and other charges in connection with placing the fertilizer in the local merchant's storage facilities. The manufacturer retains title to the fertilizer. The merchant agrees to sell the fertilizer. When it is sold he is required to pay the manufacturer a stipulated price per sack or per ton. The manufacturer suggests the price at which the merchant should sell the fertilizer. This price, of course, includes the amount to be received by the manufacturer and a margin of profit for the merchant. However the merchant is not bound to charge the suggested price, but may charge more or less. The manufacturer may pick up any fertilizer left unsold at the end of the season or may leave it in storage with the merchant. In some instances the manufacturer pays the merchant storage on any fertilizer left with the merchant after the end of the season.

The reason for these conclusions is that at no time does the merchant have any ownership interest in the fertilizer. He does not buy the fertilizer for resale; rather he merely renders selling services to the manufacturer which services functionally fall within the definition of services in CPR 34, Sec. 27(a)(17). (10/31/52, No. 2)

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE**Boat storage - when included**

OPS has received an inquiry whether the charges of shipyard for the storage of boats are exempt as rentals for real property under section 14(a) of the GCPR or whether such storage is a service covered by CPR 34.

In the case that has been presented the storage operation includes bringing the boat from the water into a shed and placing the boat in a cradle but no particular space is assigned to any particular owner.

In *Carothers et al v. Bowles*, 148 F. 2d 554, decided by the United States Emergency Court of Appeals under the Emergency Price Control Act of 1942, certiorari denied 65 S. Ct. 1556, which involved a "park and lock rental plan" for automobiles, the court in determining that an automobile storage service was being rendered, rather than real property being rented, said: "Whether such an operation involves the providing of storage service subject to the regulatory control of the administrator depends upon whether there are present at least some of the incidents which customarily go to make up automobile storage service. Among these may be the grading, paving, lighting and cleaning of the parking lot and the marking upon it of suitable spaces for the parking of cars, as well as the supplying of an attendant."

In the case presented, moving the boat out of the water and placing it in a cradle, with the right in the proprietor to move the boat within the shed at any time, are incidents of a storage service. On these facts, the shipyard is rendering a storage service under CPR 34, and is not renting real property under section 402(e)(i) of the Defense Production Act of 1950, as amended or section 14(a) of the GCPR. Further development of the facts may disclose additional incidents of a storage service.

This interpretation is supported by the interpretation of section 402(e)(i) of the Defense Production Act of 1950, as amended, reported in the OPS Loose Leaf Service at 85 Serv 32:218.3, and the Report and Recommendation of the Board of Review In the Matter of The Avenue Company, Protestant, which was adopted as the opinion of the Director in the order dated March 26, 1952, denying the protest in that case, and which is reported in the OPS Loose Leaf Service at 201 OP 131, OPS - 20.
(11/7/52 No. 10)

INTERPRETATIONS
CPR 34, Sec. 2

COOPERATIVE ASSOCIATIONS AND CORPORATIONS

When "dues" and "membership fees" are subject to control

Questions have been raised as to the price control status of services rendered by cooperative associations to their members and whether the rule is different if the person rendering the service is a corporation.

OPS has the authority to fix ceilings on charges made by associations where they sell or deliver services. Section 402(b)(2) of the Defense Production Act of 1950, as amended authorizes the establishment of "ceilings on the price, rental, commission, margin, rate, fee, charge or allowance paid or received on the sale or delivery, or the purchase or receipt, by or to any person, of any material of service." Section 702(a) of the Act defines the term "person" as used in section 402(b)(2) as including an "association, or any other organized group of persons."

It must be decided, however, in the case of a transaction between an association and its member whether a charge is made for sale or delivery of a service. The relationship between an association and a member usually involves certain payments. The Chief Counsel has ruled that where a payment is made by the member to the association for a specific commodity or service, there is a sale or delivery and the transaction is subject to price control. On the other hand, if the payments to the association are general dues or membership fees the payments are not for the sale or delivery of a specific commodity or service and therefore are not within the scope of price control. In White v. Winchester Country Club, 315 U.S. 32, 41 (1942) the U.S. Supreme Court makes the distinction between such membership dues and payments for specific commodities or services as follows:

"Consideration of the nature of club activity is a necessary preliminary to the formulation of a test of what constitutes a 'due or membership fee.' So far as finances go, the fundamental notion of club activity is that operations expenses are shared without insistence upon equivalence between the proportion of an individual's contribution and the proportion of the benefits he receives. Thus, on the one hand, payment of the price of an individual dinner at the club dining room or of a single round of golf lacks the element of making common cause inherent in the club activity. But, on the other hand, payment for the right to repeated and general use of a common club facility for an appreciable period of time has that element and amounts to a 'due or membership fee' if the payment is not fixed by each occasion of actual use."

Ordinarily, "sale" or "delivery" involve an individual transaction for a specific material or service by the buyer and seller with a specific price being paid. In paying "dues" or "membership fees" the member of the association does not contract to purchase a particular service. He need not even avail himself or any service if he does not choose. Accordingly, in determining whether a transaction between association and member is subject to price control the following criteria would be applicable generally:

- a. If the charge is for a right to repeated and general use of a common facility for an appreciable period of time, it is strictly for "dues" or "membership fees" and is, therefore, not for a "sale" even under broad construction of that term;

- b. If the charge is for a service fixed by each occasion of actual use, even though it is called "dues", then OPS may regulate such charge.

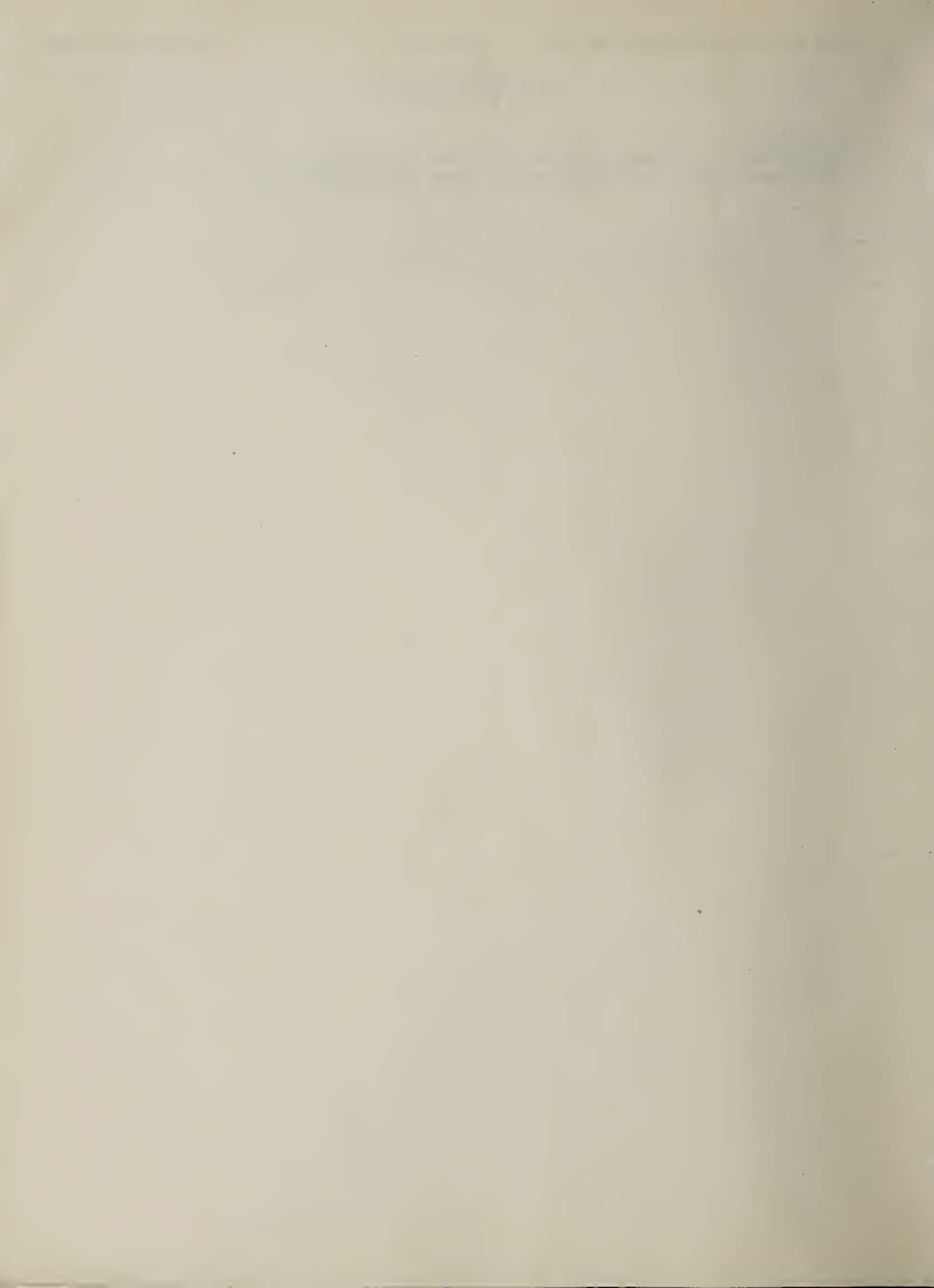
With respect to services rendered by a "corporation", many cooperative associations have some of the attributes usually associated with a corporation in that they may be chartered under legislative authority and may issue stock to their members. However, in the case of a true corporation, as distinguished from a cooperative, there is seldom if ever a payment of "dues" or "membership fees" to the corporation. It is difficult to conceive of a situation where we do not have the authority to impose price control on charges for the rendering of services by corporations if the tests discussed above are applied.

(10/24/52, No. 6)

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Repair service on used automatic temperature controls
(See Interps. following GCPR, Sec. 1, page 42 Reg 11:201.21)



INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE**Towing services rendered to municipality included**

A company is employed by a municipality to tow away illegally parked cars, which are then impounded until the towing costs are paid by the owner.

It is suggested that such services are in connection with the exercise of the municipality's police power and are therefore exempt. Neither the Defense Production Act of 1950, as amended, nor any OPS regulation exempts services sold to a municipality even though they are used in the exercise of its police power. It follows that the seller's services are covered by CPR 34.

(12-19-52 No. 11)

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

-----Repair and maintenance services on commercial refrigerators of plug-in type, included.

A question has arisen whether repair and maintenance services on commercial refrigerators of the "plug-in" type are covered by CPR 93 or by CPR 34.

Such services are covered by CPR 34, the general services regulation (sec.2), and they are not covered by the relevant specific price regulation, CPR 93, which deals with "construction and related services and sales of installed materials." Section 3 of CPR 93 sets forth among "transactions not covered" by the regulation the following:

"(b) Appliances - retail sales and services. (1) The separate installed sale of appliances such as domestic refrigerators, ...for which the cost of the required installation service is only incidental; (2) repair and maintenance services on these appliances."

Commercial refrigerators of the "plug-in" type are appliances for which the cost of the required installation service is only incidental and thus repair and maintenance services on such commercial refrigerators are excluded from CPR 93 and remain subject to CPR 34.

(12/16/52-No. 5)

REPORT

ON THE PROGRESS OF THE WORK DURING THE YEAR 1900

IN THE DEPARTMENT OF AGRICULTURE

AND THE BUREAU OF PLANT INDUSTRY

FOR THE YEAR 1900

BY THE SECRETARY OF AGRICULTURE

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Service vending machine operation, included (See Interps following CPR 34, sec 13 (a), page 85 Serv 32:213a.3).

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Employer functions, not included (See Interps. following CPR 34, Section 27(a)(17), page 85 Serv 32:227a. 7)

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INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Rental of aircraft as a service subject to CPR 34 (See Interps. following GOR 14, Sec. 3(a)(89), page 85 Serv 61:203a.45).

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INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Engineering and artistic advice furnished free when the commodity is not purchased. not included

A manufacturer of store fixture equipment, who sells directly to merchants, also furnishes engineering and artistic advice with respect to such equipment, for which advice the manufacturer does not charge in the event that the merchant does not buy the fixtures suggested for him. Such advice is deemed to be an incidental service running with the sale of the commodity and does not fall within the coverage of CPR 34.

(7-14-52 No. 8).

INTERPRETATIONS
CPR 34, Sec. 2

COVERAGE

Commissions of U. S. agent for Canadian producer, included (see Interps. following GCPR, SR 13, Sec. 1, page 42 Reg 11:1551.1)

INTERPRETATIONS
CPR 34, Sec. 2(e)(2)

COVERAGE

Manufacture of tools and dies when material is furnished by purchaser,
not covered (see Interps. following GCPR, Section 1, page 42 Reg 11:201.15)

INTERPRETATIONS
CPR 34, Sec. 2(e)(2)(i)

JOBGING SHOP OPERATIONS DISTINGUISHED

The term "jobbing shop operations", in essence, refers to a subcontracted service. Accordingly, it would include a single service operation rendered at the wholesale level by a shop customarily engaged in the rendering of industrial services for other persons who also render services. For the most part, however, the services would be performed for a manufacturer as part of the manufacturer's production process.
(8/13/51 No. 21)

1. The first part of the course will be devoted to a study of the foundations of philosophy. We will begin with a discussion of the nature of philosophy and the role of philosophy in the liberal arts. We will then turn to a study of the major branches of philosophy, including metaphysics, epistemology, ethics, and political philosophy. The second part of the course will be devoted to a study of the history of philosophy. We will begin with a discussion of the ancient Greeks and then move on to the medieval and modern periods. The third part of the course will be devoted to a study of contemporary philosophy. We will begin with a discussion of the analytic tradition and then move on to the continental tradition. The fourth part of the course will be devoted to a study of the philosophy of science. We will begin with a discussion of the philosophy of science and then move on to the philosophy of biology and the philosophy of psychology. The fifth part of the course will be devoted to a study of the philosophy of language. We will begin with a discussion of the philosophy of language and then move on to the philosophy of mind and the philosophy of action. The sixth part of the course will be devoted to a study of the philosophy of art and the philosophy of religion. We will begin with a discussion of the philosophy of art and then move on to the philosophy of religion. The seventh part of the course will be devoted to a study of the philosophy of law and the philosophy of economics. We will begin with a discussion of the philosophy of law and then move on to the philosophy of economics. The eighth part of the course will be devoted to a study of the philosophy of education and the philosophy of social science. We will begin with a discussion of the philosophy of education and then move on to the philosophy of social science. The ninth part of the course will be devoted to a study of the philosophy of medicine and the philosophy of technology. We will begin with a discussion of the philosophy of medicine and then move on to the philosophy of technology. The tenth part of the course will be devoted to a study of the philosophy of the environment and the philosophy of the future. We will begin with a discussion of the philosophy of the environment and then move on to the philosophy of the future.

INTERPRETATIONS
CPR 34, Sec. 2(e)(2)

COVERAGE

Fabricator of metal product, without title to goods, included in exemption. (See interpretations following CPR 22, section 47, page 42 Reg 33:247.11).

**INTERPRETATIONS
CPR 34, SEC. 5**

PURCHASER OF THE SAME CLASS

Price differential between weekday and weekend purchasers--each separate class

Operator of a car washing service charged more in base period for weekend service than for weekday service. Hence weekday customer was different class of purchaser from weekend customer and under section 5, base period price to weekday customer must be maintained.

(5/8/52 #13)

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INTERPRETATIONS
CPR 34, Sec. 5

CONTINUED USE OF CPR 34 PRICES
Reporting requirements explained

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 93,
Interpretation 18]

**CPR 93—CONSTRUCTION AND RELATED
SERVICES AND SALES OF INSTALLED
MATERIALS**

**INT. 18—CONTINUED USE OF CPR 34 PRICES
(SECTION 5)**

Section 5 (a) of CPR 93 permits a seller of construction services to continue to determine his ceiling prices for sales of those services under CPR 34 if

his (higher) ceiling prices have been properly reported pursuant to CPR 34. A seller who desires to continue to use prices determined under CPR 34, must, among other things:

(a) Have filed the appropriate reports of CPR 34 ceiling prices with the proper district office of OPS.

(b) Have filed reports required by CPR 34 on or before the dates required by that regulation and before November 20, 1951 the effective date of CPR 93, for construction services which he desires to continue pricing under CPR 34. Unless the reports were filed prior to the applicable date, the seller may not retain his ceiling prices for such construction services under CPR 34.

(c) Have filed the reports required by section 32 of CPR 93. A seller who under section 5 of CPR 93 is accorded a right to continue pricing some construction services under CPR 34 may subsequently change to CPR 93 ceiling prices for such services. However, once he has put into effect prices under CPR 93 for such services he may not subsequently revert back to CPR 34 ceiling prices.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

HERBERT N. MALETZ,

Chief Counsel,

Office of Price Stabilization.

JULY 11, 1952.

(17 F.R. 6266, July 12, 1952)

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FILE following 85 Serv 32:205.3 (9-15-52)

85 Serv 32:205.5

INTERPRETATIONS
CPR 34, Sec. 5

CHECKMASTER BANKING PLAN

Improved method of supplying a base period service (see Interps. following
CPR, Section 6, page 85 Serv 32:206.3)

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FILE following 85 Serv 32:205.5

(9-17-52)

85 Serv 32:205.7

INTERPRETATIONS
CPR 34, Sec. 5

DRY CLEANING BY DIFFERENT METHOD

Same service as in base period (see Interps. following CPR 34, Section 6, page 85 Serv 32:206.5)

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INTERPRETATIONS
CPR 34, Sec. 5

PARKING LOT**Time schedule changes must not result in decreased service**

The inquiry is whether a parking lot may change its hours or periods of parking time available to patrons for a particular fee.

The present schedule rates are (1) 7 A.M. to 7 P.M.\$0.75 and (2) 7 P.M. to 7 A.M....\$0.75; and a change is requested as follows: (1) 3 A.M. to 6 P.M.\$0.75, (2) 6 P.M. to 8 A.M.\$0.75. It is stated that the change sought will give at least the same service to the same class of purchasers as was supplied during the base period at the same price and that there would be no objection to the proposed change of time schedule.

The requested change could result in depriving certain day customers of parking spaces between 7 and 8 a.m. due to the extension of the night parking time to 8 a.m. and those day parkers who did not customarily pick up their cars until 7 p.m. would have to pay an extra \$0.75 for parking from 6 to 7 p.m. each day. The company may vary its time schedule so as to give extra benefits to its night parkers, provided it does not deprive day parkers of available space at the usual time at which they are accustomed to park. The company may not, however, vary its schedule to such an extent that some parkers may be required to pay an increased price as, for example, if they remained on the lot until 7 p.m.

(3/11/52 No. 14)

INTERPRETATIONS
CPR 34, Sec. 5

CAR WASHING

1. By new car washers
2. Application of Sec. 5 and other sections explained

A company advises that it operates a chain of service stations; that one of the many services offered by units of the company to motorists is car washing; that the car washing is performed for the company by local car washers who have the necessary facilities and with whom the individual units have made local arrangements; that each unit has customarily charged their customers the exact retail price charged them by the local car washers although in many cases the local car washer gives the company unit a small discount. In addition, the company states that pursuant to the provisions of Ceiling Price Regulation 34, as amended, each unit established as their ceiling prices for car washing and incidental services the ceiling prices of the individual car washer whose services they utilized during the base period, December 19, 1950 to January 25, 1951, inclusive; and that whenever a new unit opened, that unit established a ceiling price for car washing under section 5 (a)(3) by adopting the ceiling prices of the car washer with whom arrangements had been made. As a result of this situation many units, when compelled to change car washers, are confronted with the problem of whether, under Ceiling Price Regulation 34, they can adjust their ceiling price for car washing to the price charged them by the new car washer whose prices may not be the same as those of his predecessor. The company is of the opinion that it should be permitted to adopt the price schedule of the new car washer as its price schedule and further contends that the new car washers do not offer services which are identical to those previously offered so that, in effect, a new service is being offered for which a new ceiling price should be established under section 5 (a)(3) of Ceiling Price Regulation 34 if the new car washer has a different price schedule than his predecessor.

Section 5 of Ceiling Price Regulation 34 provides that a seller's ceiling price for any service he supplied or offered to supply during the base period is the highest price which he charged a purchaser of the same class for the same service during that time. Section 5(a)(3) of Ceiling Price Regulation 34 which authorizes a seller to establish as his ceiling price for a service the highest price which his closest competitor charged a purchaser of the same class for the same service is applicable only to services which the seller did not supply or offer to supply during the base period but which he did supply prior to the effective date of the regulation. Therefore, section 5 (a)(3) of Ceiling Price Regulation 34 applies only to those company stations which did not supply or offer to supply a car washing during the base period. However, any company station that first supplied a car washing service subsequent to the effective date of Ceiling Price Regulation 34 must establish a ceiling price therefor under section 6 of that regulation. If any unit has been compelled to change car washers, and the new car washer charges a higher price than his predecessor, the station is still limited to the schedule of charges established by that station for car washing services during the base period.

As for the contention that the new car washer supplies a new service, it is the opinion of this office that the service is still car washing and unless there is a basic difference in the service rendered, it cannot be considered

a new service. In addition, even if the service could be considered new because of a basic difference, section 12 (e) of Ceiling Price Regulation 34 provides that although you may discontinue supplying a service which you supplied during the base period, you may not substitute in its place a higher priced service which achieves substantially the same purpose as the discontinued service.

However, it is important to note if the ceiling prices of any unit impair the normal earnings of that unit measured by a representative pre-Korean period to such an extent that the effective operation of the business is threatened, that unit may apply for an adjustment in its ceiling prices under section 20(a) of Ceiling Price Regulation 34.

Section 13 (c) of Ceiling Price Regulation 34 should also be noted in that it provides for the establishment of ceiling prices for sellers operating more than one selling unit who open a new unit after January 25, 1951. In that case, the new unit is required to establish ceiling prices under section 7 of Ceiling Price Regulation 34.

(9-25-52 No. 14)

INTERPRETATIONS
CPR 34, Sec. 5

CLASS OF PURCHASER

Discount purchaser separately classified

NOTIFICATION OF PRICE INCREASE TO OCCUR AFTER BASE PERIOD

Without effect in determining ceiling price

(See Interps. following GCPR, Sec. 22, page 42 Reg 11:222.25)

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INTERPRETATIONS
CPR 34, Sec. 5

SAME SERVICE

Parking on open roof same service as parking on ground; (see Interps following
CPR 34, Sec. 6, page 85 Serv 32:206.11)

INTERPRETATIONS
CPR 34, Sec. 6

NEW SELLER

Acquisition of parking lot--when operator is new seller and not transferee.
[See Interps. following CPR 34, Section 13(a), page 85 Serv 32:213a.11

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INTERPRETATIONS
CPR 34, Sec. 6

CHECKMASTER BANKING PLAN
Not a new service

A bank using the Checkmaster Plan for the first time is not offering a new service but merely an improved method of offering a service supplied during the base period and Section 5 of CPR 34 applies. Accordingly, Section 6 is not applicable.

(3/11/52 No. 13)

3. Topic: _____

4. Objective: _____

5. Introduction: _____

INTERPRETATIONS
CPR 34, Sec. 6

DRY CLEANING BY DIFFERENT PROCESS

Not a new service where results are unchanged

The question is presented as to whether a new service is being sold by a dry cleaner who was in business during the base period and has since commenced to use the Sanitone process. This is a copywrited cleaning process under which licensees use a specified soap and other procedures prescribed by the licensor.

A seller contends that the "Sanitone Process" results in a new and superior service. He asserts that garments cleaned by this method are free of all dirt, grime, and foreign matter; that Sanitone, unlike other processes, restores colors; is free of odors as when petroleum solvents are used; prevents fabric deterioration and seam breaks; and that the garments hold their press for a longer period. Furthermore Sanitone processors mend even those rips and tears that are present when the garment is brought in for dry cleaning, and, it is said, that only they can buy moth damage insurance.

The seller's assertions have been considered and found to lack substance. As to freedom from dirt, it need only be noted that spotting and wet cleaning are still necessary; that proper cleaning, in any case, leaves garments odorless and with colors restored, except in the case of faded or worn garments; that mending service to the same degree is furnished by other reputable cleaners; and that, except for accidental tears, which can occur in the Sanitone Process as in other types of cleaning, deterioration and seam breakage are due to inferior manufacture and cloth rather than to the cleaning process used. Finally, the length of time a garment holds its press depends on the pressing itself and the habits of the wearer.

If the argument be accepted that a cleaner garment results, any increased cost involved in the use of Sanitone Process soap would be counterbalanced by a decrease in the amount of spotting and wet cleaning. In addition, there are cleaning methods that use equipment involving a capital expenditure several times as great as in the Sanitone Process, yet such services are priced competitively.

In view of the foregoing it is to be concluded that the Sanitone Process is in fact merely a different method of **performing** the service rendered in the base period and is not a new service.

(8/11/52 No. 31)

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INTERPRETATIONS
CPR 34, Sec. 6

PIGEON HOLE PARKING LOTS**Selection of most closely competitive seller**

A pigeon hole parking lot is a building so constructed that cars are parked automatically by machinery, thereby eliminating entirely the handling of the car by a driver both in the service of parking it and in removing it from its parking space. This kind of parking service tends to prevent rough handling in the parking lot.

The operator of a new pigeon hold parking lot must establish his ceiling prices in accordance with Section 6. If there is no competitive pigeon hole parking lot, he should establish his prices on the basis of those of the closest structural parking establishment providing parking service to the same class of purchaser.

(3/24/52 No 8)

INTERPRETATIONS
CPR 34, Sec. 6

CAR WASHING

Application of Sec. 6 and other sections explained (see
Interps. following CPR 34, Sec. 5, page 85 Serv 32:205.11)

INTERPRETATIONS
CPR 34, Sec. 6

NEW SERVICE**Indoor parking different service than outdoor parking**

A parking lot operator seeks to establish ceiling prices under section 6 of CPR 34 for a new parking service under the following facts.

For some time the seller operated an open parking lot on ground below the street level. There has now been built on this same location an enclosed concrete one level garage type building, the roof of which is on a level with the street and is to be used for the open parking of cars. The operator states he intends to park cars in the enclosed structure and also on the exposed roof. He requests, for the roof parking, a price which would be higher than that previously charged for the ground parking and a still higher price for the enclosed parking.

The question presented is whether the applicant has discontinued an old service and instituted a new service achieving the same general purpose at a higher price, and if so, whether he has met the conditions of section 12(e) of CPR 34.

It is the opinion of OPS that the service rendered in parking cars on the open roof is substantially similar to the service previously rendered; that therefore, he has not discontinued his old service but now will supply in addition the enclosed garage type parking service offered by his lower level. Further, it is the opinion of OPS that if it were to be found that the question fell within the purview of section 12(e) of CPR 34, the applicant could not meet the conditions of that section whereby an old service could be discontinued and a new higher priced service instituted.

The operator may establish ceiling prices for his enclosed parking services as new services under section 6 of CPR 34, but he must maintain his old ceiling prices for cars parked on the roof of the structure.

In reaching this conclusion OPS has taken into consideration that the new structure provides a concrete floor, wash and waiting room, and additional ingress and egress facilities.

(12-29-52 No. 4)

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INTERPRETATIONS
CPR 34, Sec. 6

NEW SELLER

Service vending machine operator, when so classified (See Interps following CPR 34, sec 13 (a), page 85 Serv 32:213a.3).

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INTERPRETATIONS
CPR 34, Sec. 6(c)

ENTERTAINMENT AS A NEW FEATURE

Section 6(c) not applicable for granting higher prices
because of entertainment

An operator of a small eating and drinking establishment proposes to increase his ceiling prices for food and beverages sold at certain times of the day in order to recover the cost of entertainment which he now proposes to offer during those hours. The operator has not previously offered entertainment in his establishment and does not wish to institute an entertainment charge as provided in Section 14 but wants to increase his ceiling prices for meals, food items or beverages sold during those hours. The operator is of the opinion that his customers would object to paying a cover or entertainment charge but would not object to paying a little extra for a drink during entertainment hours on certain nights of the week. It was suggested that the operator could apply under Section 6(c) for an increase in his ceiling prices for food or beverage items offered for sale during a particular time of the day never before offered. The proposed increase would be measured by the cost of the entertainment.

Section 6(c) is not designed for the purpose of increasing ceiling prices of food or beverage items because they are offered for sale at times of the day not offered during the freeze week. Section 6(c) would be applicable in this case only if the operator offers, during entertainment hours, a particular meal, food item or beverage which he had not offered during the period from April 1, 1951, through February 9, 1952, and for which he is unable to establish a ceiling price under the other paragraphs of Section 6. In most cases, the ceiling price of a new item is fixed in accordance with Section 6(b)(2) and the cost of entertainment, which is being offered during the hours when the new item is offered, is not taken into account in fixing the ceiling price for that item. A ham sandwich or a beer which is offered before 9 o'clock and has a ceiling price fixed under Section 6(a), is not a new food item or beverage because it is served after 9 o'clock when entertainment is offered. It is only when the operator during the freeze week charged a higher price for any meal, food item or beverage by reason of its being offered at a particular time of the day that the operator would have different ceiling prices for the same food or beverage items. It does not appear that this type of situation occurred in this particular case. The procedure for recovering the cost of entertainment which the operator now wishes to offer is set forth in Section 14 and the provisions of Section 6(c) are not interchangeable with that section. Furthermore, there is no procedure available in Section 6(c) as in Section 14 for the reduction of ceiling prices fixed under that section when the entertainment for which the increased ceiling prices are granted is no longer offered.

(8-8-52 No. 15)

INTERPRETATIONS
C PR 34, SEC 8(a)

SEASONAL PRICE VARIATIONS

Parking lot operator must maintain

A parking lot operator cutomarily charges a higher price during the Christmas season than he did during the balance of the year; the result was that the Christmas season price charged during part of the base period was the highest price charged during such period. However, under section 8(a) the seller's price for the balance of the year must reflect his customary seasonal differentials.

(5/9/52 #8)

INTERPRETATIONS
CPR 34, Sec. 8(b)

**CEILING PRICES FOR PHOTO-FLASH
SERVICES RENDERED FOR RACE TRACKS**

Photo-flash services rendered for race tracks are seasonal in nature and with respect to those classes and categories of services not supplied in the base period, Sec. 8(b) rather than Section 12 would apply. Under Section 8, the company would be limited to the applicable table percentage in subparagraph (c)(1) thereof.
(8/21/51 No. 15)

INTERPRETATIONS
CPR 34, Sec. 12

REPORTING REQUIREMENTS
COST PLUS CONTRACTS

Subparagraph (2) of Section 12(f) does not apply to any other pricing situation under Section 12.

The direction of Section 12(f)(2) to report a ceiling price to Washington requires such report to be made each time a cost plus contract is negotiated. This requirement does not abrogate the necessity for filing under Section 18 with the District office.
(8/16/51 No. 1)

INTERPRETATIONS
CPR 34, SEC. 12

CLASS OF PURCHASER

Where base period price negotiated on individual basis (see Interps. following
CPR 34, Sec. 2, page 85 Serv 32:202.21)

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INTERPRETATIONS
CPR 34, Sec. 12(a) (2)

CUSTOMARY CLASS OF PURCHASER DIFFERENTIALS
Restoration - when permitted for bowling alleys

The question posed is whether league bowling prices which, during the base period remained fixed under contracts, may be increased to maintain the customary price differential between league and open bowling, the latter having been increased during the base period.

If the price of open bowling was increased generally to individual bowlers during the base period, the proprietor may increase his league price accordingly under Section 12(a)(2) of the CPR 34, keeping the same differential between open and league bowling, and retaining any base period rebates, provided that the fees for league bowlers were not increased during the base period because of a legal obligation of the proprietor under a contract made before the price increase generally applicable to individual bowlers. This regulation does not require that the contract be in writing although if in writing the existence of the contract is more clearly evidenced.
(3/7/52 No. 13)

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INTERPRETATIONS
CPR 34, Sec. 12(a)(2)

CUSTOMARY CLASS OF PURCHASER DIFFERENTIALS

Pre-existing contracts must apply to all members of class

Section 12(a) of CPR 34 deals with the situation where a seller had in effect during the base period an increase in his prices for a service to his classes of purchasers generally, but did not supply the service to a particular class at the increased price during the base period. In such a situation, if the service was in fact supplied to that particular class during the base period, subsequent to the general price increase, at the old low price, section 12(a)(2) relief is available only if it appears that any and all deliveries of the service to purchasers of that class at the lower price resulted from the fact that the seller was bound to make such delivery at the lower price under a contract executed prior to the general price increase. Section 12(a)(2) may not be used to establish the price increase for such a class if deliveries were made to members of that class at the old low rate even in cases where the seller was not legally bound to deliver at such lower price under pre-existing contracts. The fact that the existence of binding contracts compelling delivery to some members of the class at the old rate motivated the business decision to continue the lower price simultaneously to other members of the class as to whom no such binding contract existed, does not satisfy the conditions set forth in section 12(a)(2).

(10/8/52 No. 12)

INTERPRETATIONS
CPR 34, Sec. 12(c)

CLASS OF PURCHASER

Discount purchasers separately classified (see Interps. following GCPR,
Sec. 22, page 42 Reg 11:222.25)

INTERPRETATIONS
CPR 34, SEC. 12(e)

SERVICES**Discontinuance of free services**

The subject company had a base period practice of cashing checks for its customers free of charge. Recently it instituted a new system under which it made a charge of 10¢ for cashing each check. The person whose check was cashed, however, received a 10¢ merchandise credit slip.

The introduction of such a practice would not be permitted under section 5 or section 12(e) of CPR 34 inasmuch as requiring the customer to purchase a 10¢ merchandise credit stamp in return for having his check cashed results in an indirect charge for the same service which was supplied free of charge during the base period. Moreover the subject company cannot, because of the unusual nature of the service, qualify as the seller of a new service under section 7 of CPR 34 inasmuch as a service rendered free during the base period does not become a new service merely by making a charge therefor. Consequently, though he may discontinue supplying the check cashing service entirely, he may not now charge for this service either directly or indirectly. See Section 25 of CPR 34.
(3/7/52 No. 11)

INTERPRETATIONS
CPR 34, Sec. 12(e)

CONTINUANCE OF FREE DELIVERY

Service and incident of a service distinguished

The question posed is whether an incident of a service may be discontinued.

A dry cleaning corporation operates and maintains 18 retail stores in addition to its cleaning plant. The business is operated on a cash and carry basis at all stores. At one store only, however, during the base period and since, free delivery service has been given in addition to the cash and carry operation. Pricing has been at the same level in all stores including the store offering free delivery service, which service the corporation now wishes to discontinue.

The free delivery service offered by the corporation at its one store is an incident to and a term and condition of sale of the dry cleaning service at the store. Section 25 of CPR 34 states that any act or practice which results directly or indirectly in obtaining a higher price than is permitted by this regulation is a violation of the regulation. Among other things, such practices include practices not justified under 12(e) of the regulation. To discontinue the free delivery service would in effect be indirectly increasing the price of the dry cleaning service to the class of purchaser who customarily used it. While Section 12(e) provides that a seller may discontinue selling a service, it does not provide for the discontinuance of an incident of a service. Free delivery could not stand alone without the dry cleaning. Accordingly, Section 12(e) is not applicable.

(4/10/52 No. 44)

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INTERPRETATIONS
CPR 34, Sec. 12(e)

PARKING LOT

Time schedule changes resulting in higher prices (see Interps. following CPR 34, Section 5, page 85 Serv 32:205.9)

FILE following 85 Serv 32:212e.5 (10-3-52)

85 Serv 32:212e.7

INTERPRETATIONS
CPR 34, Sec. 12(e)

CAR WASHING

Application of Sec. 12(e) and other sections explained (see
Interps. following CPR 34, Sec. 5, page 85 Serv 32:205.11)

INTERPRETATIONS
CPR 34, Sec. 12(e)

DISCONTINUANCE OF LOWER PRICED SERVICE

Not permissible where higher priced substitute service is substantially similar
(see Interps. following CPR 34, section 5, page 85 Serv 32:206.11)

INTERPRETATIONS
CPR 34, Sec. 12(e)

SERVICE WHICH HAS BECOME UNLAWFUL

Requirements for discontinuing and substituting higher priced service explained.

Questions have been raised as to the method of compliance with CPR 34, section 12(e) in the case of an employment service altering its guarantee of employment in the case of the sale of its services to female applicants.

The subject company, an employment agency operating under a license issued by the State of Illinois is a partnership whose actual owner and directing head is X. The partnership came into existence of July 1, 1951, following the dissolution on June 30, 1951, of the X Employment Services, Inc., an Illinois corporation, whose sole stockholder was X.

During the base period and up until April 13, 1951, the subject's charges were as follows:

Male applicants: 60 percent of the first month's salary with a 30-day guarantee of employment.

Female applicants: 45 percent of the first month's salary with a 21-day guarantee of employment.

Effective April 13, the subject company increased the fees for placement of female applicants to 60 percent of the first month's salary without an enlargement of the guarantee time.

The subject company defends its position on the basis that the price increase is authorized by section 12(e)(ii) of CPR 34 since the Illinois State Law governing operations of private employment agencies was amended, effective August 2, 1951, to require a 30-day guarantee period in all employment contracts. It is contended by subject company that during the base period it was offering two placement services; one for 45 percent of the first month's salary with a 21-day guarantee; and the other for 60 percent of the first month's salary with a 30-day guarantee; and that by reason of the State Law effective August 2, 1951, it was compelled to discontinue the lower price service. After August 2, 1951, the company instituted a 30-day guarantee for female applicants in place of the 21-day guarantee and charged them 60 percent of the first month's salary.

On the basis of these facts it is concluded that during the base period the subject company was dealing with two different classes of purchasers with different ceiling prices and different terms and conditions applying to each; that the subject company could, at any time, after the effective date of CPR 34 have applied to OPS for permission to supply at a higher price, a 30 day employment guarantee to its female applicants (a single class of purchaser) since the change in the terms and conditions of sale may have warranted an increase in price by virtue of the basic improvement in the service offered. In such a case, the ceiling price would have been determined under section 6 or 7 of CPR 34 on the basis of the value of that service when rendered to female applicants and would not necessarily have been the same as the ceiling price for the same service when rendered to male applicants who were in a separate purchaser class. However, at any time prior to the effective date of the

Illinois Law, the subject company, under section 12(e) would have been compelled to continue supplying the employment service with the 21-day guarantee at the lower ceiling price in addition to any higher priced service for which the company established a ceiling price under section 6 or 7 of CPR 34..At any time after the effective date of the Illinois Law the company could properly have applied to OPS under section 12(e)(ii) of CPR 34 for permission to discontinue the sale of the employment with the 21-day guarantee for female applicants. It should be noted however that the granting of authority to discontinue the lower priced service under section 12(e) does not automatically authorize the seller to sell the higher priced service to this class of purchaser (the female applicants). If the subject company did not establish a ceiling price for the employment service to its female applicants with a 30-day guarantee, prior to that time, they must still establish a ceiling price therefor under section 6 or 7 of CPR 34.

In connection with the instant case the following specific questions have been asked:

1. Assuming the subject did offer the two services during the base period, was it required by Section 12(e)(ii) to file a certificate with the Director of Price Stabilization as a condition precedent to the discontinuance of the lower price service or could it have discontinued such service immediately upon the effectiveness of the State Law?

Assuming the subject company offered two services during the base period and assuming further that the subject company was permitted to discontinue the sale of a service under section 12(e)(ii), the seller is still required by section 12(e)(2) of CPR 34 to file with OPS a statement certifying the existence of the condition under which he is authorized to discontinue the sale of such a service illegal, etc., does not relieve the seller from complying with this filing requirement.

2. If the certificate referred to in section 12(e)(2) was not filed, could the subject ever legally discontinue the lower price service?

No. In order to discontinue the sale of a service and sell in its place a higher priced service which achieves the same general purpose under section 12(e) of CPR 34, the seller must file the certificate.

3. If the certificate had been filed, could the subject discontinue the lower price service or did it have to wait at least 30 days under section 12(e)(3)?

Section 12(e)(3), granting OPS 30 days within which it may disapprove the request for permission to discontinue the sale of a service and sell in its place a higher priced service which achieves the same general purpose, contains an implied requirement that the seller must continue to offer the lower priced service until that 30 days has elapsed.

4. Was the partnership which came into being on July 1, 1951, a new seller subject to section 6 of CPR 34?

While it appears from the information submitted that the partnership which came into existence on July 1, 1951, was merely the result of a reorganization of the former corporation, it may be regarded as a new entity for price control purposes. In either case the ceiling prices are the same since section 13(a) of CPR 34, as amended provides that the ceiling prices for the transferee of a business are the same as those in effect for the transferor (Amendment 6 to CPR 34).

(1-19-53 No. 2)

INTERPRETATIONS
CPR 34, Sec. 12(g)

FLAT RATE MANUALS

Continued use of base period and approved new editions

Inquiry has been made as to whether the price guide published by the Painting and Decorating Contractors of America, 8th edition, copyrighted in 1950, is recognized by OPS and whether subsequent editions of this guide will be reviewed by the Director of Price Stabilization and proper documents issued, if the guide is approved.

Under section 12(g) of CPR 34, a seller subject to the regulation who used a particular edition of a flat rate manual during the base period to determine his prices must continue to use the same edition under the regulation and he may not increase the hourly rates he charged during the base period. The seller may not use a new edition of a flat rate manual unless its use has been approved by the Director of Price Stabilization.

If a painting or decorating contractor determined his prices during the base period of CPR 34 by use of the price guide edition to which you refer he was required to continue to use it under CPR 34 until the effective date of CPR 93. After the effective date of CPR 93, this type of contractor may by qualifying under the provisions of section 5 of that regulation sell or continue to sell a construction service at a ceiling price properly established and reported under CPR 34. Contractors using the provisions of section 5 of CPR 93 may use a new edition of this price guide if its use has been approved by the Director of Price Stabilization. To obtain a review with a view to approval of a new edition of this price guide, its publisher must submit the new edition for review to the Service Trades Branch, OPS, Washington 25, D. C.

(7-14-52 No. 3)

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INTERPRETATIONS

CPR 34, Sec. 13

TRANSFER OF ESTABLISHED BUSINESS

From lessor to lessee

As owner of a parking lot leased it to a lessee who operated it until the lease expired in July, 1951, and thereafter the owner operated it. The question presented is whether the owner has acquired a previously established business under section 13(a) of CPR 34 so as to have the same ceiling prices as his former lessee.

The owner has acquired a previously established business within the meaning of section 13(a) of CPR 34. One way of acquiring a business is to acquire its physical assets and good will. Upon termination of the lease, the owner acquired the right to possess the parking lot, which was the only important physical asset of the lessee's business. Since the chief attraction to customers of a parking service is the location of the parking lot, the owner also acquired the good will by the termination of the lease. The owner's ceiling prices, therefore, are the same as his lessee's were. (7/8/52 No. 1)

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OFFICE OF THE

ATTORNEY GENERAL

STATE OF NEW YORK

**INTERPRETATIONS
CPR 34, Sec. 13(a)****TRANSFER OF ESTABLISHED BUSINESS****Acquisition of parking lot--when operator is transferee and not new seller.**

The property in question was formerly used as a parking lot, the lot had been completely closed out, a new party purchased the property and made improvements thereon. The gap of time between the closing out of one business and establishing of another has not been stated, although this may not be significant.

Section 13(a) of CPR 34 is applicable to the acquisition of property for the purpose of carrying on a previously established business. If in fact the new owner carries on a previously established parking lot business, it is immaterial that they acquired the business by way of purchase of real estate or made minor improvements thereto. Whether they are carrying on such a previously established parking lot business should be determined from all the facts. Privity of estate between the former and present parking lot operator is not required. However, if upon examination of all available facts it is determined that such substantial improvements have been made by the new owner so as to materially change the character of the parking lot operation, the granting of a price under Section 6 of CPR 34 would be appropriate.

(3/11/52 No. 7)

MEMORANDUM FOR THE DIRECTOR

Subject: [Illegible]

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INTERPRETATIONS
CPR 34, Sec. 13(a)

SERVICE VENDING MACHINE

When new operator must take former operator's ceiling

A service vending machine is installed at a location where no operator had a machine of the same type during or since the base period. Under the circumstances, the new operator establishes his ceiling price under section 6 of CPR 34. If, however, another operator had had a machine at the location immediately or until a reasonable time prior to the installation by a new operator, the latter, in accordance with section 13(a) of CPR 34, as amended by Amendment 6, would be required to take the former operator's ceiling price.

(1-15-53 No. 7)

AMERICAN OVERSIGHT

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INTERPRETATIONS
CPR 34, SEC. 13(c)

SERVICES, Chains, new selling units established after
January 25, 1951

Your letter states that as your corporation operates more than one selling unit, Section 13(c) of CPR 34 requires the company to apply under Section 7 for ceiling prices; that that section applies to services which cannot be priced under Sections 5 or 6 of the regulation; that in determining charges for services at new stations, it has been your practice to first ascertain the charges made by competition for similar services; and then establish your prices in line with the prevailing competition; that prior to the issuance of Amendment 1 to CPR 34 which added paragraph (c) to Section 13 you were able to determine prices under Section 6 by taking the ceiling price of the closest competitor in the area; and that Section 13(c) now requires a procedure different therefrom; and you suggest that you be allowed to continue to price new services at new units under Section 6 of CPR 34.

Section 13(c) of CPR 34 states that if you operate one or more selling units and you open a new unit after January 25, 1951, you must apply to OFS for establishment of your ceiling price for that unit under Section 7 of the regulation. In view of that provision this office has no authority at the present time to permit you to price services rendered at new selling units under Section 6 of that regulation.

Your continued cooperation with the price stabilization program is appreciated.
(1/21/52 #15)

FILE following 85 Serv 32:213c.1 (10-3-52)

85 Serv 32:213c.3

INTERPRETATIONS
CPR 34, Sec.13(c)

CAR WASHING

At new unit of chain - application of Sec. 13(c) and
other sections explained (see Interps. following CPR 34,
Sec. 5, page 85 Serv 32:205.11)

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FILE following 85 Serv 32:213c.1 (9-15-52)
(THROW AWAY PRIOR 85 Serv 32:216.1)

85 Serv 32:216.1

INTERPRETATIONS
CPR 34, Sec. 16

SEASONAL PRICE VARIATIONS

Parking lot operator must maintain (see Interps. following CPR 34, Sec. 8(a),
page 85 Serv 32:208a.1)

INTERPRETATIONS
CPR 34, SEC. 18

FILING REQUIREMENTS, Must describe each service

The memorandum enclosed a statement of ceiling prices filed by a company which set forth price ranges rather than specific prices as; for example, "Sleeves - take in \$2.00 - \$4.50."

Such a statement of prices does not meet the filing and posting requirements of Section 18 of CPR 34. Each service for which a price is filed should be specifically described as, for example, "Sleeves Plain 24" length, worsted - \$2.00"; "or shorten bottom of skirt - by hand - 36" width \$3.00."

The subject memorandum states that only one statement is filed for a group of stores and that it has been the position of the Regional Counsel that separate statements must be filed for each store even though the company adopts central pricing, and an opinion is requested with respect to the matter.

As indicated by the attachments to the memorandum, the company furnishes to each District office a pricing chart of uniform prices specifically designating the names and addresses of the stores in which the services are sold. It would appear that so long as the services rendered and prices charged therefor are uniform and each store maintains its records of sales and posts the pricing chart on its premises, that the provisions of Section 18 have been met.
(12/18/51 #5)

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INTERPRETATIONS
CPR 34, SEC. 18

EXEMPTIONS, Services - Parking lots as rental of real property.

The District Counsel has ruled that the owner of a lot who rents space on a monthly basis to a definite number of customers with each space allocated to the tenant and having no transient or part-time parkers and no attendant is renting real estate and not subject to filing under CPR 34, the Services regulation. In your proposed post-audit of this matter you state that in your opinion this ruling is incorrect.

Neither your memorandum nor the memorandum from the District Counsel contains sufficient information upon which to base a determination with respect to whether there is the rental of real estate or the rendering of a service. Your attention is directed to a decision of the Emergency Court of Appeals under the Price Control Act of 1942, Carothers et al v. Bowles, 148 F. 2d 554, 65 S. Ct. 1556, relative to the question whether there was a rental of real estate by persons parking automobiles under a so-called "park and lock space rental" plan. The court in determining that there was the rendering of a storage service subject to price regulation rather than the rental of real estate said that whether such an operation involves the providing of storage depends upon whether there are present at least some of the incidents which customarily go to make up automobile storage service. Among these may be the grading, paving, lighting and cleaning of this parking lot and the marking upon it of suitable spaces for the parking of automobiles.

(2/28/52 #5)

INTERPRETATIONS
CPR 34, Sec. 18

POSTING AND FILING REQUIREMENTS

Sales outlet--posting and filing in local OPS office required

Where a laundry maintains a pick-up station in one OPS District and maintains its plant in a different District, it must post its ceiling prices in the pick-up station and file them with the OPS District Office having jurisdiction over the pick-up station. It must also post its ceiling prices in its main plant with reference to business done there, and file such ceiling prices with the OPS District Office having jurisdiction over its main plant.

Section 18(f)(2) of CPR 34 requires the posting of ceiling prices in the pick-up station because the requirement of posting in "your establishment" refers to all the places in which the services are furnished.

In addition, under Sections 18(b)(2) and 27(a)(1), the laundry is required to file its ceiling prices with the OPS District Office for the area in which the pick-up station is located. In particular, Section 27(a)(1), requires filing in the OPS District Office "for the district where your place of business is located and from which your sales are made." The expression "place of business," as here used, is synonymous with the place from which sales are made, and is merely an additional reference to such place.

(5/29/52 No. 27)

INTERPRETATIONS
CPR 34, SEC. 18

FILINGS OF STATEMENTS

Appropriate OPS office (see Interps. following CPR 34, Sec. 2, page 85 Serv 32:202.21)

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1877. It is a very important document, as it contains the President's message to the Congress, and is one of the most important documents in the history of the United States.

2. The second part of the document is a letter from the President of the United States to the Congress, dated January 1, 1877. It is a very important document, as it contains the President's message to the Congress, and is one of the most important documents in the history of the United States.

INTERPRETATIONS
CPR 34, Sec. 18

FILINGS OF STATEMENTS

Bracket filings for services of funeral directors.

The question presented is whether bracket filings by undertakers meet the requirements of Section 18 of CPR 34.

Undertakers have bracketed funeral charges, principally because caskets which they sold varied in cost. Bracket filings for this industry would, therefore, meet the requirements of Section 18 of CPR 34, provided the maximum bracketed price in each bracket represented a ceiling price. In such case the minimum bracketed price in each such bracket would represent not a ceiling price under Ceiling Price Regulation 34, but a price lower than ceiling which could at least have suasive effect because of the filing.

The filings by undertakers which set forth bracket prices for services should be permitted if they are based in part on respective bracket costs, provided the filings, among other things, state that the maximum bracket price in each bracket is a ceiling price.

(3/25/52 No. 1)

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INTERPRETATIONS
CPR 34, Sec. 18

CONSIGNEES

Section 18 applies (see Interps. following CPR 34, Sec. 2,
page 85 Serv 32:202.53)

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INTERPRETATIONS
CPR 34, Sec. 19

VIOLATIONS

Construction services exempt under CPR 93, Section 1(b)--violations of CPR 34 not validated (see Interps. following CPR 93, Section 1, page 61 Ind 49a:201.2).

INTERPRETATIONS
CPR 34, Sec. 20

ADJUSTMENTS FOR CUSTOM SLAUGHTERERS

Devaluation of hide and by-products received as base period pay.

During the base period most slaughterers received for their services the hide and other by-products of the animal slaughtered. The price of hides has dropped to such an extent that, dollar-wise, the slaughterer is now receiving substantially less for his services than he received during the base period.

Where a custom slaughterer during the base period received the hide and other by-products for his services it would appear that he was attempting to establish a dollar and cents value for his services rather than to put himself in the position of speculating in the hides and the by-products. Hence, his ceiling price now for his services would be not to exceed the highest price he received for the hides and by-products during the base period. Conversely, if the price he receives for the hides and by-products should rise above his ceiling price for his services then the custom slaughterer should reduce the price for his services by the amount of the increase in excess of the ceiling price. In light of this reasoning and application thereof, it does not appear that an increase to the slaughterer for these services would result.

However, the adjustment provisions of Sections 20(a) and 20(b) may be utilized by custom slaughterers if they are able to meet the requirements of such sections.
(6/16/52 No. 2)

INTERPRETATIONS
CPR 34, SEC 20(a)

ADJUSTMENTS

Not available where materials charge separately stated

Repairman historically stated his charges for labor and material separately so that section 11 of CPR 34 would apply. He now seeks adjustment in price of materials. Any such increase must be determined in accordance with the commodity regulation and the application cannot be considered under section 20(a) of CPR 34.
(5/5/52 #19)

INTERPRETATIONS
CPR 34, SEC. 20(a)

ADJUSTMENTS

Services and commodity sales distinguished

A company, as one of its functions, installs draperies and carpeting. If only a service is performed and the company customarily kept separate profit and loss statements for its carpet and drapery department, such figures may be submitted and an application for adjustment under section 20(a) can be entertained. However, when the service of installing the carpets or draperies is rendered in connection with the sale of the commodity, the complete transaction is deemed the sale of a commodity subject to the provisions of the appropriate commodity regulation and the seller must apply for an adjustment under such commodity regulation rather than under the services regulation.

(5-21-52 No. 2)

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INTERPRETATIONS
CPR 34, Sec. 20 (a)

ADJUSTMENTS

Corporation owned by another corporation

Auto Rental Service Corp is wholly owned by another corporation. There is no connection between the two corporations other than the bare ownership of the stock. The subsidiary's profit and loss statement is totally independent of that of the owner corporation, reflecting no exchanges or adjustments and no allocations of functions between the two corporations. Under Section 20 (a) the subsidiary's application should be processed as that of an individual corporation and not as the application of a multiple unit.

1-1000-1-1

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INTERPRETATIONS
CPR 34, Sec. 20(a)

CAR WASHING

At unit of a chain - application of Sec. 20(a) and other sections explained (see Interps. following CPR 34, Sec. 5, page 85 Serv 32:205.11)

FILE following 85 Serv 32:220a.5 (9-9-52)

85 Serv 32:225.1

INTERPRETATIONS
CPR 34, Sec. 25

EVASIONS

Discontinuance of an incident of a service prohibited.

(See Interps. following CPR 34, Section 12(e) page 85 Serv 32:212e.3)

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INTERPRETATIONS
CPR 34, Sec. 27

APPROPRIATE OPS DISTRICT OFFICE

Sales outlet--filing required in district office where outlet located
(See Interps. following CPR 34, Section 18, page 85 Serv 32:218.5)

INTERPRETATIONS
CPR 34, SEC. 27

APPROPRIATE OPS DISTRICT OFFICE

Contracts--filing required in district where contract entered into and performed
(see Interps. following CPR 34, Section 2, page 85 Serv 32:202.21)

INTERPRETATIONS
CPR 34, Sec. 27(a)(11)

DEFINITIONS**Class of purchasers**

With respect to services, there is basically no difference between the definition of a "purchaser of the same class" as set forth in Section 22 of the GCPR, and the same term as defined in Section 27(a)(11) of CPR 34. The definition contained in the services regulation is merely explanatory of the term "purchaser of the same class" as used in the GCPR.

(3/7/52 No. 9)

MEMORANDUM FOR THE RECORD

DATE: 10/10/68

TO: SAC, NEW YORK (100-100000-100)

FROM: SAC, NEW YORK (100-100000-100)

SUBJECT: [Illegible]

RE: [Illegible]

INTERPRETATIONS
CPR 34, Sec. 27(a)(17)

CONSIGNEE

Performs "service" within scope of definition (see Interps. following
CPR 34, Sec. 2, page 85 Serv 32:202.53)

INTERPRETATIONS
CPR 34, Sec. 27(a)(11)

CLASS OF PURCHASER

Discount purchasers separately classified (see Interps. following GCPR,
Sec. 22, page 42 Reg 11:222.25)

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100-100000

100-100000

INTERPRETATIONS
CPR 34, Sec. 27 (a) (17)

NOT SALE OF SERVICE**Commodity sale when processor has title to goods**

A processor converts rough yellow pine lumber into wooden package material which he supplies to a manufacturer of metal articles. Both firms, it may be noted, are corporations. The question presented is whether the transaction involves the sale of a service, subject to CPR 34, or the sale of a commodity. In the latter case, the sale would be subject to GCPR.

The supplier purchases rough lumber, processes it into package material, and as such delivers it to the manufacturer, who at that stage acquires title to the finished product. This sequence of events would ordinarily stamp the transaction as the sale of package material. One of the parties, however, points out that other factors are present which would indicate that what is actually involved is the sale of a service. In support of this, it is stated that the manufacturer, some years back, found it impossible to fill his requirements of package material from regular marketing sources. He therefore entered into a cost-plus contract with the supplier, wherein it was provided that the manufacturer would give advance notice of his requirements for each six months' period to the supplier, who would use his best effort to meet these requirements and, in the operation of its planing mill, would give preference to the manufacturer's requirements. If it turned out that any lumber in the supplier's inventory could not be used for package material, such lumber would be sold in the open market by the supplier and the proceeds credited to the manufacturer's account. Furthermore, if the contract was terminated by the manufacturer, he would pay for all the yellow pine in the supplier's inventory. In addition, the manufacturer bought the preferred stock in the supplier corporation with the object of financing the purchase of rough lumber; and, in order to safeguard such investment, the preferred stock dividends are guaranteed and the salaries and common stock dividends of the supplier are limited. Because of these various factors influencing the supplier's operations, it is contended that the transaction between the parties amounts, in fact, to a sale of services.

Despite the above, a conclusion other than that a sale of a commodity is involved would be unwarranted. The significant elements to be considered are: (1) That the supplier purchases and has title to the rough lumber and, (2) That the manufacturer never acquires title to the lumber in any form until it has been fully converted into finished package material and delivered to him. Since the supplier is not working on anything owned by the manufacturer, he is not, in processing this lumber, performing a service for the manufacturer.

It follows, therefore, that the supplier is selling a commodity and not a service to the manufacturer.

(12-15-52 No. 8)

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INTERPRETATIONS
CPR 34, Sec. 27(a)(17)

EMPLOYER FUNCTIONS

Not included

The question has been raised under the following facts as to whether A, a manufacturer, is performing for B, who sells A's products, a service which is covered by CPR 34.

B selects the customers to whom he sells and fixes the prices. His compensation is the difference between his selling price and the price which he is charged by A. Against such compensation, A furnishes B with a drawing account. All orders are taken and billed in A's name. The latter assumes all credit risks and prepays freight, does the bookkeeping, adjusts complaints, carries on all correspondence for B and accepts returns of merchandise. A now wishes to make a charge for those functions which he performs and inquires whether these, in the particular circumstances here involved, constitute services covered by CPR 34 and whether he would have to establish a ceiling price for them under such regulation.

The facts stated indicate that B is merely an employee or agent and hence is not buying either goods or services from A. CPR 34 is therefore not applicable and no ceiling would have to be established for such charges as A might make for carrying out his part of the transaction.

(11-9-51 No. 15)

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INTERPRETATIONS
CPR 34, Sec. 27(a)(17)

SERVICES

Additional operations in manufacturing same commodity, not considered to be new service (see Interps. following GCPR, sec. 22, page 42 Reg 11:222.31)

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Wholesale Drycleaning, Etc.,
in New York City Area

OFFICE OF PRICE STABILIZATION
WASHINGTON

Ceiling Price Regulation 34
Supplementary Regulation 1

JUNE 14, 1951

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 1]

CPR 34—SERVICES

SR 1—WHOLESALE DRY CLEANING, FINISHING
AND DYEING IN THE NEW YORK CITY
AREA

Pursuant to the Defense Production
Act of 1950 (Pub. Law 774, 81st Cong.)
Executive Order 10161 (15 F. R. 6105),
and Economic Stabilization Agency Gen-
eral Order No. 2 (16 F. R. 738) this Sup-
plementary Regulation 1 to Ceiling Price
Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 1 to
Ceiling Price Regulation 34 establishes
dollars and cents prices for wholesale
dry cleaning, finishing and dyeing serv-
ices in the New York City area. The
services supplied by the wholesalers of
dry cleaning, finishing and dyeing serv-
ices in the New York City area and
covering the following counties in New
York State: Bronx, Kings, Nassau, New
York, Queens, Richmond, Suffolk and
Westchester have been provided at sub-
stantially uniform prices for many years
antedating the issuance of Ceiling Price
Regulation 34. No increase has been
made in the price structure since 1947
except for minor readjustments, mainly
in the price of service on children's gar-
ments. A wage increase in 1950 and
sharply increased costs in the latter part
of 1950 have brought the average earn-
ings of the industry in this area close to
the breakeven point. On April 1, 1951
a wage increase was granted by the in-
dustry, which was approved by the Wage
Stabilization Board. The effect of the
latter increase will result in the reduc-
tion of such industry's average earnings
to a loss position and jeopardize the con-
tinued supply of the service.

The existence of uniform prices,
standardized service and similar earn-
ings experience facilitate the establish-
ment of dollars and cents prices. In the
judgment of the Director, the prices
established in this Supplementary Regu-
lation are at the minimum levels which
will permit the continued supply of serv-
ice. The industry, including representa-
tives of trade associations, has been con-
sulted in the preparation of this Regula-
tion. In the judgment of the Director of
Price Stabilization the prices established
by this Supplementary Regulation 1 are
generally fair and equitable and are nec-
essary to effectuate the purposes of Title
IV of the Defense Production Act of 1950.

REGULATORY PROVISIONS

Sec.
1. Purpose.

Sec.
2. Relationship to CPR 34.
3. Ceiling Prices.
4. Definitions.

AUTHORITY: Sections 1 to 4 issued under
sec. 704, Pub. Law 774, 81st Cong. Interpret
or apply Title IV, Pub. Law 774, 81st Cong.,
E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3
CPR, 1950 Supp.

SECTION 1. Purpose. The purpose of
this regulation is to establish dollars and
cents prices for wholesale dry cleaning,
finishing and dyeing services in the
counties of Bronx, Kings, Nassau, New
York, Queens, Richmond, Suffolk and
Westchester, State of New York.

SEC. 2. Relationship to CPR 34. All
provisions of Ceiling Price Regulation
34, except as changed by the pricing
provisions of this Supplementary Regu-
lation 1, shall remain in full force and
effect.

SEC. 3. Ceiling prices. (a) The ceiling
prices which may be charged by sellers
of wholesale cleaning, finishing and dye-
ing services in the counties of Bronx,
Kings, Nassau, New York, Queens, Rich-
mond, Suffolk and Westchester, State of
New York, shall be as follows:

(a) Schedule A—Wholesaler Ceiling
Price List (per garment or item).

	Sales to com- missioners		Sales to outlets	
	Cleaned only	Finished only	Cleaned only	Cleaned and finished
MEN'S				
Suits.....	\$0.16	\$0.22	\$0.28	\$0.55
Coats.....	.08	.11	.15	.30
Pants.....	.08	.11	.15	.30
Flannel pants.....	.11	.15	.20	.40
Linen pants.....	.11	.15	.20	.40
Slacks.....	.08	.11	.15	.30
Sweaters.....	.08	.11	.15	.30
Sport shirt.....	.08	.11	.15	.30
White suit.....	.35	.25	.35	.70
Linen suit.....	.35	.25	.35	.70
Top coat.....	.19	.22	.33	.55
Overcoat.....	.19	.22	.33	.55
Raincoat.....	.22	.30	.38	.80
Reversible coat.....	.22	.33	.38	.90
CHILDREN'S				
Suits.....	.16	.22	.28	.55
Dresses.....	.16	.22	.28	.55
Coats.....	.08	.11	.15	.30
Skirts.....	.08	.11	.15	.30
Jackets.....	.08	.11	.15	.30
Sweaters.....	.08	.11	.15	.30
Boys coats.....	.08	.11	.15	.30
Boys pants.....	.08	.11	.15	.30
HOUSEHOLD				
Furniture covers (in sets of 8 or more).....	.11	.09	.20	.30
Spreads (plain).....	.22	.28	.40	.75
Spreads (silk and taffeta).....	.33	.52	.60	1.25
Curtains.....	.22	.28	.40	.75
Blanket (single).....	.19		.35	
Blanket (double).....	.33		.60	
Quilts (cotton).....	.50		.90	
Quilts (silk).....	.50		.90	1.25
LADIES				
Suit.....	.16	.22	.30	.55
Skirt (plain).....	.08	.11	.15	.30
Skirt (pleated—up to 20 pleats).....	.08	.22	.15	.50
Jacket (plain).....	.08	.11	.15	.30
White suit.....	.23	.25	.40	.70

	Sales to com- missioners		Sales to outlets	
	Cleaned only	Finished only	Cleaned only	Cleaned and finished
LADIES—continued				
Waist (plain).....	\$0.08	\$0.15	\$0.15	\$0.35
Waist (pleated—up to 20 pleats).....	.08	.25	.15	.50
Coat.....	.19	.22	.33	.55
Coat (white).....	.23	.25	.40	.75
Coat (reversible).....	.22	.33	.38	.90
Suit (linen).....	.20	.25	.35	.70
Sweater.....	.08	.11	.15	.30
Dress (plain—up to 4 pleats).....	.16	.22	.28	.55
Dress (pleated—up to 20 pleats).....	.16	.30	.28	.85
Dress (velvet).....	.16	.30	.28	.85
Dress (sunburst pleated).....	.16	.50	.28	1.25
Evening gown.....	.19	.50	.33	1.25
Evening gown (with train or pleated).....	.19	.90	.33	1.75
Dyeing.....			Rough 1.50	Fin- ished 2.00

(b) Schedule B—Commissioner Ceiling
Price List (per garment or item);
resale to outlets. The ceiling prices of
cleaning and finishing services supplied
by commissioners to outlets shall not
exceed the wholesaler ceiling prices per
garment or item for sales to outlets for
each service (to wit: "Cleaned only"
and "Cleaned and Finished") estab-
lished in Schedule A of this Supple-
mentary Regulation 1 to Ceiling Price
Regulation 34.

SEC. 4. Definitions. (a) As used in
this Supplementary Regulation 1 to
Ceiling Price Regulation 34:

(1) The term "wholesaler" means any
supplier who owns, operates or controls
plant facilities for dry cleaning, finish-
ing and dyeing garments or items for
commissioners and independent outlets.

(2) The term "commissioner" means
any supplier who has no plant facilities
but supplies dry cleaning, finishing and
dyeing services to outlets.

(3) The term "outlet" means any
purchaser of dry cleaning, finishing and
dyeing services from a wholesaler or
commissioner for resale to an ultimate
consumer.

(4) The terms "cleaning", "finishing"
and "dyeing" include:

(i) "Cleaning" which means the dry
cleaning of a garment or item, including
the spotting thereof;

(ii) "Finishing" which means the
pressing of a garment or item;

(iii) "Dyeing" which means the use
of any process to change the basic color
of a garment or item.

Effective date. This order shall be-
come effective June 14, 1951.

MICHAEL V. DISALLE,

Director,

Office of Price Stabilization.

JUNE 14, 1951.

Virgin Islands

Ceiling Price Regulation 34

Territorial Supplementary Regulation 1

FEB. 15, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency
[Ceiling Price Regulation 34, Territorial
Supplementary Regulation 1]

CPR-34—SERVICES

TSR 1—RETAIL DRY CLEANING AND FINISHING
AND COMMERCIAL LAUNDRY SERVICES IN
THE VIRGIN ISLANDS

Pursuant to the Defense Production Act of 1950, as amended (Public Law 774, 81st Cong., Public Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Territorial Supplementary Regulation 1 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Territorial Supplementary Regulation 1 to Ceiling Price Regulation 34 establishes dollar and cents ceiling prices for retail dry cleaning and finishing and commercial laundry services sold in the Virgin Islands of the United States. The services supplied by dry cleaning and finishing establishments in the Virgin Islands have been provided at substantially uniform prices for the past four years.

In spite of a wage increase and sharply increased costs during 1950, the dry-cleaning industry, at the time the General Ceiling Price Regulation was issued, had not increased its prices. The GCPR freeze, therefore, caught the dry-cleaning industry at a time when its profit margin was very low. Since the issuance of the GCPR, and subsequently of CPR-34, costs have continued to rise while the ceiling price has remained the same.

During the summer of 1951 the dry-cleaning industry petitioned for relief and an independent study of its earnings was conducted. It has been determined that the average earnings of the industry are now close to the break-even point and threaten to jeopardize the continued supply of the service. However, because of the absence of base period earnings experience, it was impossible to determine an increase factor strictly in accordance with the industry earnings standard. This territorial supplementary regulation, therefore, establishes dollars and cents ceiling prices which will, on the average, be from 7 to 10 percent higher than present ceilings under CPR 34. It is expected that these new ceiling prices will yield sellers of dry cleaning and finishing services in the Virgin Islands a margin which would return earnings in line with the policy of the earnings standard. The ceiling prices established for commercial laundry serv-

ices by this territorial supplementary regulation are the same as the CPR 34 ceiling prices.

In formulating this territorial supplementary regulation, the Director of Price Stabilization has consulted with representatives of the industry and has given full consideration to their recommendations. In the judgment of the Director, the prices established by this territorial supplementary 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.

REGULATORY PROVISIONS

- Sec.
1. What this territorial supplementary regulation does.
 2. Ceiling prices.
 3. Posting.
 4. Definitions.

AUTHORITY: Sections 1 to 4 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 territorial supplementary regulation does.* This territorial supplementary regulation establishes dollar and cents ceiling prices for retail dry cleaning, finishing, and commercial laundry services in the Virgin Islands of the United States. All provisions of CPR 34, except as changed by the pricing provisions of this territorial supplementary regulation, shall remain in full force and effect.

SEC. 2. Ceiling prices. Ceiling prices for the retail sale of dry cleaning, finishing, and commercial laundry services in the Virgin Islands of the United States are established as follows:

(a) Schedule A—Retail Prices for Dry Cleaning and Finishing (per garment or item):

	Dry cleaning and fin- ishing	Finishing only
MEN'S		
Suits, white	\$1.60	\$0.70
Suits, colored	1.45	.70
Coats, white	.95	.40
Coats, colored	.85	.40
Pants, white	.75	.30
Pants, colored	.65	.30
Slacks	.65	.30
Sweaters	.50	.25
Sport shirts	.50	.25
Cugat jackets	.65	.30
Overcoats	1.50	.65
Bathrobes	1.45	.40
Raincoats	1.50	.65
CHILDREN'S		
Suits, white	1.20	.55
Suits, colored	1.00	.55
Dresses	.80	.50
Skirts	.50	.25
Jackets	.60	.30
Sweaters	.40	.20
Boys' pants	.40	.25
Sport shirts	.35	.20

	Dry cleaning and fin- ishing	Finishing only
LADIES'		
Suits, white	\$1.60	\$0.70
Suits, colored	1.45	.70
Skirt, plain	.65	.30
Skirt, pleated (up to 20 pleats)	.90	.30
Blouse	.65	.30
Jacket	.85	.40
Dress, plain (up to 4 pleats)	1.35	.40
Dress, pleated (up to 20 pleats)	1.65	
Overcoats	1.50	.65
Slacks	.65	.30
Sweaters	.50	.25
Evening gowns	1.50	.75
Evening gown (with train or pleated)	2.25	
Bathrobes	1.45	.40
HOUSEHOLD		
Bedspreads, plain	1.25	
Bedspreads, silk or taffeta	1.75	
Blanket, single	.65	
Blanket, double	1.25	
Curtains, except silk	1.50	
Curtains, silk	2.25	
Quilts, cotton	1.50	
Quilts, silk	2.00	

NOTE: Dry-cleaning concerns may add a surcharge not to exceed 25 percent of the total charge for dry cleaning items on a 24-hour service basis, if such service is specially requested by the customer.

(b) Schedule B—Retail Ceiling Prices for Commercial Laundry Services (per garment or item):

	Laundering and finishing
Men's:	
Bathrobes	\$0.75
Caps, cook's	.10
Caps, doctor's	.05
Collars, hard	.10
Collars, soft	.08
Coats	.75
Drawers, shorts	.15
Drawers (union suits or B. V. D.'s)	.20
Dungaree jackets	.25
Dungaree pants and work pants	.60
Dungarees (combinations)	.75
Coveralls	1.00
Gowns, doctor's	.35
Handkerchiefs	.05
Overalls	.60
Pajamas (coats)	.20
Pajamas (pants)	.20
Pajamas (pair)	.40
Pants, except wool	.60
Play shorts, light cotton	.25
Play shorts, heavy cotton	.40
Shirts, white	.30
Shirts, colored	.25
Shirts, dress	.35
Shirts, polo, tee, knit	.25
Shirts, silk	.35
Socks, colored	.06
Socks, white	.07
Suits, white	1.35
Suits, colored	1.25
Sweat shirts	.20
Undershirts	.10
Ladies:	
Aprons	.15
Blouses, cotton and rayon	.35
Blouses, silk	.40
Brassieres	.15
Corsets	.50
Dresses, white	.85
Dresses, colored	.75
Dresses, silk or sharkskin	1.25
Dungaree pants	.75

Ladies—Continued	Laundrying and finishing	Miscellaneous household items—Continued	Laundrying and finishing
Girdles	\$. 20	Comforts, silk	\$1. 50
Handkerchiefs	. 05	Curtains, except silk	. 60
Housecoats	. 75	Curtains, shower	. 35
Nightgowns, except silk	. 30	Laundry bags	. 10
Nightgowns, silk	. 45	Mattress covers	. 45
Pajamas, cotton	. 35	Mosquito nets	. 50
Pajamas, silk or rayon	. 50	Bed pads	. 50
Panties	. 15	Pillowcases	. 15
Play shorts, light cotton	. 25	Rag rugs	. 20
Play shorts, heavy cotton	. 40	Sheets, regular size	. 30
Skirts, plain	. 40	Sheets, half	. 20
Skirts, pleated	. 75	Tablecloths, small	. 15
Slacks	. 35	Tablecloths, medium	. 20
Slack suits	. 65	Tablecloths, large	. 30
Slips, cotton, rayon, silk	. 25	Table napkins	. 07
Slips, half	. 15	Bath towels	. 15
Smocks	. 80	Towels, face	. 10
Sweaters, except wool	. 35	Towels, hand and kitchen	. 10
Uniforms	. 30	Washcloths	. 05
Miscellaneous household items:		¹ Per square foot.	
Bathmats	. 10		
Bedspreads, plain and light chenille	. 50		
Bedspreads, heavy chenille	1. 00		
Blankets	. 40		
Comforts, except silk	. 50		

NOTE: Commercial laundry concerns may add a surcharge not to exceed 25 percent of the total charge for laundrying items on a 24-hour service basis, if such service is specially requested by the customer.

SEC. 3. *Posting.* On and after the effective date of this territorial supplementary regulation you must post in your establishment, in a place clearly visible to your customers, the ceiling prices established by this territorial supplementary regulation for the services you sell.

SEC. 4. *Definitions.* As used in this territorial supplementary regulation to CPR 34 the following terms have the following meanings:

(a) "Cleaning" means the dry cleaning of a garment or item, including the spotting thereof.

(b) "Finishing" means the pressing of a garment or item.

Effective date: This territorial supplementary regulation to CPR 34 shall become effective February 20, 1952.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

FEBRUARY 15, 1952.

**Wholesale Dry Cleaning, Finishing
and Dyeing Prices in
Westchester County, N. Y.**

**Ceiling Price Regulation 34
Supplementary Regulation 1
Amendment 1
AUGUST 22, 1951**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 1 to Sup-
plementary Regulation 1]

CPR 34—SERVICES

**SR 1—WHOLESALE DRY CLEANING, FINISH-
ING AND DYEING IN THE NEW YORK CITY
AREA**

WESTCHESTER COUNTY, NEW YORK

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment to Supplementary Regulation 1 (16 F. R. 5698) to Ceiling Price Regulation 34 (16 F. R. 4446) is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 1 to Ceiling Price Regulation 34 authorizes wholesalers of dry cleaning, finishing and dyeing services in Westchester County, New York, to revert to prevailing prices charged prior to June 14, 1951 for cleaning and finishing certain garments.

Since 1942, prices for wholesale cleaning and finishing services have been slightly higher in Westchester County than in the other seven counties in the New York City area. At the time Supplementary Regulation 1 was issued, the fact that there existed in Westchester County a slightly higher price differential for the cleaning and finishing of certain garments was not taken into consideration when the schedule of prices was prepared, thus resulting in a roll-back of certain prices charged by five or six plants servicing this County. Therefore, this action not only precluded the

recovery of increased labor and material costs by those plants, but instead reduced some of their prices.

This amendment merely restores to wholesalers selling services in Westchester County prices prevailing prior to the issuance of Supplementary Regulation 1 for cleaning and finishing certain garments.

The limited nature of the provisions of this amendment to Supplementary Regulation 1 made it unnecessary to consult formally with industry representatives. However, various representatives from the affected service fields were informally consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization 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.

AMENDATORY PROVISIONS

Supplementary Regulation 1 to Ceiling Price Regulation 34 is hereby amended in the following respects:

1. Paragraph (a) of section 3 is amended by adding in the first sentence after "Westchester", the following, "(with certain exceptions set forth in subparagraph (3))", so that section 3 (a) reads as follows:

SEC. 3. Ceiling prices. (a) The ceiling prices which may be charged by sellers of wholesale cleaning, finishing and dyeing services in the counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk and Westchester (with certain exceptions set forth in subparagraph (3) of this paragraph), New York, shall be as follows:

2. The subparagraph entitled "(a)" of paragraph (a) of section 3 is amended by striking the letter "(a)" in the first line thereof and inserting in its place the figure "(1)".

3. The subparagraph entitled "(b)" of paragraph (a) of section 3 is amended by striking the letter "(b)" in the first line thereof and inserting in its place the figure "(2)".

4. A new subparagraph (3) is added to paragraph (a) of section 3 to read as follows:

(3) *Certain exceptions in Westchester County, New York.* In the area beginning with the Bronx-Westchester line and extending north, east and west to the limits of and including the City of White Plains, the ceiling prices for "Sales to Outlets", "Cleaned and Finished", for Men's, Women's and Children's Suits, Topcoats, Overcoats and Children's Dresses and Ladies Dresses (plain—up to 4 pleats) shall be \$.60. In the area beginning with the North City Line of the City of White Plains and extending north, east and west for the remainder of Westchester County, the ceiling prices for "Sales to Outlets", "Cleaned and Finished" for Men's, Women's and Children's Suits, Topcoats, Overcoats and Children's Dresses and Ladies' Dresses (plain—up to 4 pleats) shall be \$.60; for "Sales to Outlets", "cleaned only", the ceiling prices for Men's, Women's and Children's Suits, and Children's Dresses and Ladies' Dresses (plain—up to 4 pleats) shall be \$.30. All other prices in Schedule A are applicable to wholesale dry cleaning and finishing and dyeing services in Westchester County, New York.

Effective date. This amendment shall become effective on August 27, 1951.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

MICHAEL V. DiSALLE,
Director,
Office of Price Stabilization.

AUGUST 22, 1951.

Recapping and Retreading Services in the Virgin Islands

Ceiling Price Regulation 34 Territorial Supplementary Regulation 2 OCT. 1, 1952

OFFICE OF PRICE STABILIZATION WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Territorial
Supplementary Regulation 2]

CPR 34—SERVICES

TSR 2—RECAPPING AND RETREADING SERVICES IN THE VIRGIN ISLANDS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Territorial Supplementary Regulation to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Territorial Supplementary Regulation 2 to Ceiling Price Regulation 34 establishes dollars - and - cents ceiling prices for sales at retail in the Virgin Islands of the United States, of the services of recapping and retreading of passenger car tires and recapping of truck tires. Previously, sales of such services were covered by Ceiling Price Regulation 34 which froze the seller's prices at the levels prevailing in the period December 19, 1950, to January 25, 1951.

The recapping and retreading of tires is a relatively new and important service in the Virgin Islands. Heretofore, persons desiring such services were obliged to ship their tire carcasses to Puerto Rico for processing. This was an expensive method since, in addition to the cost of recapping or retreading, the customer incurred transportation costs to and from Puerto Rico.

Prices for recapping and retreading services have been fairly stable over the past two years, due principally to competition. Recently, however, one of the two plants in operation in the Virgin Islands discontinued the service. At present, the sole supplier of recapping and retreading services is located on the island of St. Thomas, Virgin Islands, which is the servicing center for the Virgin Islands. It is, therefore, desirable to establish retail dollars-and-cents ceiling prices for these services to prevent

individual price variations, and to furnish guidance to purchasers on the islands of St. Croix and St. John as to the current authorized prices they should pay for these services.

The ceiling prices established by this Territorial Supplementary Regulation are the same prices that were charged for these services in this area during the base period December 19, 1950, to January 25, 1951.

In formulating this Territorial Supplementary Regulation, the Director of Price Stabilization has consulted with representatives of the industry and has given full consideration to their recommendations. In the judgment of the Director, the prices established by this territorial price 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.

REGULATORY PROVISIONS

Sec.

1. What this territorial supplementary regulation does.
2. Ceiling prices.
3. Posting.
4. Definitions.

AUTHORITY: Sections 1 through 4 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 territorial supplementary regulation does. This territorial supplementary regulation establishes dollars-and-cents ceiling prices for sales at retail in the Virgin Islands of the United States of the service of recapping and retreading passenger car tires and recapping of truck tires. All provisions of CPR 34, except as changed by the pricing provisions of this territorial supplementary regulation shall remain in full force and effect.

SEC. 2. Ceiling prices. Ceiling prices for the service of recapping and retreading of passenger car tires and recapping of truck tires in the Virgin Islands of the United States are established as follows:

(a) Schedule A—Retail ceiling prices for recapping and retreading of passenger car tires:

Tire Size	Recapping	Retreading
4.75 x 19—4 or 6 ply.....	\$8.70	-----
5.50 x 16—4 or 6 ply.....	8.50	-----
6.00 x 15—4 or 6 ply.....	8.50	-----
6.00 x 16—4 or 6 ply.....	8.50	\$10.50
6.50 x 15—4 or 6 ply.....	9.90	12.25
6.50 x 16—4 or 6 ply.....	10.20	12.25
7.00 x 15—4 or 6 ply.....	11.90	13.90
7.00 x 16—4 or 6 ply.....	12.10	13.90
6.40 x 15—4 or 6 ply.....	9.50	-----
6.40 x 16—4 or 6 ply.....	9.50	-----
6.70 x 15—4 or 6 ply.....	10.50	11.25
6.70 x 16—4 or 6 ply.....	10.70	11.25
7.10 x 15—4 or 6 ply.....	11.25	12.25
7.10 x 16—4 or 6 ply.....	11.50	12.25
7.60 x 15—4 or 6 ply.....	12.25	13.90
7.60 x 16—4 or 6 ply.....	12.50	13.90
8.20 x 15—4 or 6 ply.....	14.60	16.00
8.20 x 16—4 or 6 ply.....	14.90	16.00

(b) Schedule B—Retail ceiling prices for recapping of truck tires.

Tire size:	Recapping
6.50 x 16—6 or 8 ply.....	\$11.15
7.00 x 17—8 ply.....	15.50
7.00 x 20—8 or 10 ply.....	16.70
7.50 x 16—6 or 8 ply.....	18.10
7.50 x 17—8 ply.....	18.50
7.50 x 20—8 or 10 ply.....	18.90
8.25 x 20—10 or 12 ply.....	25.45
9.00 x 20—10 or 12 ply.....	29.95

SEC. 3. Posting. On and after the effective date of this territorial supplementary regulation you must post in your establishment, in a place clearly visible to your customers, the ceiling prices established by this territorial supplementary regulation for recapping and retreading services.

SEC. 4. Definitions. As used in this territorial supplementary regulation to CPR 34 the following terms have the following meanings:

(a) "A ply" is a layer of cord.

(b) "Carcasses" means worn tires to which camelback is applied to make recapped and retreated tires.

(c) "Retread" means to furnish a tire carcass completely with a new tread.

(d) "Recap" means to furnish a tire carcass with the top tread only.

Effective date. This territorial supplementary regulation to CPR 34 shall become effective October 6, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

OCTOBER 1, 1952.

Cotton Ginning

Ceiling Price Regulation 34
Supplementary Regulation 2

AUG. 27, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency[Ceiling Price Regulation 34, Supplementary
Regulation 2]

CPR 34—SERVICES

SR 2—COTTON GINNING

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this supplementary regulation to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 2 to Ceiling Price Regulation 34 permits cotton ginners to increase their cotton ginning, baling and wrapping rates per bale during the regular ginning season commencing with the regular 1951 cotton ginning season. The increase permitted is 6 percent above the rates prevailing during the regular 1950 cotton ginning season. Thus, if during the regular 1950 cotton ginning season, a cotton ginner charged \$12 for ginning, baling and wrapping, he may now charge 6 percent more for these services, or \$12.72. Under section 8 of Ceiling Price Regulation 34, which relates to seasonal services, a distinction was made for services which employed less than eight individuals. This supplementary regulation applies to all cotton ginners regardless of the number of employees. In section 8 of Ceiling Price Regulation 34, the percentage increase in rates over those charged in 1950 allowed to those engaged in seasonal services, such as cotton ginners, decreased with the passage of time, so that, for example, those who ginned in May through June were permitted a 7 percent increase over 1950 rates, while those who ginned in September were permitted only a 4 percent increase. Since the season for cotton ginning does not begin at the same time for all sections in cotton producing areas, such section 8 of Ceiling Price Regulation 34 was unfair to those who ginned later in the year in the

more northerly cotton ginning areas, because cotton ginners, by and large, make their commitments in the early spring so that their costs and cost increases were generally uniform. The 6 percent adjustment hereby permitted will tend generally to equalize the return to cotton ginners irrespective of the geographical location of their cotton gins.

The costs of ginning cotton have risen appreciably since the end of the regular 1950 cotton ginning season due to the increased cost of labor and material. A study of typical costs reveals that between the regular 1950 and 1951 cotton ginning seasons, direct labor costs have risen by an estimated 71 cents per bale and that the cost of wrapping (which includes bagging and ties) has risen by approximately 50 cents per bale. On the basis of this information, it would appear that the average increase in direct labor and material costs per bale is in excess of 10 percent of the 1950 average ginning, wrapping and baling charge. The large cotton crop estimated for 1951, together with the fact that this is a decreasing cost industry, indicates that the 6 percent increase permitted in the supplementary regulation will be sufficient to allow cotton ginners their normal margin of profit.

The immediate need to provide for the hardship in which the cotton ginning industry has found itself inhibited consultation formally with industry representatives. However, various representatives from the affected service fields were informally consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization 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.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Filing.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title

IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. Purpose. The purpose of this regulation is to permit cotton ginners to increase their 1951 regular season cotton ginning, wrapping and baling rates per bale by 6 percent above the rates prevailing during the regular 1950 cotton ginning season, and to treat all members of the cotton ginning industry equally, irrespective of size, number of employees or geographical location.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, except as affected by the pricing provisions of this supplementary regulation, shall remain in full force and effect.

SEC. 3. Ceiling prices. You are now permitted to increase the rates charged per bale for ginning, wrapping and baling cotton by 6 percent above the rates you charged per bale for ginning, wrapping and baling during the regular 1950 cotton ginning season.

SEC. 4. Filing. Within 10 days after establishing your ceiling price under this regulation, you must file with the district office of the Office of Price Stabilization, in accordance with section 18 (c) of Ceiling Price Regulation 34.

SEC. 5. Definitions. (a) As used in this supplementary regulation to Ceiling Price Regulation 34:

(1) The term "ginning" means the mechanical separation of cotton seed from the lint cotton or cotton fibre.

(2) The term "wrapping and baling" means the forming of lint cotton into a standard size bale which is then covered with a suitable bagging and wrapped with steel ties.

(3) The term "regular 1950 cotton ginning season" means, with respect to the area or areas in which you ginned cotton, the customary season for ginning cotton during 1950, and which ended prior to December 19, 1950.

Effective date. This order shall become effective September 1, 1951.

MICHAEL V. DiSALLE,

Director,
Office of Price Stabilization.

AUGUST 27, 1951.

**Approval of Certain Automotive
and Farm Tractor Repair
Service Flat Rate Manuals**

**Ceiling Price Regulation 34
Supplementary Regulation 3**

AUG. 30, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 3]

CPR 34—SERVICES

**SR 3—APPROVAL OF CERTAIN AUTOMOTIVE
AND FARM TRACTOR REPAIR SERVICE FLAT
RATE MANUALS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 3 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

Paragraph (g) of section 12 of Ceiling Price Regulation 34, provides that if during the base period December 19, 1950, to January 25, 1951, inclusive, a person subject to the regulation used a flat rate manual to determine a price, such person must continue to use the same manual and that he may not use a new edition of such manual unless the use of that manual has been approved by the Director of Price Stabilization.

This Supplementary Regulation 3 to Ceiling Price Regulation 34 is being issued to provide a single repository for such flat rate manuals or labor schedules as the Director of Price Stabilization may approve. In addition to the manuals or labor schedules which are initially approved in this supplementary regulation, a provision is made to expand the list issued since the base period, when the publishers of such manuals or labor schedules submit them for approval.

The flat rate manuals or labor schedules, for which approval has been requested and which by this Supplementary Regulation 3 is granted are:

- (a) Motor's Factory Flat Rate and Shop Manual, 23rd Edition 1951;
- (b) Packard Flat Rate Manual, 24th Series, Form L-207A, March, 1951;
- (c) Allis-Chalmers Farm Tractor Manual for Models WC, CA and G, March, 1951;
- (d) Implement and Tractor Shop Book, Volume II, 1951 Edition.
- (e) Chilton's Motor Age Flat Rate and Service Manual, 22nd Edition, 1951.

Under the provisions of this supplementary regulation, the user of the flat rate manuals or labor schedules is required to apply his customers' hourly rate established under Ceiling Price Regulation 34 to the labor time allowances listed for the various automotive and farm tractor jobs in the manuals or schedules.

The publisher of each flat rate manual or labor schedule, which is approved in this supplementary regulation, shall notify each user of such approval.

A new user of a new edition or new flat rate manual or labor schedule must file a statement with his local OPS district office setting forth the name and edition of the manual or labor schedule, the services to be priced thereunder and his customers' hourly rate. The OPS, however, reserves the right within 10 days thereafter to disapprove of that rate. A user of an existing manual or schedule for certain services, who applies to his local OPS district office for permission to substitute therefor a new edition of a flat rate manual or labor schedule may do so after a waiting period of 10 days, if within that time his application is not disapproved by that district office. A provision is included in the regulation permitting a dealer who adds a make of vehicle to his dealership, or who changes his dealership from one manufacturer to another, to use the manufacturers' approved factory manuals or labor schedules for the make of vehicle added to the dealership or to which the dealer has changed.

A new seller establishing his price under sections 6 or 7 of Ceiling Price Regulation 34 must use approved editions of the flat rate manuals or labor schedules used by his closest competitor if his closest competitor uses flat rate manuals or labor schedules.

Consideration of the labor time allowances listed in these publications shows that the use of these manuals or schedules will not generally increase the level of prices for automotive and farm tractor repair services, and will permit the users of such manuals or schedules to use their customary pricing method in determining the price for various repair jobs for which the labor time allowance may be modified or changed due to changes in late model equipment.

The routine character of the provisions of this supplementary regulation made it unnecessary to consult formally with industry representatives, although wherever feasible various representatives from service fields were informally consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization 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.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Manuals or labor schedules affected.
3. Persons using manuals or labor schedules.
4. Amendments.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. What this supplementary regulation does. This supplementary regulation permits sellers of automotive and farm tractor repair services to establish ceiling prices for such services by multiplying their established customers' hourly rate by the applicable labor time allowances specified in the respective manuals and labor schedules as permitted in sections 2 or 3 of this supplementary regulation, provided such sellers comply with all the conditions of the "Notices" set forth in the Appendices.

SEC. 2. Manuals or labor schedules affected. Approval for the use of the following manuals or labor schedules is hereby granted by the Director of Price Stabilization:

- (a) Motor's Factory Flat Rate and Shop Manual, 23rd Edition, 1951.
- (b) Packard Flat Rate Manual, 24th Series, Form L-207A, March, 1951.
- (c) Allis-Chalmers Farm Tractor Manual for Models WC, CA and G, March, 1951.
- (d) Implement and Tractor, Shop Book, Volume II, 1951 Edition.
- (e) Chilton's Motor Age Flat Rate and Service Manual, 22nd Edition, 1951.

Provided, however, That no manual or schedule is approved for use unless the appropriate "Notice" set forth in full in the Appendices of this Supplementary Regulation 3 shall be attached thereto.

SEC. 3. Persons using manuals or labor schedules—(a) *Sellers who did not use a flat rate manual or labor schedule during the base period.* If you are a seller of automotive or farm tractor repair services and during the base period you did not use a flat rate manual or labor schedule to determine the hourly time allowance for all or a part of your services but desire to do so now you may select a specific edition of a flat rate manual or labor schedule that has been approved by this supplementary regulation. After selecting such edition or such new manual or schedule, you must file with your district office of the Office of Price Stabilization a statement or supplementary statement identifying the manual or schedule selected and the types of repair services not previously priced by this method to which your selection applies and showing your customers' hourly rate.

You must then use the edition or new manual or schedule that you have selected to determine the time allowance for those repair services, unless you are notified by your district office within 10 days after filing your statement that such use has been disapproved, in which

event you shall immediately discontinue the use of that edition or new manual or schedule for the named services and otherwise comply with the terms of that notice. You may not, however, in any event increase the customers' hourly rate which you charged in the base period.

(b) *Sellers who used a flat rate manual or labor schedule during the base period.* If you are a seller of automotive or farm tractor repair services and during the base period you used flat rate manuals or labor schedules to determine the hourly time allowance for all or part of your such services, you must continue to use the same manuals or schedules now, for the same services. You may substitute therefor a subsequent edition of any such manual or schedule which is approved by this supplementary regulation, for the same services. Such substitution may be made 10 days after you file with your district office of the Office of Price Stabilization a statement identifying the new edition of the manual or schedule to be used, and stating that the repair services to be priced by reference to the manual are identical with those theretofore determined by the manual or schedule being replaced as reported to the Office of Price Stabilization by you under section 18 of Ceiling Price Regulation 34 unless within that period of time such district office notifies you that such use has been disapproved. You may not however in any event increase the customers' hourly rate which you charged in the base period and reported to the Office of Price Stabilization under section 18 of Ceiling Price Regulation 34.

(c) *Dealers.* If you are a dealer who used a flat rate manual or labor schedule issued by the manufacturer for whom you are a dealer to determine the hourly time allowance for certain automotive or farm tractor repair services of a manufacturer's products during the base period, and since January 25, 1951 you have become a dealer for another manufacturer, you may use a flat rate manual or labor schedule which such other manufacturer issues to determine the hourly rate applicable to his products for repair services you sell, if such manuals or labor schedules or additions thereof were issued prior to January 26, 1951 or are approved by this supplementary regulation. If no such approval has been had you must in determining the hourly time allowance for such services comply with the provisions of paragraph (a) of this section.

For all other repair services for which you use or desire to use a flat rate manual or labor schedule to determine the time allowance during the base period you will be governed by the provisions of paragraph (a) or (b) of this section.

(d) *New seller.* If you are a new seller of automotive or farm tractor repair services and establish your ceiling price pursuant to sections 6 or 7 of Ceiling Price Regulation 34, you must, if your closest competitor uses a flat rate manual or labor schedule to determine the time allowance for such repair services, use the editions thereof approved by this supplementary regulation and

otherwise comply with the applicable provisions of paragraph (a) of this section.

SEC. 4. Approval of additional manuals and schedules and amendments. Any publisher of a flat rate manual or labor schedule who issues a new edition of such flat rate manual or labor schedule which supersedes, supplements or modifies the labor time allowance in previous editions of such flat rate manual or labor schedule in use during the base period, December 19, 1950 to January 25, 1951 inclusive, or a publisher of a new flat rate manual or labor schedule may apply to the Director of Price Stabilization for approval of such flat rate manual or labor schedule, which approval if the requirements are met, will be granted through an amendment of this supplementary regulation, and an additional appendix setting forth the requirements for the use of such manual will be added to this supplementary regulation.

Effective date. This Supplementary Regulation shall become effective on September 4, 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,
Office of Price Stabilization.

AUGUST 30, 1951.

APPENDIX A

This is the "Notice" for Motor's Factory Flat Rate and Shop Manual, 1951 edition:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the conversion table on the inside back cover and its opposite page and reduce the price list here for that job to one based upon your own customers' hourly rate if it is below \$3.50; and

(2) Your present ceiling price for that job is not a "fixed charge" which is lower than the price set for you by this Manual (a fixed charge is a charge not computed on the basis of an hourly rate. Examples: Relining brakes on 1950 Blank Cars, \$-----; Quick tune-up, all Blank Models, \$-----); and

(3) On a towing charge, your present ceiling price is not lower than the price set for you by the use of the suggested schedule of towing prices on page 1 of this Manual; and

(4) The supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your District OPS Office.

APPENDIX B

This is the "Notice" for Packard Flat Rate Manuals:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the conversion table on pages 74 and 75 of Packard Flat Rate Manual for models 1941 to 1949 dated January 1950 and reduce the price listed here for that job to one based on your own customers' hourly rate; and

(2) Your present ceiling price for that job is not a "fixed charge" which is lower than the price set for you by this Manual (a fixed charge is a charge not computed on the basis of an hourly rate. Example: Quick tune-up, all Blank Models, \$-----; relining brakes on 1950 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your District OPS Office.

APPENDIX C

This is the "Notice" for Allis-Chalmers Farm Tractor Flat Rate Manual:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the conversion table on Page D and reduce the price list here for that job to one based on your own customers' hourly rate; and

(2) Your present ceiling price for that job is not a "fixed charge" which is lower than the price set for you by this Manual (a fixed charge is a charge not computed on the basis of an hourly rate. Example: Quick tune-up, all Blank Models, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your District OPS Office.

APPENDIX D

This is the "Notice" for Implement and Tractor's Shop Book, Volume II, 1951 edition, containing farm tractor flat rates:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the conversion table on the inside back cover and reduce the price listed here for that job to one based on your own customers' hourly rate if it is below \$2.50; and

(2) Your present ceiling price for that job is not a "fixed charge" which is lower than the price set for you by this Manual (a fixed charge is a charge not computed on the basis of an hourly rate. Example: Quick tune-up, all Blank Models, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your District OPS Office.

APPENDIX E

This is the "Notice" for Chilton's Motor Age Flat Rate and Service Manual, 22nd Edition, 1951:

NOTICE

You are permitted by OPS to use this manual to arrive at your maximum labor charge for a given job:

If—

(1) You use the conversion table on pages 1228 and 1229 and reduce the price list here for that job to one based upon your own au-

thorized customers' hourly rate if it is below \$3.00; and

(2) Your present legal ceiling price for that job is not a "fixed charge" which is lower than the price set for you by this Manual. (A fixed charge is a charge not computed on the basis of an hourly rate. Examples: Relining brakes on 1950 Blank Cars, \$----- Quick tune-up, all Blank Models, \$-----); and

(3) On a towing charge, your present ceiling price is not lower than the price set for you by the use of the suggested schedule of

towing prices on page 1227 of this Manual; and

(4) The supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case of any doubt about your ceiling prices always consult your District OPS Office.

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**Correction to Certain Automotive
and Farm Tractor Repair Service
Flat Rate Manuals**

**Ceiling Price Regulation 34
Supplementary Regulation 3
Correction
OCT. 8, 1951**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion; Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 3, Correction]

CPR 34—SERVICES

**SR 3—APPROVAL OF CERTAIN AUTOMOTIVE
AND FARM TRACTOR REPAIR SERVICE FLAT
RATE MANUALS**

Due to clerical errors, the titles of two
of the flat rate manuals approved by
Supplementary Regulation 3 to Ceiling
Price Regulation 34, effective September

4, 1951 (16 F. R. 8828) were incorrectly
stated and do not conform to the exact
titles of these manuals. These errors are
corrected by this correction.

1. Subparagraphs (a) and (c) of the
third paragraph of the Statement of
Considerations to Supplementary Regu-
lation 3 to Ceiling Price Regulation 34
are corrected to read as follows: (a)
Motor's Flat Rate Manual, 23d Edition,
1951; and (c) Allis-Chalmers Flat Rate
Manual for Models WD, CA and G Trac-
tors.

2. Paragraphs (a) and (c) of section
2 are corrected to read as follows:

(a) Motor's Flat Rate Manual, 23d
Edition, 1951;

* * * * *

(c) Allis-Chalmers Flat Rate Manual
for Models WD, CA and G Tractors.

3. The introductory paragraph of Ap-
pendix A is corrected to read as follows:
"This is the 'Notice' for Motor's Flat
Rate Manual, 1951 edition:"

4. The introductory paragraph of Ap-
pendix C is corrected to read as follows:
"This is the 'Notice' for Allis-Chalmers
Flat Rate Manual:"

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C.
App. Sup. 2154)

MICHAEL V. DiSALLE,

Director,

Office of Price Stabilization.

OCTOBER 8, 1951.

Approval of Additional Flat Rate Manuals

Ceiling Price Regulation 34 Supplementary Regulation 3 Amendment 1 . DEC. 20, 1951

OFFICE OF PRICE STABILIZATION WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Amendment 1
to Supplementary Regulation 3]

CPR 34—SERVICES

SR 3—APPROVAL OF CERTAIN AUTOMOTIVE AND FARM TRACTOR REPAIR SERVICE FLAT RATE MANUALS

APPROVAL OF ADDITIONAL FLAT RATE MANUAL OR SUPPLEMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 3 (16 F. R. 8828) to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34, issued August 30, 1951 (16 F. R. 8828) granted approval and provided methods for the use of certain flat rate manuals and labor schedules used by suppliers of automotive and farm tractor repair services under section 12 (g) of Ceiling Price Regulation 34. Section 4 of that supplementary regulation provide that approval of additional flat rate manuals or labor schedules would be granted, if OPS requirements are met, by an amendment to the supplementary regulation. This amendment adds approved flat rate manuals or labor schedules to that supplementary regulation.

These flat rate manuals and schedules incorporate time allowance modifications resulting from changes in design; changed or added operations; corrections of typographical or clerical errors which appeared in previous issues of these manual or labor schedules; revised time allowances for restudied operations. An analysis of such changes indicates that they will not in the overall increase the price of automobile and farm tractor repair services to the consumer.

The considerations which were set forth in the Statement of Considerations to Supplementary Regulation 3 to Ceiling Price Regulation 34 are equally applicable to the approval of the flat rate manuals and labor schedules approved by this amendment.

The routine character of the approval granted by this amendment made it unnecessary and impracticable to consult formally with industry representatives,

although in each instance representatives of the publishers of the manuals and labor schedules were consulted, and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 2 is amended by adding after paragraph (e), paragraphs (f) through (q) inclusive as follows:

(f) National Automobile Parts and Labor Manual, 1951 Supplement Section (blue sheets and pink sheets);

(g) Buick Flat Rate Manual, 1951, Chassis;

(h) Cadillac Flat Rate Schedule for 1949-51 Cadillac Cars;

(i) 1951 Supplement to Chevrolet Chassis Flat Rate Schedule;

(j) DeSoto Service Operations Time Schedule Manual (No. D-13884, 1951);

(k) Dodge Service Operation Time Schedule Manual (No. D-13883, 1951);

(l) Ford Suggested Time Schedule (1951—white sheets);

(m) Oldsmobile Flat Rate Manual for Oldsmobile Cars 1951;

(n) Plymouth Service Operation Time Schedule Manual (No. D-13784, August 1951);

(o) Pontiac Flat Rate Manual, 1949-50-51 (as supplemented by Pontiac Supplement to Flat Rate Manual 1949-50-51);

(p) Studebaker Operation Step and Time Guide, 1951 Champion, Commander;

(q) Studebaker Preliminary Service Operation Time Guide covering Studebaker Automatic Drive Subassemblies and Miscellaneous Parts.

2. Appendices F through Q are added after Appendix E.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.)

Effective date. This Amendment to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on December 26, 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.

DECEMBER 20, 1951.

APPENDIX F

This is the "Notice" for the National Automobile Parts and Labor Manual, 1951 Supplement Section:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Hour Rate and Wage Computation Table given on pages 378 to 381 of the National Automobile Parts and Labor Manual to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951 inclusive, and;

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with Section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This Notice must be attached to your manual.

APPENDIX G

This is the "Notice" for the Buick Flat Rate Manual, 1951, Chassis:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Computation Table given on pages 88 to 95 of the Buick Flat Rate Manual, 1951, Chassis, to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS

District Office in accordance with Section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This Notice must be attached to your manual.

APPENDIX H

This is the "Notice" for the Cadillac Flat Rate Schedule for 1949-51 Cadillac Cars:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Computation Table given on pages XIX to XXI (Preceding Group Section 1) of the Cadillac Flat Rate Schedule for 1949-51 Cadillac Cars to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with Section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This Notice must be attached to your Manual.

APPENDIX I

This is the "Notice" for the 1951 Supplement to Chevrolet Chassis Flat Rate Schedule:

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Computation Table given on pages 7 and 8 of the 1946-1950 Chevrolet Chassis Flat Rate Schedule to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with Section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This Notice must be attached to your Manual.

APPENDIX J

This is the "Notice" for the DeSoto Operation Time Schedule Manual (No. D-13884, 1951):

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table, in the back part of the Manual, to compute the ceiling price of each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with Section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This Notice must be attached to your manual.

APPENDIX K

This is the "Notice" for the Dodge Service Operation Time Schedule Manual (No. D-13883, 1951):

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table in the back part of the Manual, to compute the ceiling price of each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among other jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with Section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This Notice must be attached to your manual.

APPENDIX L

This is the "Notice" for the Ford Suggested Time Schedule (1951-white sheets):

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table, pages v to x (in the "Computation" section) to compute the ceiling price of each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with Section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This Notice must be attached to your manual.

APPENDIX M

This is the "Notice" for the Oldsmobile Flat Rate Manual for Oldsmobile Cars 1951:

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Selling Price—Computation Table inserted in the back of your Oldsmobile Flat Rate Manual to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with Section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This Notice must be attached to your manual.

APPENDIX N

This is the "Notice" for the Plymouth Service Operation Time Schedule Manual (No. D-13784, must 1951):

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table on pages 6 and 7 in the back part of the Manual to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Model Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with Section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This Notice must be attached to your manual.

APPENDIX O

This is the "Notice" for the Pontiac Flat Rate Manual, 1949-50-51 as supplemented by Pontiac Supplement to Flat Rate Manual 1949-50-51:

NOTICE

You are permitted by OPS to use this Manual, and you must use the Supplement, to arrive at your ceiling price for a given job:

If—

(1) You use the computation table printed on pages 135 to 137 of the Pontiac Flat Rate Manual 1949-50-51 to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in

the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This Notice must be attached to your manual.

APPENDIX P

This is the "Notice" for the Studebaker Operation Step and Time Guide, 1951 Champion, Commander:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the computation table on the pink sheet near the front of the manual preceding "Group A, page 1" of the Studebaker Operation Step and Time Guide, 1951 Champion, Commander, to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among

those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This Notice must be attached to your manual.

APPENDIX Q

This is the "Notice" for the Studebaker Preliminary Service Operation Time Guide covering Studebaker Automatic Drive Sub-assemblies and Miscellaneous Parts:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Computation Table on the pink sheet near the front of the Studebaker Operation Step and Time Guide, 1951 Champion, Commander, to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This Notice must be attached to your manual.

FILE following 61 Ind 91-203

(2-27-52)

61 Ind 91-205

Approval of Additional Flat Rate Manuals

Ceiling Price Regulation 34 Supplementary Regulation 3 Amendment 2

FEB. 27, 1952

OFFICE OF PRICE STABILIZATION WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 3, Amdt. 2]

CPR 34—SERVICES

SR 3—APPROVAL OF CERTAIN AUTOMOTIVE AND FARM TRACTOR REPAIR SERVICE FLAT RATE MANUALS

APPROVAL OF CERTAIN FLAT RATE MANUALS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Supplementary Regulation 3 (16 F. R. 8828) to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds preliminary Diesel Engine Flat Rate Manual (covering Diesel Engines and associated units of GMC H-Model trucks with 4 and 6 cylinder engines); and 1951 supplement to Chevrolet Body Flat Rate Schedule, to the list of approved flat rate manuals and labor schedules in section 2 of Supplementary Regulation 3 to Ceiling Price Regulation 34.

The list includes a new flat rate manual establishing time allowances for repair services rendered in connection with GMC H-Model Diesel powered trucks. Prior to the issuance of this flat rate manual the time allowances for such operations have varied widely between suppliers of such services.

The Statements of Consideration which accompanied Supplementary Regulation 3 to Ceiling Price Regulation 34, and Amendment 1 to that regulation are equally applicable to this amendment and are incorporated herein by this reference.

The routine character of the approval granted by this amendment made it impracticable and unnecessary to consult formally with representatives of the industry, although in each instance representatives of the publishers of the manuals were consulted, and considera-

tion was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 2 is amended by adding after paragraph (q), paragraphs (r) and (s) as follows:

(r) Preliminary Diesel Engine Flat Rate Manual (covering Diesel Engines and Associated units of GMC H-Model trucks with 4 and 6 cylinder Diesel engines);

(s) 1951 Supplement to Chevrolet Body Flat Rate Schedule;

2. Appendices R and S are added after Appendix Q.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This Amendment 2 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on March 3, 1952.

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.

JOSEPH H. FREEHILL,
Acting Director of Price
Stabilization.

FEBRUARY 27, 1952.

APPENDIX R

This is the "Notice" for the Preliminary Diesel Engine Flat Rate Manual (covering Diesel Engines and Associated units of GMC H-Model trucks with 4 and 6 cylinder Diesel engines):

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Selling Price Computation Table given on pages 18 and 19 of the Preliminary Diesel Engine Flat Rate Manual to compute the price for each job, by multiplying the time allowance of such operation by your customers' hourly rate which you

charged in the base period, December 19, 1950 to January 25, 1951, inclusive;

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Reining brakes on 1951 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX S

This is the "Notice" for the 1951 Supplement to Chevrolet Body Flat Rate Schedule:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Computation Table on pages 8 and 9 of the 1949 Manual to compute the price for each job, by multiplying the time allowance of each operation by your customers' hourly rate which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Reining brakes on 1951 Blank Cars, \$-----); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Supplement.

1. The first part of the paper is devoted to a general discussion of the problem. It is shown that the problem is of great importance and that it has not been completely solved. The author then proceeds to a detailed analysis of the problem, showing that it is a special case of a more general problem. The author then discusses the various methods that have been used to solve the problem, and shows that the method proposed in this paper is the most efficient. The author then concludes the paper by stating that the problem has been solved and that the method proposed is the most efficient.

2. The second part of the paper is devoted to a detailed analysis of the problem. It is shown that the problem is a special case of a more general problem. The author then discusses the various methods that have been used to solve the problem, and shows that the method proposed in this paper is the most efficient. The author then concludes the paper by stating that the problem has been solved and that the method proposed is the most efficient.

Approval of Additional Flat Rate Manuals

(Adding Sec. 2(t), (u), (v), (w), (x), (y)
and Appendixes T, U, V, W, X and Y)

Ceiling Price Regulation 34 Supplementary Regulation 3 Amendment 3 APRIL 1, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Amdt. 3 to
Supplementary Regulation 3]

CPR 34—SERVICES

SR 3—APPROVAL OF CERTAIN AUTOMOTIVE AND FARM TRACTOR REPAIR SERVICE FLAT RATE MANUALS

APPROVAL OF AUTOMOTIVE FLAT RATE MANUALS AND LABOR SCHEDULES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to Supplementary Regulation 3 (16 F. R. 8828) to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds various flat rate manuals and labor schedules and supplements thereof to the list of approved flat rate manuals and labor schedules in section 2 of Supplementary Regulation 3 to Ceiling Price Regulation 34.

The Statements of Consideration which accompanied Supplementary Regulation 3 to Ceiling Price Regulation 34, and Amendment 1 to that regulation are equally applicable to this amendment and are incorporated herein by this reference.

The character of the approval granted by this amendment made it impracticable and unnecessary to consult formally with representatives of the industry, although in each instance representatives of the publishers of the manuals were consulted, and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 2 is amended by adding after paragraph (s), paragraphs (t) through (y) inclusive as follows:

(t) Chilton's Motor Age Flat Rate and Service Manual, 23d Edition (1952).

(u) Ford Suggested Time Schedule, 1952 Supplement, Trucks (green sheets).

(v) Automotive Digest, Flat Rate Manual, First 1952 Edition.

(w) Crosley Motors Inc., Supplement No. 2 to the Suggested Time Schedule dated May, 1949.

(x) Hudson Flat Rate Manual 480-490-500 and "A" Series.

(y) Supplement No. 1, Merc-O-Matic Transmission, to Lincoln-Mercury Suggested Labor Time Schedule for Lincoln Cosmopolitan—Lincoln-Mercury Cars starting 1949 Models, and Supplement No. 2, Suggested Additional Labor Time Schedules, to Lincoln Cosmopolitan—Lincoln-Mercury Cars starting 1949 Models.

2. Appendixes T through Y are added after Appendix S.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 3 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on April 7, 1952.

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.

ELLIS ARNALL,

Director of Price Stabilization.

APRIL 1, 1952.

APPENDIX T

This is the "Notice" for the Chilton's Motor Age Flat Rate and Service Manual, 23d Edition (1952):

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the conversion table on the last two pages of the Manual to determine your ceiling price, taking as your ceiling price the price in that table corresponding to the time allowance of each operation and your customers' hourly rate which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present legal ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price set for you by the use of this Manual. (A fixed charge is a charge not computed on the basis of an hourly rate. Examples: Motor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) On a towing charge, your present ceiling price is not lower than the price set for you by the use of the suggested schedule of towing prices at the back of this Manual; and

(4) You have not used a previous edition of this Manual for pricing the job, the supplementary statement which you file shows that such job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for pricing all or a part of your jobs not previously priced by the use of an earlier edition of this Manual.)

(5) The notice which you post in your place of business, within ten days after you

begin to use this manual states that such job is included among the jobs which you will hereafter price by the use of this Manual.

Important: In case of any doubt about your ceiling prices always consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX U

This is the "Notice" for the Ford Suggested Time Schedule (1952 Supplement, Trucks, (green sheets)).

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table, pages v to x (in the "Computation" section) to compute the ceiling price of each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) You have not used a previous edition of this Manual for pricing the job, the supplementary statement which you file shows that such job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for pricing all or a part of your jobs not previously priced by the use of any earlier edition of this Manual.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs which you will hereafter price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

APPENDIX V

This is the "Notice" for the Automotive Digest Flat Rate Manual, First 1952 Edition:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Hour Rate and Wage Computation Table given on the last page of the manual to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive, and;

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34 is not a "fixed charge" which is lower than the price you determined

by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tuneup, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) You have not used a previous edition of this Manual for pricing the job, the supplementary statement which you file shows that such job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for pricing all or a part of your jobs not previously priced by the use of any earlier edition of this Manual.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs which you will hereafter price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

APPENDIX W

This is the "Notice" for the Crosley Supplement No. 2 to the Suggested Time Schedule dated May, 1949.

NOTICE

You are permitted by OPS to use this supplement to arrive at your ceiling price for a given job:

If—

(1) You compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive, and;

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) You have not used a previous edition of this Manual for pricing the job, the supplementary statement which you file shows that such job is included among those jobs which you will hereafter price by the use of this Manual. (You must file

with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for pricing all or a part of your jobs not previously priced by the use of any earlier edition of this Manual.)

(4) The notice which you post in your place of business, within ten days after you begin to use this manual states that such job is included among the jobs which you will hereafter price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX X

This is the "Notice" for Hudson Flat Rate Manual, 480-490-500 and "A" Series.

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the conversion table on pages 72 and 73 to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive, and;

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) You have not used a previous edition of this Manual for pricing the job, the supplementary statement which you file shows that such job is included among these jobs which you will hereafter price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34, a statement of your intention to use all or any part of this Manual for pricing all or a part of your jobs not previously priced by the use of any earlier edition of this Manual.)

(4) The notice which you post in your place of business, within ten days after you begin to use this manual states that such job

is included among the jobs which you will hereafter price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX Y

This is the "Notice" for Supplement 1 and 2 to Lincoln-Mercury Suggested Labor Time Schedule for Lincoln Cosmopolitan-Lincoln-Mercury Cars starting 1949 Models.

NOTICE

You are permitted by OPS to use this schedule to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table at the front of the schedule to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive, and;

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) You have not used a previous edition of this Manual for pricing the job, the supplementary statement which you file shows that such job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for pricing all or a part of your jobs not previously priced by the use of any earlier edition of this Manual.)

(4) The notice which you post in your place of business, within ten days after you begin to use this manual states that such job is included among the jobs which you will hereafter price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

**Modification of Filing
Requirements for Certain
Automotive and Farm
Tractor Repair Service Sellers**

(Amending Sec. 3(b)
and Appendices A through S)

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**Ceiling Price Regulation 34
Supplementary Regulation 3
Amendment 4
APRIL 11, 1952**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amendment 4
to Supplementary Regulation 3]

CPR 34—SERVICES

**SR 3—APPROVAL OF CERTAIN AUTOMOTIVE
AND FARM TRACTOR REPAIR SERVICE FLAT
RATE MANUALS**

**MODIFICATION OF FILING REQUIREMENTS FOR
CERTAIN AUTOMOTIVE AND FARM TRACTOR
REPAIR SERVICE SELLERS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 4 to Supplementary Regulation 3 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 4 to Supplementary Regulation 3 to Ceiling Price Regulation 34, modifies the filing requirements under section 3 (b) of this supplementary regulation as they affect automotive and farm tractor repair service suppliers who used flat rate manuals or labor schedules to determine their ceiling prices during the base period, December 19, 1950 to January 25, 1951, inclusive. The principal amendatory change accomplished herein is the elimination of the requirement that the selection of a new edition or supplement of the flat rate manual or schedule used in the base period be filed with the OPS District Office as a supplement as required under section 18 of Ceiling Price Regulation 34.

The Director of Price Stabilization has been advised that the filing of the selection of a new edition of a flat rate manual or labor schedule, in the place of an edition of the same manual or schedule used during the base period, by sellers of automotive and farm tractor repair services may impose an undue burden upon such sellers.

To ease the burden, this amendment provides that such sellers who used one

of these manuals or labor schedules in the base period may use a new edition of the same manual or labor schedule without the necessity of new filings. In such case, these sellers must, within ten days after they have elected to use such a new edition, post in their places of business a notice that they are now using a new edition of the same manual or labor schedule which they formerly used.

The changes in the filing requirements made by this amendment with respect to base period users of flat rate manuals and labor schedules have also necessitated an amendment to limit reference to supplementary filings in the appendices and the "Notices" issued thereunder.

In the formulation of this amendment there was consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

1. Section 3 (b) of Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended to read as follows:

(b) *Sellers who used a flat rate manual or labor schedule during the base period.* If you are a seller of automotive or farm tractor repair services and during the base period you used a flat rate manual or labor schedule to determine your hourly time allowance for all or part of such services, you must continue to use the same manual or schedule now, for the same services, or substitute therefor a subsequent edition of any such manual or schedule which is approved by this supplementary regulation, for the same services. Within ten days after you substitute an approved subsequent edition of such manual or schedule you must post in your place of business a notice identifying the new edition of the manual or schedule to be

used and indicating the jobs for which you propose to use the new edition. You may not, however, in any event increase the customers' hourly rate which you charged in the base period and reported to the Office of Price Stabilization under section 18 of Ceiling Price Regulation 34.

2. Paragraph numbered (3) of Appendices B, C, D, F, G, H, I, J, K, L, M, N, O, P, Q, R and S, and paragraph numbered (4) of Appendices A and E of Supplementary Regulation 3, as amended, are amended to read as follows:

Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950 to January 25, 1951, inclusive.

3. A new paragraph numbered (4) is added to Appendices B, C, D, F, G, H, I, J, K, L, M, N, O, P, Q, R and S, and a new paragraph numbered (5) is added to Appendices A and E to read as follows:

The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.)

Effective date. This Amendment 4 to Supplementary Regulation 3 to Ceiling Price Regulation 34, as amended, is effective April 16, 1952.

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

**ELLIS ARNALL,
Director of Price Stabilization.**

APRIL 11, 1952.

**Additional Flat Rate
Manuals and Labor Schedules**
(Adding Sec. 2(2) to (ee) and
appendices Z to EE)

**Ceiling Price Regulation 34
Supplementary Regulation 3
Amendment 5**
MAY 16, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 5 to
Supplementary Regulation 3]

CPR 34—SERVICES

**SR 3—APPROVAL OF CERTAIN AUTOMOTIVE
AND FARM TRACTOR REPAIR SERVICE FLAT
RATE MANUALS**

**ADDITIONAL FLAT RATE MANUALS AND LABOR
SCHEDULES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 5 to Supplementary Regulation 3 (16 F. R. 8828) to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds various flat rate manuals and labor schedules and supplements thereof to the list of approved flat rate manuals and labor schedules in section 2 of Supplementary Regulation 3 to Ceiling Price Regulation 34.

The Statements of Consideration which accompanied Supplementary Regulation 3 to Ceiling Price Regulation 34, and Amendment 1 to that regulation are equally applicable to this amendment and are incorporated herein by this reference.

The character of the approval granted by this amendment made it impracticable and unnecessary to consult formally with representatives of the industry and trade associations although in each instance representatives of the publishers of the manuals were consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 2 is amended by adding after paragraph (y), paragraphs (z) to (ee) inclusive as follows:

(z) Henry J. Models 513, 514 Supplement to Kaiser-Frazer Service Time Schedule 1951 Models.

(aa) GMC Service Manual, Truck & Coach, Models AC, CC, EC, FC, AF, CF, EF, FF—100 through 350 (Manual form x5240, Printed 1-52).

(bb) Chilton's Motor Age New Car Manual, 1952 Supplement.

(cc) Ford, Passenger Car Suggested Time Schedule—1952.

(dd) Motor's Flat Rate and Parts Manual, 24th Edition—1952.

(ee) Ford, Additional Truck Suggested Time Schedule—1952.

2. Appendices Z to EE are added after Appendix Y.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 5 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on May 21, 1952.

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.

ELLIS ARNALL,
Director of Price Stabilization.

MAY 16, 1952.

APPENDIX Z

This is the "Notice" for the Henry J. 1951 Models 513, 514 Supplement to Kaiser-Frazer Service Time Schedule, 1951 Models.

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Computation Table given on pages 69 and 70 of the Kaiser-Frazer Service Time Schedule, 1951 Models (green covered service time schedule) to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive, and;

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tuneup, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

APPENDIX AA

This is the "Notice" for GMC Service Manual Truck & Coach, Models AC, CC, EC, FC, AF, CF, EF, FF—100 through 350 (Manual form x 5240, Printed 1-52).

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Computation Table given on pages 4 and 5 of the manual to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive, and;

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34 is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tuneup, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

APPENDIX BB

This is the "Notice" for the Chilton's Motor Age New Car Manual, 1952 Supplement.

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the conversion table on the last two pages of Chilton's Motor Age Flat Rate and Service Manual, 23rd Edition (1952) to determine your ceiling price, taking as your ceiling price the price in that table corresponding to the time allowance of each operation and your customers' hourly rate which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present legal ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price set for you by the use of this Manual. (A fixed charge is a charge not computed on the basis of an hourly rate. Examples: Minor tune-up, all Blank Models, \$-----; Relining brakes on 1951 Blank Cars, \$-----; and

(3) On a towing charge, your present ceiling price is not lower than the price set for you by the use of the suggested schedule of towing prices at the back of this Manual; and

(4) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive).

(5) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case of any doubt about your ceiling prices always consult your OPS District Office.

This notice must be attached to your manual.

Appendix CC

This is the "Notice" for the Ford Passenger Car Suggested Time Schedule—1952:

Notice

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table, pages v to x (in the "Computation" section) to compute the ceiling price of each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----; Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during

the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

APPENDIX DD

This is the "Notice" for the Motor's Flat Rate and Parts Manual, 24th Edition, 1952.

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the conversion table on the inside back cover and the opposite page of the Manual to determine your ceiling price, taking as your ceiling price the price contained in that table corresponding to the time allowance of each operation and your customers' hourly rate which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present legal ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price set for you by the use of this Manual. (A fixed charge is a charge not computed on the basis of an hourly rate. Examples: Minor tune-up, all Blank Models, \$-----; Relining brakes on 1951 Blank Cars, \$-----); and

(3) On a towing charge, your present ceiling price is not lower than the price set for you by the use of the suggested schedule of towing prices on Page 1 of this Manual; and

(4) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your

ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(5) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

APPENDIX EE

This is the "Notice" for the Ford Additional Truck Suggested Time Schedule, 1952.

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table, pages v to x (in the "Computation" section) to compute the ceiling price of each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----; Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

**Additional Flat Rate
Manuals and Labor
Schedules**

(Adding Sec. 2(ff) to (kk) and
Appendices FF to KK)

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 6 to
Supplementary Regulation 3]

CPR 34—SERVICES

**SR 3—APPROVAL OF CERTAIN AUTOMOTIVE
AND FARM TRACTOR REPAIR SERVICE FLAT
RATE MANUALS**

**ADDITIONAL FLAT RATE MANUALS AND LABOR
SCHEDULES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 6 to Supplementary Regulation 3 (16 F. R. 8828) to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds various flat rate manuals and labor schedules and supplements thereof to the list of approved flat rate manuals and labor schedules in section 2 of Supplementary Regulation 3 to Ceiling Price Regulation 34.

The Statements of Consideration which accompanied Supplementary Regulation 3 to Ceiling Price Regulation 34, and Amendment 1 to that regulation are equally applicable to this amendment and are incorporated herein by this reference.

The character of the approval granted by this amendment made it impracticable and unnecessary to consult formally with representatives of the industry and trade associations although in each instance representatives of the publishers of the manuals were consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 2 is amended by adding after paragraph (ee), paragraphs (ff) to (kk) inclusive as follows:

(ff) 1952 Pontiac Flat Rate Manual Supplement.

(gg) Lincoln-Mercury Suggested Labor Time Schedule, 1952.

(hh) Willys-Overland Flat Rate Manual, 1952 Supplement.

(ii) Studebaker Service Operation Step and Time Guide, 1952.

(jj) Cadillac Suggested Flat Rate Schedule for 1949-52 Cadillac Cars.

(kk) Chrysler Service Operation Time Schedule Manual, 1950-51-52.

2. Appendices FF to KK are added after Appendices EE.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 6 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on June 16, 1952.

NOTE. The recording-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.

ELLIS ARNALL,

Director of Price Stabilization.

JUNE 12, 1952.

APPENDIX FF

This is the "Notice" for the 1952 Pontiac Flat Rate Manual Supplement.

NOTICE

You are permitted by OPS to use this Manual, and you must use the Supplement, to arrive at your ceiling price for a given job:

If—

(1) You use the computation table printed on pages 135 to 137 of the Pontiac Flat Rate Manual 1949-50-51 to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$----, Relining brakes on 1951 Blank Cars, \$----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important. In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX GG

This is the "Notice" for Lincoln-Mercury Suggested Labor Time Schedule, 1952.

NOTICE

You are permitted by OPS to use this schedule to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table at the front of the schedule to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$----, Relining brakes on 1951 Blank Cars, \$----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX HH

This is the "Notice" for Willys-Overland Flat Rate Manual, 1952 Supplement.

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the conversion table on pages 55 and 56 of the Willys-Overland Flat Rate Manual, 1949 to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and;

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period, December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX II

This is the "Notice" for the Studebaker Service Operation Step and Time Guide, 1952.

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the computation table on the pink sheet near the front of the manual preceding "Group A, page 1" of the Studebaker Operation Step and Time Guide, 1951 Champion, Commander, to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX JJ

This is the "Notice" for the Cadillac Suggested Flat Rate Schedule for 1949-52 Cadillac Cars:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Computation Table given on pages XIX to XXI (Preceding Group Section 1) of the Cadillac Flat Rate Schedule for 1949-52 Cadillac Cars to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which

you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX KK

This is the "Notice" for the Chrysler Service Operation Time Schedule Manual, 1950-51-52.

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table, pages in the back part of the Manual to compute the ceiling price of each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

**Additional Flat Rate
Manuals and Labor Schedules**
(Amending Sec. 2, and adding
Apps. LL to NN)

**Ceiling Price Regulation 34
Supplementary Regulation 3
Amendment 7**
JULY 25, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 7 to
Supplementary Regulation 3]

CPR 34—SERVICES

**SR 3—APPROVAL OF CERTAIN AUTOMOTIVE
AND FARM TRACTOR REPAIR SERVICE FLAT
RATE MANUALS**

**ADDITIONAL FLAT RATE MANUALS AND LABOR
SCHEDULES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 7 to Supplementary Regulation 3 (16 F. R. 8828) to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds various flat rate manuals and labor schedules and supplements thereof to the list of approved flat rate manuals and labor schedules in section 2 of Supplementary Regulation 3 to Ceiling Price Regulation 34.

The Statements of Consideration which accompanied Supplementary Regulation 3 to Ceiling Price Regulation 34, and Amendment 1 to that regulation are equally applicable to this amendment and are incorporated herein by this reference.

The character of the approval granted by this amendment made it impracticable and unnecessary to consult formally with representatives of the industry and trade associations although in each instance representatives of the publishers of the manuals were consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 2 is amended by adding after paragraph (kk), paragraphs (ll) to (nn) inclusive as follows:

(ll) Consul and Zephyr Six (British built Ford cars)

(mm) Nash Flat Rate Schedule—1952

(nn) National Automobile Parts and Labor Manual, 1952 Supplement.

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

(v) Automotive Digest, First 1952 Edition and Second 1952 Edition, provided, however, that the Second 1952 Edition may contain Appendix V, as approved April 1, 1952.

3. Appendices LL to NN as set forth below are added after Appendix KK.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 7 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on July 30, 1952.

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.

ELLIS ARNALL,

Director of Price Stabilization.

JULY 25, 1952.

APPENDIX LL

This is the "Notice" for the Suggested Repair Time Schedule for Consul and Zephyr Six (British built Ford cars).

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor Tune-up, all Blank Models, \$-----, Refining brakes on 1951 Blank Cars, \$-----); and

(3) You file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs.

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

IMPORTANT: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX MM

This is the "Notice" for Nash Flat Rate Schedule, 1952.

NOTICE

You are permitted by OPS to use this schedule to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table at the back of the schedule to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Refining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

IMPORTANT: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX NN

This is the "Notice" for the National Automobile Parts and Labor Manual, 1952 Supplement.

NOTICE

You are permitted by OPS to use this Supplement to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table, pages in the back part of the Manual to compute the ceiling price of each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

**Approval of Additional Flat
Rate Manuals and Labor
Schedules**

**Ceiling Price Regulation 34
Supplementary Regulation 3
Amendment 8
AUG. 6, 1952**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 8 to
Supplementary Regulation 3]

CPR 34—SERVICES

**SR 3—APPROVAL OF CERTAIN AUTOMOTIVE
AND FARM TRACTOR REPAIR SERVICE FLAT
RATE MANUALS**

**APPROVAL OF ADDITIONAL FLAT RATE
MANUALS AND LABOR SCHEDULES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 8 to Supplementary Regulation 3 (16 F. R. 8828) to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds various flat rate manuals and labor schedules and supplements thereof to the list of approved flat rate manuals and labor schedules in section 2 of Supplementary Regulation 3 to Ceiling Price Regulation 34.

The Statements of Consideration which accompanied Supplementary Regulation 3 to Ceiling Price Regulation 34, and Amendment 1 to that regulation are equally applicable to this amendment and are incorporated herein by this reference.

The character of the approval granted by this amendment made it impracticable and unnecessary to consult formally with representatives of the industry and trade associations although in each instance representatives of the publishers of the manuals were consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 2 is amended by adding after paragraph (nn), paragraphs (oo) to (qq) inclusive, as follows:

(oo) 1952 Supplement to Hudson 480-490-500 and "A" Series, Flat Rate Manual.

(pp) 1950-51-52 Buick Body Flat Rate Manual.

(qq) 1952 Oldsmobile Flat Rate Manual.

2. Appendices OO to QQ are added after Appendix NN as follows:

APPENDIX OO

This is the "Notice" for the 1952 Supplement to Hudson 480-490-500 and "A" Series, Flat Rate Manual.

NOTICE

You are permitted by OPS to use this Manual, and you must use the Supplement, to arrive at your ceiling price for a given job:

If—

(1) You use the computation table printed in the back part of the 1951 manual to compute the ceiling price for each job, by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----; Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual, states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX PP

This is the "Notice" for the 1950-51-52 Buick Body Flat Rate Manual.

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table at the back of the Manual to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge"

which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----; Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual, states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

APPENDIX QQ

This is the "Notice" for the 1952 Oldsmobile Flat Rate Manual.

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table at the back of the manual to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----; Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual, states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 8 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on August 11, 1952.

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.

ELLIS ARNALL,
Director of Price Stabilization.

AUGUST 6, 1952.

Additional Flat Rate Manuals**Ceiling Price Regulation 34
Supplementary Regulation 3
Amendment 9
SEPT. 8, 1952****OFFICE OF PRICE STABILIZATION
WASHINGTON****TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 9 to
Supplementary Regulation 3]

CPR 34—SERVICES**SR 3—APPROVAL OF CERTAIN AUTOMOTIVE
AND FARM TRACTOR REPAIR SERVICE FLAT
RATE MANUALS****ADDITIONAL FLAT RATE MANUALS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 9 to Supplementary Regulation 3 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds a supplement to a flat rate manual to the list of approved

flat rate manuals and labor schedules in section 2 of Supplementary Regulation 3 to Ceiling Price Regulation 34.

The Statements of Consideration which accompanied Supplementary Regulation 3 to Ceiling Price Regulation 34, and Amendment 1 to that regulation are equally applicable to this amendment and are incorporated herein by this reference.

The character of the approval granted by this amendment made it impracticable and unnecessary to consult formally with representatives of the industry and trade associations although in each instance representatives of the publishers of the manuals were consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 2 is amended by adding after paragraph (qq), paragraph (rr) as follows:

(rr) Chevrolet 1952 Supplement to 1946-1950 Chassis Flat Rate Schedule.

2. Appendix RR is added after Appendix QQ.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 9 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on September 13, 1952.

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.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

SEPTEMBER 8 1952.

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY

PROCEEDINGS OF THE
NATIONAL ACADEMY OF SCIENCES

NAME	RESIDENCE	DATE OF BIRTH
J. H. VAN VLECK	Chicago, Ill.	1880
R. W. WILSON	Chicago, Ill.	1885
H. E. RICHARDSON	Chicago, Ill.	1890
J. E. LINDENMUTHER	Chicago, Ill.	1895
W. R. SAGGERS	Chicago, Ill.	1900
J. H. VAN VLECK	Chicago, Ill.	1880
R. W. WILSON	Chicago, Ill.	1885
H. E. RICHARDSON	Chicago, Ill.	1890
J. E. LINDENMUTHER	Chicago, Ill.	1895

Correction

**Ceiling Price Regulation 34
Supplementary Regulation 3
Amendment 9
Correction**

OCTOBER 23, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 9 to
Supplementary Regulation 3 Correction]

CPR 34—SERVICES

**SR 3—APPROVAL OF CERTAIN AUTOMOTIVE
AND FARM TRACTOR REPAIR SERVICE FLAT
RATE MANUALS**

**ADDITIONAL FLAT RATE MANUALS;
CORRECTION**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Correction to Amendment 9 to Supplementary Regulation 3 to Ceiling Price Regulation 34 is hereby issued.

Through inadvertence Amendment 9 to Supplementary Regulation 3 to Ceiling Price Regulation 34, issued September 8, 1952 (17 F. R. 8118) did not include Appendix RR the "Notice" to be affixed to the Chevrolet 1952 Supplement to 1946-1950 Chassis Flat Rate Schedule.

Accordingly, the following Appendix is added to the amendment.

APPENDIX RR

This is the "Notice" for the 1952 Supplement to Chevrolet Chassis Flat Rate Schedule.

NOTICE

You are permitted by OPS to use this Manual, and you must use the Supplement to arrive at your ceiling price for a given job:

If—

(1) You use the computation table printed in the 1946-50 manual to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up all Blank Models, \$-----, Rellning brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during

the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business within ten days after you begin to use this Manual, states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

TIGHE E. WOODS,
Director of Price Stabilization.
OCTOBER 23, 1952.

By authority of the Board of Trustees
of the University of Chicago
Library
Chicago, Ill.

1911

LIST OF BOOKS RECEIVED
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**Interim Modifications
or Supplements**
(Adding Sec. 5)

**Ceiling Price Regulation 34
Supplementary Regulation 3
Amendment 10**
OCT. 10, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 10 to
Supplementary Regulation 3]

CPR 34—SERVICES

**SR 3—APPROVAL OF CERTAIN AUTOMOTIVE
AND FARM TRACTOR REPAIR SERVICE FLAT
RATE MANUALS**

INTERIM MODIFICATIONS OR SUPPLEMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 10 to Supplementary Regulation 3 to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment provides for approval of interim modifications or supplements of a minor or routine character covering time allowances for operations or combinations of operations contained in an edition of or supplement to a flat rate manual or labor schedule previously specifically approved by OPS or published prior to January 26, 1951, which it would be impracticable or uneconomic to withhold from the repair trade until such time as it becomes feasible to include them in a new edition of, or major supplement to, the manuals or schedules affected. Such minor or routine changes and supplemental time allowances are customarily released by manufacturers in the form of manufacturers' service bulletins, or supplemental dated pages for insertion in loose-leaf type binders. Irrespective of any such interim approval, however, a new edition

of or major supplement to a flat rate manual or labor schedule published thereafter may include all modifications or time allowances submitted to OPS for approval as provided by this supplementary regulation.

A new section is added to the supplementary regulation authorizing such interim approval and specifying the information required in an application therefor. Approvals will be granted by Special Order and published in the Federal Register, since such interim modification or establishment of time allowances will ordinarily apply to a number of sellers using the manuals or labor schedules.

The character of the approval granted by this amendment made it impracticable and unnecessary to consult formally with representatives of the industry and trade associations, although in each instance representatives of the publishers of the manuals were consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended by adding a new section 5 to read as follows:

SEC. 5. Approval of minor or routine interim modifications of or supplements to approved manuals and schedules. (a) Any publisher of a flat rate manual or labor schedule approved under section 2, as amended, of this supplementary regulation or published prior to January 26, 1951 who wishes to issue minor or routine modification of or supplement to such

manual or schedule of the nature customarily issued by the publisher as an interim matter pending publication of a new edition of his flat rate manual or labor schedule, may apply under this section for an order approving the use of such interim modification or supplement.

(b) The application should be addressed to the Director, Office of Price Stabilization, Washington 25, D. C., and should include:

(1) The name and address of the applicant;

(2) The name and edition of the manual or labor schedule being modified or supplemented, and the operation or combination of operations which are to be modified or added by the supplement;

(3) Two copies of the part of the manufacturers' service bulletin which contains the proposed modification or supplement reprinted page or other method by which the users of the manual or schedule will be notified of the approved change in time allowance.

(c) If the application is approved, OPS will issue and publish in the Federal Register a special order, subject to such terms and conditions as OPS shall deem to be appropriate, approving such interim modifications or supplements.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 10 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective October 15, 1952.

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.

TIGHE E. WOODS,
Director of Price Stabilization.

OCTOBER 10, 1952.

Approval of Additional Flat Rate Manuals and Labor Schedules

(Adding Secs. 2 (ss), (tt), (uu) and Appendices SS, TT and UU)

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 34, Amdt. 11 to Supplementary Regulation 3]

CPR 34—SERVICES

SR 3—APPROVAL OF CERTAIN AUTOMOTIVE AND FARM TRACTOR REPAIR SERVICE FLAT RATE MANUALS

APPROVAL OF ADDITIONAL FLAT RATE MANUALS AND LABOR SCHEDULES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 11 to Supplementary Regulation 3 (16 F. R. 8828) to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds various flat rate manuals and labor schedules and supplements thereof to the list of approved flat rate manuals and labor schedules in section 2 of Supplementary Regulation 3 to Ceiling Price Regulation 34.

The Statements of Consideration which accompanied Supplementary Regulation 3 to Ceiling Price Regulation 34, and Amendment 1 to that regulation are equally applicable to this amendment and are incorporated herein by this reference.

The character of the approval granted by this amendment made it impracticable and unnecessary to consult formally with representatives of the industry and trade associations although in each instance representatives of the publishers of the manuals were consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 2 is amended by adding after paragraph (rr), paragraphs (ss) to (uu) inclusive as follows:

(ss) Chilton's Motor Age Body and Frame Manual, Third Edition, 1952.

(tt) 1952 Buick Flat Rate Manual, Chassis.

(uu) 1953 Ford Suggested Time Schedule, Passenger Cars.

2. Appendices SS to UU are added after Appendix RR as follows:

APPENDIX SS

This is the "Notice" for the Chilton's Motor Age Body and Frame Manual, Third Edition, 1952.

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Charge Conversion table printed in the back part of the manual to compute the ceiling price for each job, and reduce the price list here for that job to one based on your own authorized customers' hourly rate which you charged in the base period December 19, 1950, to January 25, 1951, inclusive, if it is below \$4.00 for body work or \$3.00 for mechanical work; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34 is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Hood Assembly, re-finish to match car, all Blank Models, \$-----, Windshield Glass, replace, all Blank Models \$-----; and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950 to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual, states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important. In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX TT

This is the Notice for the 1952 Buick Flat Rate Manual, Chassis.

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table at the back of the Manual to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

Ceiling Price Regulation 34 Supplementary Regulation 3

Amendment 11

OCTOBER 23, 1952

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual, states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

APPENDIX UU

This is the "Notice" for the 1953 Ford Suggested Time Schedule, Passenger Cars.

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table at the front part of the Manual to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within 10 days after you begin to use this Manual, states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 11 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on October 28, 1952.

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.

TIGHE E. WOODS,
Director of Price Stabilization.

OCTOBER 23, 1952.

**Approval of Additional
Flat Rate Manuals
and Labor Schedules**

(Adding Sec. 2(vv),
(ww), and Appendices
VV and WW)

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**Ceiling Price Regulation 34
Supplementary Regulation 3
Amendment 12
NOVEMBER 28, 1952**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 12 to
Supplementary Regulation 3]

CPR 34—SERVICES

**SR 3—APPROVAL OF CERTAIN AUTOMOTIVE
AND FARM TRACTOR REPAIR SERVICE FLAT
RATE MANUALS**

**APPROVAL OF ADDITIONAL FLAT RATE MAN-
UALS AND LABOR SCHEDULES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 12 to Supplementary Regulation 3 (16 F. R. 8828) to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds various flat rate manuals and labor schedules and supplements thereof to the list of approved flat rate manuals and labor schedules in section 2 of Supplementary Regulation 3 to Ceiling Price Regulation 34.

The Statement of Considerations which accompanied Supplementary Regulation 3 to Ceiling Price Regulation 34, and Amendment 1 to that regulation are equally applicable to this amendment and are incorporated herein by this reference.

The character of the approval granted by this amendment made it impracticable and unnecessary to consult formally with representatives of the industry and trade associations although in each instance representatives of the publishers of the manuals were consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 2 is amended by adding after paragraph (uu), paragraph (vv) and (ww) as follows:

(vv) Lincoln-Mercury 1953 Supplement to 1952 suggested Labor Time Schedule.

(ww) Willys Flat Rate Manual 1949-52.

2. Appendices VV and WW are added after Appendix UU as follows:

APPENDIX VV

This is the Notice for the Lincoln-Mercury 1953 Supplement.

NOTICE

You are permitted by OPS to use this Supplement to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table at the front of the 1952 Manual to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period, December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual, states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important. In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

APPENDIX WW

This is the Notice for the Willys Flat Rate Manual, 1949-52.

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table at the back of the Manual to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period, December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual, states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 12 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on December 3, 1952.

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.

EDWARD F. PHELPS, Jr.,

Acting Director of Price Stabilization.

NOVEMBER 28, 1952.

Additional Method for Adopting Approved Manuals

(Adding new Sec. 3(c))

Ceiling Price Regulation 34 Supplementary Regulation 3

Amendment 13

DECEMBER 23, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Amdt. 13 to
Supplementary Regulation 3]

CPR 34—SERVICES

SR 3—APPROVAL OF CERTAIN AUTOMOTIVE AND FARM TRACTOR REPAIR SERVICE FLAT RATE MANUALS

ADDITIONAL METHOD FOR ADOPTING APPROVED MANUALS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 13 to Supplementary Regulation 3 (16 F. R. 8828) to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34, as amended, provides for the approval of new editions and supplements to flat rate manuals and labor schedules used in the automotive and farm implement repair service field. These manuals and labor schedules establish standard time allowances for various operations or combinations of operations involved in automobile and farm implement mechanical repair services based upon continuing time studies conducted by the manufacturers or publishers of manuals.

Most automotive and farm implement repair establishments use one or more of these flat rate manuals or labor schedules to determine the time allowances for mechanical repair services rendered. However, in some instances dealers supplying automotive repair services have, for a long period of time used flat rate manuals or labor schedules in which the time allowances have been altered and which deviate in important respects from the standard flat rate manuals published by the manufacturer of the equipment generally serviced by such dealers. Under the provisions of section 12 (g) of Ceiling Price Regulation 34, dealers using such altered manuals are required to continue to use the same manual that was used during the base period, December 19, 1950 to January 25, 1951, inclusive, or a subsequent edition of that manual approved by the Director of Price Stabilization. Since no subsequent editions of the altered manuals have been submitted to, or approved by, the Director, such dealers are now unable to determine time allowances for new operations or combinations of operations which

have been approved in new editions or supplements to flat rate manuals covered by Supplementary Regulation 3 to Ceiling Price Regulation 34, as amended, particularly with respect to new models manufactured since the base period.

This amendment provides a method whereby individual dealers who were "frozen" with an altered manual under the provisions of Ceiling Price Regulation 34 may apply to the OPS District Office for permission to adopt the appropriate approved flat rate manuals or labor schedules and/or supplements to determine the time allowances for automotive and farm implement repair services. Since the users of such altered flat rate manuals or labor schedules have also charged customers' hourly rate adjusted to such altered time allowances, it is necessary to reestablish hourly rates to conform to the standard time allowances.

The modifications approved under this amendment will in general result in substantially the same prices to customers at attained under the previously established time allowances and hourly rates.

In the judgment of the Director, the provisions of this amendment are necessary and proper to effectuate the purposes of the Defense Production Act of 1950, as amended. The limited application of this amendment made it impracticable to consult formally with representatives of the industry including trade association representatives; however, informal consultation has been held with representatives of the industry and consideration has been given to their proposals.

AMENDATORY PROVISIONS

Supplementary Regulation 3, as amended, to Ceiling Price Regulation 34 is further amended as follows:

1. Paragraphs (c) and (d) of section 3 are redesignated paragraphs (d) and (e).

2. A new paragraph (c) is added to section 3 to read as follows:

(c) *Dealers who used an "altered" flat rate manual or labor schedule during the base period.* (1) If you are a dealer who used a flat rate manual or labor schedule during the base period in which the time allowances for mechanical repair services have been altered and are different from the time allowances contained in the flat rate manual or labor schedule issued by the manufacturer for whom you are a dealer, or the time allowances contained in a general flat rate manual or labor schedules approved by this supplementary regulation, you may file with your District Office of the Office of Price Stabilization in the District in which your place of business is located

an application for permission to adopt and use the current approved edition of the flat rate manuals or labor schedules issued by the manufacturer for whom you are a dealer, and an approved general manual or labor schedule for use with respect to other makes of automobiles to determine time allowances for automotive repair services, and a modification of your established customers' hourly rate if such modification will in general result in substantially the same prices to customers as were attained under the previously allowed time allowance and hourly rate. Your application shall not include the charges for operations for which you have established a flat price under CPR 34. Your application shall contain the following information:

(i) Your name and address.

(ii) Name and description of altered manual and of the approved flat rate manual to be used.

(iii) A complete list of all repair orders or other records (excluding those for jobs for which a flat price is charged) for all mechanical labor performed during the last previous month of September and the last previous month of May, whether or not the job is specified in a flat rate manual, showing:

(a) The job ticket or repair order number.

(b) A description or identifying symbol of the job as used in the altered manual.

(c) The total hours specified for the job in your altered flat rate manual.

(d) The total hours for the same job in the approval flat rate manual.

For jobs for which actual times were used to determine the price (this includes mechanical repair operations not covered by the altered or approved manuals referred to above), the actual time charged at your established customers' hourly rate.

(iv) Your customers' hourly rate established under CPR 34 and used in connection with the altered manuals.

(2) Three or more dealers of the same manufacturer using the same altered manual and doing business within the same geographical area may apply as a group for permission to adopt the approved flat rate manual issued by that manufacturer and a modification of their customers' hourly rate. If the geographical area extends into two or more OPS Districts the application should be filed with the OPS District Office in the District in which the largest number of applicants are located.

(i) Such group application shall contain the following information:

(a) The name and address of each applicant.

(b) A statement from each applicant that he desires a group modification based upon data submitted by a representative number of the group.

(c) Each applicant's customers' hourly rate established under CPR 34 and used in connection with the altered manuals.

(d) Each applicant's repair service sales volume during his last complete annual accounting period.

(ii) Within ten days after the receipt of the application, OPS will designate, after discussion with representatives of the group, which firms on the list shall be acceptable as representative of the group.

(iii) The firms to be the representative number of the group shall, as a

minimum, consist of two dealers and shall represent an annual sales volume for mechanical repair service of not less than 25 percent of the total mechanical repair service sales volume of the group.

(iv) The accepted firms shall then submit the data required in subparagraph (1) (ii) and (iii).

(3) If, for any reason, such as fire, remodeling operations, traffic diversion etc., either the last previous month of September or May is unrepresentative of your repair service business, you may, with the approval of the District Office substitute the next nearest month which will reflect the normal operation of your repair business. You may not, until your application is approved by OPS use the manuals for which you have re-

quested permission to use, nor charge more than your established customers' hourly rate for automotive repair services.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 13 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on December 23, 1952.

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.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

DECEMBER 23, 1952.

**Approval of Additional Flat Rate
Manuals and Labor Schedules**
(Adding Sec. 2(xx) and
App. xx)

**Ceiling Price Regulation 34
Supplementary Regulation 3
Amendment 14**
JANUARY 19, 1953

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 14 to
Supplementary Regulation 3]

CPR 34—SERVICES

**SR 3—APPROVAL OF CERTAIN AUTOMOTIVE
AND FARM TRACTOR REPAIR SERVICE FLAT
RATE MANUALS**

**APPROVAL OF ADDITIONAL FLAT RATE
MANUALS AND LABOR SCHEDULES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 14 to Supplementary Regulation 3 (16 F. R. 8828) to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds various flat rate manuals and labor schedules and supplements thereof to the list of approved flat rate manuals and labor schedules in section 2 of Supplementary Regulation 3 to Ceiling Price Regulation 34.

The Statements of Consideration which accompanied Supplementary Regulation 3 to Ceiling Price Regulation 34, and Amendment 1 to that regulation are equally applicable to this amendment and are incorporated herein by this reference.

The character of the approval granted by this amendment made it impracticable and unnecessary to consult formally with representatives of the in-

dustry and trade associations although in each instance representatives of the publishers of the manuals were consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 2 is amended by adding after paragraph (ww), paragraph (xx) as follows:

(xx) 1953 Ford Suggested Time Schedule, Trucks.

2. Appendix XX is added after Appendix WW as follows:

APPENDIX XX

This is the Notice for the 1953 Ford Suggested Time Schedule, Trucks.

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table at the front part of the manual to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a fixed charge which is lower than the price you deter-

mined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, \$-----, Relining brakes on 1951 Blank Cars, \$-----); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within 10 days after you begin to use this Manual, states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

Important. In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 14 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on January 24, 1953.

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.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 19, 1953.

INTERPRETATIONS
CPR 34, SR 3, Sec. 3

BASE PERIOD MANUAL OR SCHEDULE

Continued use required--though not approved by Section 2

Section 3(b), SR 3, as amended directs a seller who used a flat rate manual or labor schedule during the base period to determine hourly time allowance for all or part of his services, to continue to use the same manual or schedule even though such manual or schedule is not among those approved by section 2 of SR 3 to CPR 34.

A substitution can be made only in the event a subsequent edition of the sellers base period manual is approved by Section 2.

(5/26/52 No. 13)

SC 10075

1. The purpose of this study is to determine the effect of the treatment on the growth of the plants. The results of the study are shown in the following table.

Treatment	Growth (cm)
Control	10.0
Treatment A	12.5
Treatment B	15.0

2. The results of the study show that the treatment has a significant effect on the growth of the plants. The growth of the plants treated with Treatment A was significantly higher than the growth of the control plants. The growth of the plants treated with Treatment B was significantly higher than the growth of the plants treated with Treatment A.

3. The results of the study also show that the treatment has a significant effect on the yield of the plants. The yield of the plants treated with Treatment A was significantly higher than the yield of the control plants. The yield of the plants treated with Treatment B was significantly higher than the yield of the plants treated with Treatment A.

Wholesale Drycleaning, Etc.,
In Certain Counties of New Jersey

Ceiling Price Regulation 34
Supplementary Regulation 4
SEPT. 7, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 4]

CPR 34—SERVICES

SR 4—WHOLESALE DRY CLEANING, FINISHING
AND DYEING IN CERTAIN COUNTIES OF NEW
JERSEY

Pursuant to the Defense Production
Act of 1950, as amended, Executive Order
10161 (15 F. R. 6105), and Economic
Stabilization Agency General Order No.
2 (16 F. R. 738), this Supplementary
Regulation 4 to Ceiling Price Regulation
34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 4 to
Ceiling Price Regulation 34 establishes
dollars and cents prices for wholesale dry
cleaning, finishing and dyeing services in
the following counties of the State of
New Jersey: Essex, Hudson, Passaic,
Bergen, Union and Morris. The services
supplied by the wholesalers of dry clean-
ing, finishing and dyeing services in these
counties of New Jersey have been pro-
vided at substantially uniform prices for
many years antedating the issuance of
Ceiling Price Regulation 34. A wage in-
crease in 1950 and 1951 and sharply in-
creased costs in the latter part of 1950
have brought the average earnings of the
industry in this area close to the break-
even point. On June 6, 1951 a wage in-
crease of ten percent was granted by the
industry. This increase was made retro-
active to April 15, 1951 and will probably
result in the reduction of the industry's
average earnings to a loss position and
thus jeopardize the continued supply of
the service.

The existence of uniform prices, stand-
ardized service and similar earnings ex-
perience facilitate the establishment of
dollars and cents prices. In the judg-
ment of the Director of Price Stabiliza-
tion the prices established in this supple-
mentary regulation are at the minimum
levels which will permit the continued
supply of the service. The industry, in-
cluding representatives of trade associa-
tions, has been consulted in the prepara-
tion of this supplementary regulation,
and consideration has been given to its
recommendations. In the judgment of
the Director of Price Stabilization the

prices established by this supplementary
regulation are generally fair and equita-
ble and are necessary to effectuate the
purposes of Title IV of the Defense Pro-
duction Act of 1950, as amended.

REGULATORY PROVISIONS

- Sec.
1. Purpose.
2. Relationship to CPR 34.
3. Ceiling prices.
4. Definitions.

AUTHORITY: Sections 1 to 4 issued under
sec. 704, 64 Stat. 816, as amended; 50 U. S. C.
App. Supp. 2154. Interpret or apply Title IV,
64 Stat. 803, as amended; 50 U. S. C. App.
Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15
F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Purpose.* The purpose of
this supplementary regulation is to estab-
lish dollars and cents ceiling prices for
wholesale dry cleaning, finishing and
dyeing services in the counties of Essex,
Hudson, Passaic, Bergen, Union and
Morris, State of New Jersey.

SEC. 2. *Relationship to CPR 34.* All
provisions of Ceiling Price Regulation 34,
as amended, except as changed by the
pricing provisions of this supplementary
regulation shall remain in full force and
effect.

SEC. 3. *Ceiling prices.* (a) The ceil-
ing prices which may be charged by
wholesale cleaning, finishing and dyeing
services in the counties of Essex, Hudson,
Passaic, Bergen, Union and Morris, State
of New Jersey, shall be as follows:

	Cleaned only	Cleaned and finished
MEN'S		
Suits	\$0.28	\$0.55
Coats	.15	.30
Pants	.15	.30
Flannel pants	.20	.40
Linen pants	.20	.40
Slacks	.15	.30
Sweaters	.15	.30
Sport shirts	.15	.30
White suits	.35	.70
Linen suits	.35	.70
Top coats	.33	.55
Overcoats	.33	.55
Raincoats	.38	.80
Reversible coats	.38	.90
Bathrobes	.28	.55
Suede jackets	.55	1.35
Sport jackets	.25	.45
CHILDREN'S		
Suits	.25	.45
Dresses	.25	.45
Coats	.30	.50
Skirts	.13	.25
Jackets	.13	.25
Sweaters	.10	.20
Boys' coats	.13	.25
Boys' pants	.13	.25
Bathrobes	.25	.45
Suede jackets	.40	1.10

	Cleaned only	Cleaned and finished
HOUSEHOLD		
Furniture covers (in sets of 8 or more)	\$0.20	\$0.40
Spreads (plain)	.40	.75
Spreads (silk and taffeta)	.60	1.25
Curtains	.40	.75
Blankets (single)	.35	
Blankets (double)	.60	
Quilts (cotton)	.90	
Quilts (silk)	.90	1.25
LADIES'		
Suits	.28	.55
Skirts (plain)	.15	.30
Skirts (pleated—up to 20 pleats)	.15	.50
Jackets (plain)	.15	.30
White suits	.40	.70
Waists (plain)	.15	.35
Waists (pleated—up to 20 pleats)	.15	.50
Coats	.33	.55
Coats (white)	.40	.75
Coats (reversible)	.38	.90
Suits (linen)	.35	.70
Sweaters	.15	.30
Dresses (plain—up to 4 pleats)	.28	.55
Dresses (pleated—up to 20 pleats)	.28	.85
Dresses (velvet)	.28	.85
Dresses (sunburst pleated)	.28	1.25
Evening gowns	.40	2.25
Evening gowns (with train or pleated)	1.25	4.00
Bathrobes	.28	.55
Suede jackets	.55	1.35
Negligees	.35	.70
Dyeing:		
Rough		\$1.50
Finished		2.25

SEC. 4. *Definitions.* (a) As used in this
supplementary regulation to Ceiling
Price Regulation 34:

(1) The term "wholesaler" means any
supplier who owns, operates, or con-
trols plant facilities for dry cleaning,
finishing and dyeing garments and does
not sell at retail.

(2) The terms "cleaning", "finishing"
and "dyeing" include:

(i) "Cleaning" which means the dry
cleaning of a garment or item, including
the spotting thereof;

(ii) "Finishing" which means the
pressing of a garment or item;

(iii) "Dyeing" which means the use of
any process to change the basic color of
a garment or item.

Effective date. This order shall be-
come effective September 12, 1951.

MICHAEL V. DISALLE,

Director,

Office of Price Stabilization.

SEPTEMBER 7, 1951.

**Maximum Rates
of Warehouses**

**Ceiling Price Regulation 34
Supplementary Regulation 5**

OCT. 10, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 5]

CPR 34—SERVICES

**SR 5—WAREHOUSES LICENSED UNDER THE
UNITED STATES WAREHOUSE ACT**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 5 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 5 to Ceiling Price Regulation 34 establishes the maximum rates of warehouses licensed under the United States Warehouse Act, as amended, which act is under the exclusive administration of the Secretary of Agriculture.

The United States Warehouse Act, as amended, and the regulations issued thereunder, require warehousemen seeking or holding licenses under the Act to file copies of tariffs or schedules of charges for services covered by the Act, and any changes in such tariffs or schedules, with the United States Department of Agriculture, and imposes upon that Department the responsibility of determining that the charges for services covered by that Act are not unreasonable or exorbitant. Before any charge or change therein may be established, it must be held by the United States Department of Agriculture to be not unreasonable or exorbitant. Under these circumstances, it is the opinion of the Director of Price Stabilization that his responsibilities under the Defense Production Act, as amended, may be appropriately carried out by permitting the

rates determined pursuant to the United States Warehouse Act to be used as ceiling rates, subject to the review and the right of the Director to disapprove such rates where he finds that they are not consistent with the purposes of the Defense Production Act, as amended.

Accordingly, this Supplementary Regulation 5 to Ceiling Price Regulation 34 establishes, subject to Office of Price Stabilization disapproval, as the ceiling prices for the services of warehouses which are performed pursuant to the United States Warehouse Act, as amended, those rates and charges which the United States Department of Agriculture has determined or will in the future determine to be not unreasonable or exorbitant.

Special circumstances have rendered impracticable consultation with formal industry advisory committees. However, informal consultations were had with representatives of cotton, grain and bean warehouses, together with representatives of the United States Department of Agriculture, and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Applicability.
3. Relationship to Ceiling Price Regulation 34.
4. Establishment or adjustment of ceiling rates and charges.

AUTHORITY: Sections 1 to 4 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. Purpose. The purpose of this regulation is to provide a means for establishing or adjusting the ceiling rates and charges for services of warehouses which are performed pursuant to the United States Warehouse Act, as amended.

SEC. 2. Applicability. This supplementary regulation is applicable to you only to the extent that you perform warehouse services under license from the United States Department of Agriculture, issued pursuant to the United States Warehouse Act, as amended.

SEC. 3. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34 applicable to you, except as changed by the pricing provisions of this Supplementary Regulation 5, shall remain in full force and effect.

SEC. 4. Establishment or adjustment of ceiling rates and charges. If you have not heretofore established ceiling rates or charges under any regulation of the Office of Price Stabilization, or if you wish to adjust your ceiling rates or charges, you must file with the District Office of the Office of Price Stabilization for the District in which your warehouse is located a certified copy of the order of the Department of Agriculture approving such rates and charges, together with a list of the rates and charges approved. As soon as you have done this you may begin charging such rates and charges and you may continue to charge them unless and until notified by the appropriate District Director of the Office of Price Stabilization that they are disapproved. The respective District Directors are hereby delegated authority to act upon and to handle to final conclusion all filings made pursuant to the provisions of this supplementary regulation.

Effective date. This Supplementary Regulation 5 to Ceiling Price Regulation 34 shall become effective October 15, 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 10, 1951.

Frozen Foods Lockers—
Charges for Wild Deer, Etc.—
Colorado—1951 Hunting Season

Ceiling Price Regulation 34
Supplementary Regulation 6
OCT. 31, 1951

OFFICE OF PRICE STABILIZATION WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 6]

CPR 34—SERVICES

SR 6—FROZEN FOODS LOCKERS—PROCESSING CHARGES FOR WILD DEER, ELK AND ANTE- LOPE IN COLORADO DURING THE 1951 HUNTING SEASON

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 736), this Supplementary Regulation 6 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 6 to Ceiling Price Regulation 34, as amended, permits operators of frozen foods lockers in the State of Colorado to increase their ceiling prices, for processing wild deer, elk and antelope killed during the Colorado 1951 hunting season, by seventy cents per head over their present ceiling prices per head for the same service. This regulation is made necessary in part by the fact that the Colorado State Department of Agriculture has issued a regulation, effective September 1, 1951, which prohibits the use of ordinary butcher paper and sulphite wrapping paper which are relatively inexpensive and requires for use in their stead more expensive materials, such as aluminum foil or anchor-coated cellophane. This substitution of material will result in an increased cost of operation of approximately forty-five cents per head of processed wild game. Other rises in the cost of labor and materials since the 1950 hunting season amount to an additional increase of about twenty-five cents per head. Because of these increased costs many frozen foods locker operators now face the prospect of sustaining financial losses which will increase with the number of animals processed. Furthermore, locker plant operators in the City and County of Denver,

Colorado, have entered into a voluntary agreement with the Denver Department of Health under which inspected and uninspected meat cannot be placed in the same coolers or processed at the same time. This will prevent conventional butcher shop facilities from processing wild game and will make it necessary for the locker operators to process the entire hunting season kill. This increase in the volume of animals to be processed along with the increases in costs has presented a situation in which many locker operators are faced with a choice of operating at a continued loss or discontinuing this service entirely.

The immediate need to provide for the hardship in which operators of frozen foods lockers in Colorado have found themselves inhibited consultation formally with industry representatives. However, various representatives from the affected service field were informally consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the increase permitted by this supplementary regulation is at the minimum level which will permit the continued supply of service and 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.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Filing.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV; 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. Purpose. The purpose of this regulation is to permit operators of frozen foods lockers in the State of Colorado to increase their charges for processing wild deer, elk and antelope killed during the Colorado 1951 hunting season.

Sec. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the pricing provisions of this supplementary regulation, shall remain in full force and effect.

Sec. 3. Ceiling prices. If you operate a frozen foods locker in the State of Colorado, and as a part of that operation you process wild deer, elk and antelope, you may now increase your charges for processing wild deer, elk and antelope killed during the Colorado 1951 hunting season by seventy cents per head. This permitted increased price covers the price of the services of processing such wild deer, elk and antelope and the cost of all commodities furnished with or incidental to the supplying of those services. You may not, if you increase your price under this regulation, price the commodities supplied with or incidental to these processing services under the provisions of section 11 of Ceiling Price Regulation 34.

Sec. 4. Filing. Within 10 days after establishing your ceiling price under this regulation, you must prepare and file a statement with the district office of the Office of Price Stabilization, in accordance with section 18 of Ceiling Price Regulation 34. If you have previously filed a statement as required by section 18 (b) of Ceiling Price Regulation 34, you need not file another statement under this supplementary regulation.

Sec. 5. Definitions. (a) As used in this supplementary regulation to Ceiling Price Regulation 34:

(1) The terms "process" and "processing" include the skinning, dressing, cutting, wrapping, and freezing of wild deer, elk, and antelope by frozen foods locker operators.

Effective date. This Supplementary Regulation 6 to Ceiling Price Regulation 34 shall become effective October 31, 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 31, 1951.

THE UNIVERSITY OF CHICAGO

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**Extending Coverage of Regulation
to the 1952 Hunting Season**
(Amending Secs. 1 and 3)

**Ceiling Price Regulation 34
Supplementary Regulation 6
Amendment 1**
SEPT. 15, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 1 to
Supplementary Regulation 6]

CPR 34—SERVICES

**SR 6—FROZEN FOODS LOCKERS; PROCESS-
ING CHARGES FOR WILD DEER, ELK AND
ANTELOPE IN COLORADO DURING THE
1951 HUNTING SEASON**

**EXTENDING COVERAGE OF REGULATION TO THE
1952 HUNTING SEASON**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 1 to Supplementary Regulation 6 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment to Supplementary Regulation 6 extends the period for which operators of frozen food lockers in the State of Colorado are permitted to increase their ceiling prices originally established by Ceiling Price Regulation

34, as amended, for processing wild deer, elk and antelope to include the processing of wild deer, elk and antelope killed during the Colorado 1952 hunting season. This amendment also clarifies the word "charges" as used in Supplementary Regulation 6 to indicate that the term refers to ceiling prices established under Ceiling Price Regulation 34, as amended.

The Statement of Consideration which accompanied Supplementary Regulation 6 to Ceiling Price Regulation 34 is equally applicable to this amendment and is incorporated herein by this reference.

In the formulation of this amendment special circumstances have rendered consultation with industry representatives, including trade associated representatives, impracticable.

In the judgment of the Director of Price Stabilization, this amendment is generally fair and equitable and complies with all applicable provisions of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

1. Section 1 of Supplementary Regulation 6 to Ceiling Price Regulation 34 is amended to read as follows:

SECTION 1. Purpose. The purpose of this regulation is to permit operators of frozen food lockers in the State of Colorado to increase their ceiling prices for processing wild deer, elk and antelope killed during the 1951 and 1952 hunting seasons.

2. The first sentence of section 3 of Supplementary Regulation 6 to Ceiling Price Regulation 34 is amended to read as follows:

SEC. 3. Ceiling prices. If you operate a frozen foods locker in the State of Colorado, and as a part of that operation you process wild deer, elk and antelope, you may now increase your ceiling prices established by Ceiling Price Regulation 34, as amended, for processing wild deer, elk and antelope killed during the Colorado 1951 and 1952 hunting season by seventy cents per head.

Effective date. This Amendment 1 to Supplementary Regulation 6 to Ceiling Price Regulation 34, as amended, is effective September 15, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.
SEPTEMBER 15, 1952.

**Certain Warranty Service on
Automobiles, Trucks,
Busses, and Tractors**

**Ceiling Price Regulation 34
Supplementary Regulation 7
NOV. 7, 1951**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 7]

CPR 34—SERVICES

**SR 7—CERTAIN WARRANTY SERVICE ON AUTO-
MOBILES, TRUCKS, BUSES AND TRACTORS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 7 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 7 to Ceiling Price Regulation 34 provides for dollar and cents price ceilings for specified warranty services in the automobile, truck, bus and tractor industry.

Manufacturers of automotive products contract with repair shops for the correction of product defects at a relatively low rate, amounting to approximately the cost of labor or about 50 percent of the rate usually charged to retail customers. This warranty service normally constitutes a small percentage (not over 1 or 2 percent) of the repair shops' service volume. When, as a result of product design or the use of unsuitable material or other causes, it becomes necessary to make a substitution of parts in such a large number of vehicles that the volume of service substantially affects repair shop facilities for supplying service to wholesale and retail customers, it has been the practice of some automotive product manufacturers to compensate repair shops at a higher rate for warranty services. This is to compensate the repair shop for foregoing its more lucrative retail business, and thereby assures the continued supply of the warranty service. In such cases, the amount paid by the manufacturer for warranty service has not uncommonly approximated the prevailing rates for

supplying the same service to retail customers.

As a result of an attempt to conserve scarce materials in furtherance of the defense effort, a product defect has occurred which will require extensive replacement of upper steel tanks on automotive radiator core assemblies with brass tanks. This is a service for which manufacturers normally have paid a very low rate in proportion to the cost of supplying the service. Because of the large number of vehicles involved, the principal manufacturer who will be purchasing this warranty service has petitioned the Office of Price Stabilization for permission to pay approximately retail prices for this service, rather than the customary lower warranty service charge. It has been asserted that under present conditions, the manufacturers involved will be unable to obtain this service at their customary rate, particularly because the costs of supplying this specific service have increased very materially during the past year. For these reasons, this regulation establishes dollar and cents ceiling prices to automotive manufacturers for radiator upper steel tank replacement services which are approximately the same as the charges made by repair shops to individual retail customers.

Industry representatives have been consulted in the preparation of this regulation and their recommendations have been fully considered. In the judgment of the Director, the prices established by this Supplementary Regulation 7 are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Definitions.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App.

Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. Purpose. The purpose of this regulation is to establish a dollar and cents ceiling in the automobile, truck, bus and tractor industry for warranty service involving the replacement of a steel upper tank on an automotive radiator core assembly with an upper tank of brass or other serviceable materials.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as changed by the pricing provisions of this supplementary regulation shall remain in full force and effect. The filing requirements of section 18 (c) of Ceiling Price Regulation 34 do not apply to pricing actions taken under this supplementary regulation.

SEC. 3. Ceiling Prices. The ceiling prices that may be charged by sellers of automotive radiator repair service to automobile, truck, bus and tractor manufacturers for warranty service on automotive radiator core assemblies shall be as follows:

Schedule A—Automotive Radiator Upper Steel Tank Replacement.

Includes: Removal of an upper steel tank and installation of an upper brass tank or upper tank of other suitable material on an automotive radiator core assembly.

Does not include: Removal or installation of the radiator core assembly in the vehicle.

Passenger cars, ½, ¾ and 1 ton trucks.	\$7.20
1½ ton and larger trucks, busses and tractors.	\$7.80

SEC. 4. Definitions. As used in this supplementary regulation, the term "warranty service" means the supplying of parts and labor for the correction of defects for the account of the product manufacturer.

Effective date. This supplementary regulation shall become effective November 7, 1951.

MICHAEL V. DISALLE,

Director,

Office of Price Stabilization.

NOVEMBER 7, 1951.

Power Laundries in
Cook County, Illinois

Ceiling Price Regulation 34
Supplementary Regulation 8
Revision 1
NOVEMBER 7, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 8, Revision 1]

CPR 34—SERVICES

SR 8—POWER LAUNDRIES IN COOK COUNTY,
ILLINOIS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Revision 1 to Supplementary Regulation 8 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This revision of Supplementary Regulation 8 to Ceiling Price Regulation 34 permits power laundries in Cook County, Illinois, to increase by ten percent the ceiling prices of their power laundry services. This revised supplementary regulation does not permit the increase to be applied to diaper supply, linen supply and dry cleaning services of such laundries.

Because of a decrease in earnings due to sharply increased costs resulting from authorized wage increases, Supplementary Regulation 8 to Ceiling Price Regulation 34 which was issued November 21, 1951, authorized power laundries in Cook County, Illinois, to increase their ceiling prices by five percent. The adjustment was based on financial data for fiscal periods beginning in 1949 and ending June 1951. However, since the original issuance of Supplementary Regulation 8, despite some volume increases, further increases in costs arising out of additional wage increases are causing the power laundries in Cook County, Illinois, to show a loss for 1952 as against a profit for 1949.

Under the provisions of this revision the power laundries in Cook County, Illinois, are permitted to increase the ceiling prices which they established prior to the five percent increase, or sections 20 (a), 20 (b) or 20 (c) of Ceiling Price Regulation 34, by 10 percent.

In the judgment of the Director of Price Stabilization the price increases permitted by this revised supplementary regulation are the minimum needed to permit the continued supply of this service.

In the formulation of this revision, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this revision are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.

SECTION 1. *Purpose.* This revised supplementary regulation permits power laundries in Cook County, Illinois to increase by ten percent their charge for power laundry services, except diaper supply, linen supply and dry cleaning services. This increase is in lieu of the increase previously permitted by Supplementary Regulation 8 of Ceiling Price Regulation 34, as amended, and is not in addition thereto.

SEC. 2. *Relationship to Ceiling Price Regulation 34.* All provisions of Ceiling Price Regulation 34, as amended, unless changed by the provisions of this revised supplementary regulation as provided in sections 3 and 4 of this regulation remain in effect.

SEC. 3. *Adjustment of ceiling prices.* You may, to the extent you supply power laundry services in Cook County, Illinois, increase your ceiling prices by ten percent for power laundry services, except diaper supply, linen supply and dry cleaning services thus supplied, by either of the following methods:

(a) You may apply such an adjustment to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp beside the adjustment on each such invoice the words "OPS permitted price increase." If you use this method of applying your price increase you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

(b) You may, in lieu of the method provided in paragraph (a) of this section, increase by ten percent the flat prices of each power laundry services article, except a diaper supply, linen supply and dry cleaning service article. Within ten days after your prices are established under this paragraph, you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required under section 18 of Ceiling Price Regulation 34. You may not price under paragraph (a) of this section once you have elected to price under this paragraph.

(c) If the increase computed in paragraphs (a) or (b) of this section results in a fraction of a cent, the ceiling price must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. *Application of section 20 of Ceiling Price Regulation 34.* No seller of power laundry services subject to this revised supplementary regulation may, after the effective date of this regulation, obtain an increase in his ceiling prices for such power laundry services, except diaper supply, linen supply and dry cleaning services, under either section 20 (a), (b) or (c) of Ceiling Price Regulation 34. All orders establishing ceiling prices for any power laundry subject to this revised supplementary regulation issued under either section 20 (a), (b) or (c) of Ceiling Price Regulation 34 are hereby revoked, upon the effective date of this regulation.

SEC. 5. *Definitions.* (a) "Power laundry" or "power laundries" as used in this regulation are laundries which in the laundry trade are customarily known and designated as such, and do not include hand laundries, launderettes or laundries using home-type laundry equipment to supply laundry service.

Effective date. This revised supplementary regulation shall become effective November 7, 1952.

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

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

NOVEMBER 7, 1952.

**Tobacco Redrying and
Related Services**

**Ceiling Price Regulation 34
Supplementary Regulation 9**

JAN. 4, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 9]

CPR 34—SERVICES

**SR 9—TOBACCO REDRYING AND RELATED
SERVICES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 9 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 9 to Ceiling Price Regulation 34, as amended, provides for necessary increases ranging from 15¢ to 25¢ per hundredweight in ceiling prices for the service of redrying certain kinds of 1951 crop tobacco.

By statute, the Commodity Credit Corporation under the Department of Agriculture (CCC) is the government agency responsible for making support loans available to tobacco growers. In 1950, price support was made available on the entire domestic and Puerto Rican production of tobacco. This was also the case in 1951, with the exception of U. S. Type 32, Maryland tobacco, and U. S. Type 41, Pennsylvania Seedleaf tobacco. In the usual administration of the price support program, loans are made to tobacco growers and services are supplied (incident to receiving, redrying and storing loan tobacco) by co-operative marketing associations. Loans are generally made and services are performed by warehouse, dealer and storage organizations of various kinds through contractual arrangements entered into between the cooperative marketing association and the CCC. The organizations performing these services are normally paid by the cooperatives which, in turn, are reimbursed by the CCC. Loans are usually made by CCC taking into account the grade and type of tobacco and the grower's compliance with an approved production program. Such loans require that the charges for redrying and other services shall not exceed certain limits approved by CCC. The tobacco on which the loans are made is the only collateral taken by the CCC.

In an effort to establish a firm cost basis for redrying flue-cured and Burley tobacco, CCC representatives encouraged the cooperatives handling flue-cured and Burley tobacco, to make an extensive cost study of redrying operations to ascertain so far as practicable the increases

in the cost of redrying flue-cured tobacco for the 1951 crop. This study showed the increase for 1951 was 21.4¢ per hundredweight over the cost for the 1950 crop. The United States Department of Agriculture reports that the cost increases affecting the 1951 flue-cured operations apply substantially to the same extent to Burley and certain other types of tobacco similarly handled. Generally, flue-cured and Burley redryers will be able to absorb the increases in cost above the 15¢ ceiling price increase permitted by this supplementary regulation. In the case of Virginia fire-cured and Virginia sun-cured tobacco, a greater increase in price is necessary because of the more meticulous handling required and because of the lower yield of packed tobacco. These special factors necessitate more labor per unit of tobacco. As a consequence, it is only fair that redryers of these kinds of tobacco be permitted an increase which recognizes their normally higher cost factors (which has resulted in a trend of diminished production volume each year) and their apparent inability to absorb part of the cost increase applicable to their 1951 crop. Accordingly, an increase of 25¢ per hundredweight over the ceiling price for the 1950 crop is granted in this supplementary regulation in respect to the redrying of Virginia fire-cured and Virginia sun-cured tobacco.

It is appropriate and consistent with normal trade practices to apply these redrying services ceiling price increases equally to loan tobacco (under CCC programs) and other tobacco (commercial tobacco).

Representatives of the CCC and others in the Department of Agriculture have been consulted extensively in the preparation of this regulation and their recommendations have been fully considered. Due to the imminence of the tobacco redrying season formal consultation with industry representatives has not been held.

In the judgment of the Director of Price Stabilization the increases permitted by 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.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Definitions.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. Purpose. The purpose of this supplementary regulation is to permit an increase in the ceiling prices for the service of redrying the 1951 crop tobacco of certain types over comparable ceiling prices for such service in respect to the 1950 crop tobacco.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended (including the filing requirements of section 18 (c)) except as changed by the pricing provisions of this supplementary regulation shall remain in effect.

SEC. 3. Ceiling prices. (a) The ceiling prices which you may charge per hundredweight for the service of redrying the following enumerated and described kinds of 1951 crop tobacco shall be the ceiling prices you were permitted to charge per hundredweight for the same service you supplied in the redrying of the same kinds of 1950 crop tobacco increased by 15¢:

Flue-cured tobacco; Burley tobacco; Dark air-cured tobacco (Steam-dried tobacco, Air-dried tobacco, Winter order tobacco); and Kentucky-Tennessee fire-cured tobacco (Steam-dried tobacco, Air-dried tobacco, Winter order tobacco).

(b) The ceiling prices which you may charge per hundredweight for the service of redrying the following enumerated and described kinds of 1951 crop tobacco shall be the ceiling prices you were permitted to charge per hundredweight for the same service you supplied in the redrying of the same kinds of 1950 crop tobacco increased by 25¢:

Virginia sun-cured tobacco (Steam-dried tobacco, Air-dried tobacco); and Virginia fire-cured tobacco (Steam-dried tobacco—2 bundle pack, Steam-dried tobacco—½ stick pack, Air-dried tobacco—2 bundle pack, Air-dried tobacco—½ stick pack).

(c) The ceiling prices for the service of redrying the 1951 crop tobacco of the types enumerated and described in this supplementary regulation apply to the service of redrying such tobacco, as defined by section 4 (a) (1) of this supplementary regulation, and the customary services incidental to such redrying and the preparation of such tobacco for storage or market.

SEC. 4. Definitions. (a) As used in this supplementary regulation to Ceiling Price Regulation 34:

(1) The term "redrying" means the process by which tobacco is prepared for storage through the application of artificial heat and steam in such manner as to achieve the proper moisture content for safekeeping in storage. The term "redrying" includes (i) the receiving of the tobacco, (ii) picking, sorting or blending the tobacco so as to achieve a uniform pack, (iii) packing the tobacco into hogsheads, (iv) providing hogs-

heads, (v) weighing and stenciling each hogshead, (vi) delivery to local storage or loading out for shipment to storage, and (vii) the maintenance of appropriate records and making of reports. As used herein, "the receiving of tobacco" means accepting delivery of tobacco by the company for the purpose of handling and packing. In the case of tobacco received from auction warehouses located in the town or market center where the packing plant is located, "receiving" includes picking up the tobacco at the auction warehouses and drayage to the plant. In the case of tobacco received from auction warehouses located in towns or market centers other than the town or market center where the packing plant is located, "receiving" does not include the cost of transportation of the tobacco to the plant. In the case of flue-cured and Type 21 fire-cured tobacco, "receiving" does not include "sheeting and shipping" tobacco from towns or market centers other than the town or market center where the packing plant is located.

(2) "Flue-cured tobacco" means U. S. Types 11a, 11b, 12, 13 and 14 tobacco.

(3) "Burley tobacco" means U. S. Type 31 tobacco.

(4) "Dark air-cured tobacco" means U. S. Types 35, 36 and 37 tobacco. "Virginia sun-cured tobacco" is a kind of dark air-cured tobacco grown only in the State of Virginia.

(5) "Steam-dried tobacco" means tobacco which has been prepared for storage by drying through the use of steam.

(6) "Air-dried tobacco" means tobacco which has been prepared for storage by hanging in racks for drying under natural atmospheric conditions.

(7) "Winter order tobacco" means tobacco which has been prepared for storage by packing in hogsheads as delivered by growers or bulked for conditioning for an indeterminate time before packing into hogsheads.

(8) "Fire-cured tobacco" means U. S. Types 21, 22 and 23 tobacco. "Kentucky-Tennessee fire-cured tobacco" is

grown principally in those two states. "Virginia fire-cured tobacco" is grown entirely in the State of Virginia.

(9) "2 bundle pack" means the method of packing tobacco into hogsheads two bundles at a time laid smooth and straight.

(10) "½ stick pack" means the method of packing whereby ½ stick of tobacco is placed in the hogshead at the same time: ½ stick contains about 10 to 12 bundles of tobacco.

(11) "U. S. Types" means the classifications enumerated and described in Regulatory Announcement No. 118 of the Bureau of Agricultural Economics, United States Department of Agriculture.

Effective date. This Supplementary Regulation 9 to Ceiling Price Regulation 34, as amended, shall become effective January 9, 1952.

EDWARD F. PHELPS, Jr.
Acting Director of Price Stabilization.

JANUARY 4, 1952.

Laundries in
Dade County, Florida

Ceiling Price Regulation 34
Supplementary Regulation 10
JAN. 15, 1952

OFFICE OF PRICE STABILIZATION WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 10]

CPR 34—SERVICES

SR 10—LAUNDRIES IN DADE COUNTY, FLORIDA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 10 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 10 to Ceiling Price Regulation 34 establishes dollars and cents prices per pound for wholesale laundering services to hotels for hotel house items in Dade County, Florida.

For the past two years the earnings of Dade County suppliers of these services have been decreasing, despite stable volume of sales. Sharply increased costs of materials and labor have brought the average earnings in this area down substantially so that for 1951, earnings appear to be a small fraction of what they were in 1949 or 1950.

The increased ceiling prices established by this supplementary regulation are applicable only to certain wholesale laundry services supplied to hotels. This ceiling price increase represents an average 20 percent increase over pre-

vious ceiling prices on flat work supplied to hotels. However, based on the 1951 volume of business, the ceiling price increase will permit the laundry industry in this area to increase its earnings by 1.4 percent in order to offset the substantial decrease which has occurred since 1949. The increased revenue which may result to the laundry industry in this area from the increased ceiling prices established by this supplementary regulation should remove the necessity for increasing retail ceiling prices to consumers at the present time.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Definitions.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. What this regulation does. This regulation fixes dollars and cents ceiling prices per pound for wholesale laundering service to hotels in Dade County, Florida, for hotel flat work items.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended (including the filing requirements of section 18 thereof) except as changed by the pricing provisions of this supplementary regulation, shall remain in effect with respect to suppliers of laundry services subject to this supplementary regulation.

SEC. 3. Ceiling prices. (a) The ceiling prices which may be charged by sellers of wholesale laundering services to hotels located in Dade County, Florida, for hotel flat work items shall be 8¢ per pound for the first 50 pounds of each pickup and 6¢ per pound for each additional pound of each such pickup.

SEC. 4. Definitions. (a) As used in this supplementary regulation to Ceiling Price Regulation 34:

(1) "Hotel" means an establishment which holds itself out to the public as a place providing lodging for compensation.

(2) "Each pickup" means each call made at each hotel by a supplier of laundry services subject to this supplementary regulation to pick up laundry for processing.

Effective date. This order shall become effective January 21, 1952.

MICHAEL V. DISALLE,
Office of Price Stabilization.

JANUARY 15, 1952.

Clarification

(Amending Secs. 1
and 3(a); adding
Sec. 4(a)(3))

**Ceiling Price Regulation 34
Supplementary Regulation 10
Amendment 1
NOVEMBER 10, 1952**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 1 to
Supplementary Regulation 10]

CPR 34—SERVICES

**SR 10—LAUNDRIES IN DADE COUNTY,
FLORIDA**

CLARIFICATION

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment to Supplementary Regulation 10 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 1 to Supplementary Regulation 10 to Ceiling Price Regulation 34 clarifies and adds to the list of definitions contained in section 4 of this supplementary regulation. In addition, it clearly sets forth the applicability of the supplementary regulation to the services performed by independent routemen and stores who are known in the laundry and dry cleaning industry as "bobtailers." These bobtailers deal directly with hotels in picking up hotel flat work items which are then processed by sellers of wholesale laundering services. The processed flat work is paid for by the bobtailer at a discount from the laundry's normal wholesale price. This customary discount is the differential established under section 16 of Ceiling Price Regulation 34 as amended. The bobtailer's selling price to the hotels is traditionally the same as the laundry's

normal wholesale selling price for similar service to hotels. Some question has arisen as to whether sales to the hotels by these so-called bobtailers is within the coverage of Supplementary Regulation 10. To clarify this point a new sentence is added to section 1 specifically designating bobtailers as sellers of wholesale laundry service to hotels. This amendment will maintain traditional laundry and dry cleaning industry price relationships and is consistent with industry practice.

In addition, doubt has been expressed as to the meaning of the term "each pickup" contained in paragraph (a) of section 3 and subparagraph (a) (2) of section 4, some sellers contending that there was no limit placed on the number of pickups which could be made daily. In order to indicate that the additional charge for the first 50 pounds of each pickup of hotel flat work permitted by section 3 should be made on the basis of one pickup per day, an express limitation to that effect is included in that section. Corresponding changes have been made in the list of definitions contained in section 4.

Wholesale laundry service sellers remain subject to the provisions of Ceiling Price Regulation 34, including section 16 thereof, and their increased ceiling prices under this supplementary regulation must reflect their customary price differentials, including discounts to bobtail sellers.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Supplementary Regulation 10 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 1 is amended by adding at the end thereof a new sentence to read as follows: "For the purpose of this regulation bobtail sellers are considered to be sellers of wholesale laundering service."

2. Paragraph (a) of section 3 is amended by adding at the end thereof a new sentence to read as follows: "However, the 8¢ per initial 50 pounds charge is limited to the first 50 pounds of flat work picked up on any one day."

3. A new subparagraph (3) is added to paragraph (a) of section 4 to read as follows:

(3) "Bobtail sellers" means a separate class of purchaser and reseller of wholesale laundering services, consisting of independent routemen and stores, not employed or owned by a laundry furnishing wholesale services to hotels, which purchases such wholesale laundering services from a wholesale laundry service seller at a discount and resells these services to its own customers at the same prices that the wholesale laundry itself would have charged the same class of purchaser for the same services. Bobtail sellers do not ordinarily engage in processing operations.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment to Supplementary Regulation 10 to Ceiling Price Regulation 34 is effective November 10, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

NOVEMBER 10, 1952.

Professional Baseball

Ceiling Price Regulation 34
Supplementary Regulation 11

JAN. 24, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTONTITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency[Ceiling Price Regulation 34, Supplementary
Regulation 11]

CPR 34—SERVICES

PROFESSIONAL BASEBALL

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 11 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 11 to Ceiling Price Regulation 34, as amended, establishes the dollars and cents ceiling prices which may be charged for admission to the baseball parks in which the major league baseball club teams play their home games. It also establishes a method, within the framework of Ceiling Price Regulation 34, whereby other professional baseball clubs may compute ceiling prices for admission.

Admission charges for baseball games ordinarily are established at the end of one season for the next following season and tickets are printed accordingly. Admission charges for major league baseball games generally have not been increased since 1948. Increased costs, including player salary increases approved by the Salary Stabilization Board, traveling expenses while on the road, and maintenance expense for baseball parks have all contributed to the necessity of permitting certain increased admission prices for baseball games.

Under Ceiling Price Regulation 34 charges for certain seasonal services may be increased for the 1951 season by a percentage over the charges made during the same season in which the service was delivered in 1950. The policy underlying ceiling prices established by this regulation for seasonal services would normally permit professional baseball clubs to increase the ceiling price on admission charges by 8 percent over 1950 admission charges which is the maximum permitted under Ceiling Price Regulation 34.

In the case of the major league baseball clubs the dollars and cents ceiling prices established in this supplementary regulation represent an over-all average increase well within the permissible 8 percent increase over the 1950 admission charges. However, the greater part of such increase will benefit those major league baseball clubs which have not increased their admission charges for many years and have prices below the levels heretofore charged by other clubs.

In keeping with traditional industry practice this regulation also permits all baseball clubs to charge their customary price differentials for such special events as an All-Star game, a post-season championship series, and the like.

It has been impracticable to consult formally with industry advisory committees. However, representatives of organized professional baseball clubs have been consulted and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization, the prices established by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Applicability of Ceiling Price Regulation 34.
3. Ceiling prices in general.
4. Ceiling prices for special events.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 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 the ceiling prices which may be charged at the home parks of professional baseball clubs as set forth in section 3 and Appendix I of this supplementary regulation.

SEC. 2. Applicability of Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as changed by the pricing provisions of this supplementary regulation shall remain in effect. However, the filing requirements of section 18 (c) of Ceiling Price Regulation 34 do not apply to major league baseball clubs.

SEC. 3. Ceiling prices in general—(a) Major leagues. (1) The ceiling prices for admission to baseball games played on the home fields of major league baseball clubs are set forth in Appendix I of this supplementary regulation. Admission prices for all classes of seats or accommodations not specifically listed in Appendix I shall remain the same as prices charged for those classes of seats or accommodations during the 1951 season.

(2) The ceiling prices for admission to pre-season or other exhibition games not at a major league club's home baseball park shall be the admission price charged in 1950 for similar games, exclusive of Federal, State and local taxes on admissions, increased by eight (8%) percent and adjusted to the nearest nickel.

(b) *Other professional baseball clubs.* (1) The ceiling prices for admission to baseball games played by all other pro-

fessional baseball clubs shall be the admission charge made during the 1950 baseball season, exclusive of Federal, State and local taxes on admissions, increased by eight (8%) percent and adjusted to the nearest nickel.

(2) Instead of increasing admission charges for all types of seats by the permitted 8 percent, a non-major league baseball club may determine this increase on the basis of a day's total admission revenues less admission taxes during the 1950 season computed for its capacity attendance and then multiply by 8 percent. It may then increase the dollars and cents price for one or more class of seats, as it sees fit, provided that the total increase in admission revenues, less admission taxes, based upon capacity attendance remains within the permissible 8 percent authorized increase.

SEC. 4. Ceiling prices for special events. Ceiling prices for admission to special games (World Series, All-Star Games, and the like) played by all professional baseball clubs, not specifically covered by this supplementary regulation, shall be computed in accordance with ceiling prices established by this supplementary regulation on the basis of the customary differential, if any, charged for these special games in 1951.

Effective date. This Supplementary Regulation 11 to Ceiling Price Regulation 34 shall be effective on January 29, 1952.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

JANUARY 24, 1952.

APPENDIX I

MAJOR LEAGUES

[All ceiling prices include Federal, State, and local admission taxes]

American League	Ceiling prices
Boston:	
Box seats.....	\$3.60-\$2.40
Reserved seats.....	1.80
General admission.....	1.20
Bleacher.....	.60
Chicago:	
Box seats.....	2.50
Reserved seats.....	2.00
General admission.....	1.50
Bleacher.....	.60
Cleveland:	
Box seats.....	2.25
Reserved seats.....	1.65
General admission.....	1.25
Bleacher.....	.60
Detroit:	
Box seats.....	2.50
Reserved seats.....	1.75
General admission.....	1.20
Bleacher.....	.60
New York:	
Box seats.....	3.00
Reserved seats.....	2.00
General admission.....	1.25
Bleacher.....	.60

American League	Ceiling prices
Philadelphia:	
Box seats.....	\$2.75
Reserved seats.....	2.00
General admission.....	1.30
Bleacher.....	.75
St. Louis:	
Box seats.....	2.25
Reserved seats.....	1.85
General admission.....	1.35
Bleacher.....	.75
Washington:	
Box seats.....	2.50
Reserved seats.....	1.75
General admission.....	1.25
Bleacher.....	.60

National League	Ceiling prices
Boston:	
Box seats.....	\$3.60-2.40
Reserved seats.....	1.80
General admission.....	1.20
Bleacher.....	.60
Brooklyn:	
Box seats.....	3.00-2.50
Reserved seats.....	1.75
General admission.....	1.25
Bleacher.....	.60
Chicago:	
Box seats.....	2.50
Reserved seats.....	2.00
General admission.....	1.50
Bleacher.....	.60
Cincinnati:	
Box seats.....	2.25-2.00
Reserved seats.....	2.00-1.75
General admission.....	1.25
Bleacher.....	.65

National League	Ceiling prices
New York:	
Box seats.....	\$3.00
Reserved seats.....	2.00
General admission.....	1.25
Bleacher.....	.60
Pittsburgh:	
Box seats.....	2.75
Reserved seats.....	2.20
General admission.....	1.40
Bleacher.....	1.00
Philadelphia:	
Box seats.....	2.75
Reserved seats.....	2.00
General admission.....	1.30
Bleacher.....	.75
St. Louis:	
Box seats.....	2.25
Reserved seats.....	1.85
General admission.....	1.35
Bleacher.....	1.00

**Ceiling Price Regulation 34
Supplementary Regulation 11
Correction
JAN. 29, 1952**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 11, Correction]

CPR 34—SERVICES

SR 11—PROFESSIONAL BASEBALL

Correction

Due to a clerical error in Appendix I
of Supplementary Regulation 11 to Cell-
ing Price Regulation 34, as amended, the

ceiling price for bleacher seats of the St.
Louis National League baseball club was
stated as \$1.00 instead of \$0.75. Accord-
ingly, it is necessary to correct that Ap-
pendix so that the ceiling price for
bleacher seats of the St. Louis National
League baseball club shall read as
follows:

Bleacher----- \$0.75

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C.
App. Sup. 2154)

**MICHAEL V. DiSALLE,
Director of Price Stabilization.**

JANUARY 29, 1952.

Modification of Admission Price
(Amending App. I)

Ceiling Price Regulation 34
Supplementary Regulation 11
Amendment 1
JANUARY 2, 1953

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,

APPENDIX

Chapter III—Office of Price Stabiliza-

tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Amdt. 1 to
Supplementary Regulation 11]

CPR 34—SERVICES

SR 11—PROFESSIONAL BASEBALL

MODIFICATION OF ADMISSION PRICE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 11 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 11 to Ceiling Price Regulation 34, as amended, permits the Cincinnati Baseball Club to charge \$2.00 for

admission to all reserved seats for all baseball games at which reserved seat admission charges have been made customarily. This slight modification of the Cincinnati Baseball Club's schedule of admission charges is well within the eight percent limitation set forth in section 8 of Ceiling Price Regulation 34 and applied to professional baseball by Supplementary Regulation 11 thereto. The Statement of Considerations contained in that supplementary regulation is equally applicable to this regulatory action and is incorporated by reference herein.

In view of the special nature of this amendment, circumstances have rendered extensive consultation with industry representatives, including trade association representatives, impracticable. In the judgment of the Director of Price Stabilization, the ceiling price established by this supplementary regulation is generally fair and equitable and is necessary to effectuate the purposes of

Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Appendix I of Supplementary Regulation 11 to Ceiling Price Regulation 34, as amended, is amended by deleting the sum \$1.75 from the schedule of reserved seat admissions for the Cincinnati Baseball Club so that the ceiling price for the reserved seat admissions shall be \$2.00 in all cases. The new schedule of admissions shall read as follows:

Cincinnati:	
Box seats.....	\$2.25—\$2.00
Reserved seats.....	2.00
General admission.....	1.25
Bleacher.....	.65

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This amendment shall be effective January 7, 1953.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.
JANUARY 2, 1953.

**Summer Camps
For Children**

**Ceiling Price Regulation 34
Supplementary Regulation 12**

FEB. 6, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 12]

CPR 34—SERVICES

SUMMER CAMPS FOR CHILDREN

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 12 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 12 to Ceiling Price Regulation 34, as amended, establishes ceiling prices for services rendered in customary camping facilities by summer camps solely conducted for children except non-profit summer camps whose charges do not exceed \$30 per week. This latter group of summer camps is being exempted from ceiling price regulation concurrently with the issuance of this supplementary regulation. This regulation also establishes ceiling prices for accommodations maintained by summer camps for the convenience of parents during the summer camping season.

Amendment 1 to Supplementary Regulation 15 to the General Ceiling Price Regulation suspended the application of ceiling price regulations to summer camps for a period of six months from April 18, 1951. Ceiling Price Regulation 34, which is now applicable to summer camps, permits sellers of seasonal services not rendered in the base period of December 19, 1950, to January 25, 1951, to determine their ceiling prices by adding an adjustment factor to their 1950 prices. This supplementary regulation adds an additional method whereby summer camps may determine their ceiling prices.

Under this supplementary regulation, the ceiling price for a summer camp service is either (1) the price charged for substantially the same service during the

1950 summer camp season plus eight percent, or (2) the highest price charged or announced for substantially the same service during the 1951 summer camp season. The eight percent increase over 1950 prices is consistent with the percentage increases permitted by section 8 (c) of Ceiling Price Regulation 34 for seasonal services.

The ceiling prices established by this regulation are generally fair and equitable. If any individual camp finds itself in financial difficulty, it may file an application for adjustment under section 20 (a) of Ceiling Price Regulation 34.

Extensive consultation with members of the affected service field was had during the time that the suspension of summer camps from ceiling price regulation for the 1951 season was considered. Since that time further consultation has been had with industry representatives and their suggestions have been considered fully. In the judgment of the Director of Price Stabilization 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.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Filing.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 808, as amended; 50 U. S. C. App. Supp. 2101-2110; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. What this regulation does. This supplementary regulation establishes ceiling prices for services rendered to campers and visiting parents in customary camping facilities by summer camps conducted solely for children, other than non-profit summer camps whose maximum weekly charges do not exceed \$30 per camper.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, except as affected

by the provisions of this supplementary regulation shall remain in effect.

SEC. 3. Ceiling prices. (a) If you operated a summer camp during the period April 18, 1951, to October 17, 1951, inclusive, your ceiling prices for your camping services shall be either:

(1) The highest price which you charged for substantially the same service to any camper or visiting parent during the 1951 summer camping season. If you announced, in writing, prior to or during the 1951 summer camping season, an increase in price but did not put such price increase into effect although you were legally entitled to do so, you may increase the highest price which you charged for substantially the same service to any camper or visiting parent during the 1951 camping season by the amount of such 1951 proposed increase; or

(2) The highest price which you charged for substantially the same service to any camper or visiting parent during the 1950 summer camp season increased by eight percent.

(b) If you did not operate a summer camp during the period April 18, 1951, to October 17, 1951, inclusive, or if you provide new camping services you determine your ceiling prices under either section 6 or section 7 of Ceiling Price Regulation 34, whichever section is applicable.

SEC. 4. Filing. Within 30 days after February 11, 1952, you must prepare and file a statement with the District Office of the Office of Price Stabilization, in accordance with section 18 (b) of Ceiling Price Regulation 34. In addition, you must conform to the record-keeping requirements of section 18 (a) of Ceiling Price Regulation 34.

Effective date. This Supplementary Regulation 12 to Ceiling Price Regulation 34 shall become effective February 11, 1952.

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.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

FEBRUARY 6, 1952.

**Window Washing and
Building Janitorial
Services in the New York Area**

**Ceiling Price Regulation 34
Supplementary Regulation 13**

MARCH 7, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 13]

CPR 34—SERVICES

**SR 13—WINDOW WASHING AND BUILDING
JANITORIAL SERVICES IN THE NEW YORK
AREA**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 13 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation to Ceiling Price Regulation 34 authorizes an increase in ceiling prices for persons who supply window washing and building janitorial services in the City of New York and in the Counties of Westchester, Nassau and Suffolk, State of New York, to reflect the amount of direct labor wage increases occurring after January 25, 1951, if the Wage Stabilization Board has approved, or hereafter approves in respect to matters now pending before that Board, such direct labor wage increases plus 17 percent of such approved wage increases representing increases in fringe labor costs such as social security and unemployment and health insurance taxes, vacation and holiday pay, workmen's compensation and public liability insurance premiums.

These services are performed by approximately 250 establishments, the majority of which have annual gross receipts of \$30,000 or less. A group of the suppliers of such services presented data during the past few months in support of their requests for increases in their ceiling prices to relieve them from rising costs flowing from certain wage increases, heretofore granted, and other wage increases now pending. Their experience indicates that their direct labor costs for the rendering of these services range from 60 percent to 80 percent of sales price. It appears that these suppliers normally operate on a very small earnings margin and data so far available indicates that in general they do not have the financial capacity to absorb wage increases and continue the effective operation of their businesses. As a consequence, the increases in labor costs necessitate ceiling price increases if these suppliers are to be relieved from undue interference with continued operation. Since this wage increase situation affects similarly many suppliers of the services, an area-wide adjustment is authorized rather than the issuance of

numerous individual orders of adjustment under section 20 (a) of Ceiling Price Regulation 34. The standards embodied in section 20 (a) have been taken into account and reasonably adapted to this area-wide group situation.

This supplementary regulation covers only wage increases already approved by or now pending before the Wage Stabilization Board.

This supplementary regulation permits a seller to adjust his ceiling prices as of December 1, 1951, or the effective date of Wage Stabilization Board approval, whichever is later. Discussions with respect to the need for an adjustment were begun by industry representatives long before December 1, 1951. Adjustable pricing pending final action was not authorized under section 21 of Ceiling Price Regulation 34 because it was contemplated that final action would be taken by December 1951. Due to circumstances not then foreseen, this was not possible. In this special situation, it is considered appropriate to allow adjustments as of December 1, 1951 where wage increases announced by the Wage Stabilization Board are effective as of that time.

The data on the basis of which this action is being taken are not sufficiently up-to-date or complete to be conclusive. Accordingly, a further study will be made by the Office of Price Stabilization on the basis of more recent data, and the adjustment authorized by this action will be modified if necessary as the result of such a study.

In the formulation of this supplementary regulation there was consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this supplementary regulation to Ceiling Price Regulation 34 are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Definitions.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. What this regulation does. This supplementary regulation authorizes ceiling price increases for suppliers

of window washing and building janitorial services in the Counties of New York, Kings, Queens, Bronx, Richmond, Westchester, Nassau and Suffolk, in the State of New York, hereinafter sometimes called the "New York area", based upon increases in labor costs occurring after January 25, 1951, as a result of wage increases approved by the Wage Stabilization Board and which were pending before that Board on or before March 12, 1952.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as changed by the provisions of this supplementary regulation, shall remain in effect with respect to suppliers of services covered by this supplementary regulation.

SEC. 3. Ceiling prices. If you supply window washing or building janitorial services under contracts (see definition of contracts in section 4) in the Counties of New York, Kings, Queens, Bronx, Richmond, Westchester, Nassau and Suffolk, in the State of New York, you may increase the ceiling prices of the services rendered pursuant to such contracts under the circumstances and to the extent permitted by paragraph (a) of this section.

(a) *Ceiling prices for services under contracts affected by direct labor wage increases paid after January 25, 1951 and either approved by or pending before the Wage Stabilization Board prior to March 12, 1952.* (1) If after January 25, 1951 you increase the wages you pay to your direct labor employees engaged in the performance of window washing or building janitorial services in the New York area by amounts permitted by general order of the Wage Stabilization Board or a specific order of the Wage Stabilization Board issued in respect to a matter pending before that Board on or before March 12, 1952, you may increase the ceiling prices for supplying those services in the New York area under each of your contracts as follows:

(i) For your direct labor employees who have received such direct labor wage increases, and who are paid on a monthly, semi-monthly, bi-weekly, weekly, or daily basis, for work performed each month on and after December 1, 1951 or the effective date of Wage Stabilization Board approval, whichever is later, the average dollar and cent amount for such direct labor wage increase, reasonably allocated to the particular service contract, plus an amount equal to 17 percent thereof; and for your direct labor employees who have received such direct labor wage increases, and who are paid on an hourly basis, for work performed on and after December 1, 1951 or the effective date of Wage

Stabilization Board approval, whichever is later, the hourly wage dollar and cent increase plus an amount equal to 17 percent thereof multiplied by the number of hours worked by those direct labor employees each month and reasonably allocated to the particular services contract. Computations of averages and allocation of cost increases to particular services contracts shall conform to OPS Public Form No. 131.

(ii) You must file with the New York OPS District Office under this paragraph (a) within 180 days after March 12, 1952 a completed OPS Public Form No. 131. You may increase the ceiling prices under your contracts as permitted under section 3 (a) (1) (i) as soon as you file OPS Public Form No. 131 in accordance with this paragraph. You may supplement your filing from time to time within the 180 day period.

(b) You may charge and your customers may pay less than the ceiling prices permitted under this regulation.

(c) OPS may at any time disapprove or modify the ceiling prices established under paragraph (a) of this section to conform to the requirements of this supplementary regulation.

SEC. 4. Definitions. (a) When used in this supplementary regulation:

(1) "Building janitorial services" shall include cleaning, washing and waxing of

floors; vacuum cleaning and shampooing carpets, rugs and hangings in buildings; low and high cleaning of furniture and fixtures; furniture polishing; wall and partition washing; interior and exterior metal polishing; washing blinds, shades and electrical fixtures; cleaning lavatories or rest rooms; and furnishing porters, matrons, elevator operators and similar types of operating personnel in all types of buildings. The term does not include pest control services, such as exterminating, fumigating or disinfecting services; any exterior cleaning other than metal polishing; or the performance of any construction or related services, such as alterations, painting, decorating or redecorating.

(2) "Window washing services" means the washing and cleaning of sash, casement and plate glass windows, glass partitions and glass doors.

(3) "Contracts" mean written contracts or memoranda, data or records evidencing arrangements to supply or that you have supplied to your purchasers for a stated sum window washing or building janitorial services in the New York area.

(4) "Direct labor" means the labor which is used physically to perform the window washing or building janitorial services in the New York area and does not include the performance of services

in an executive, supervisory, general administrative or sales capacity. "Direct labor employees" means employees engaged in such direct labor. "Direct labor wage increases" means the wage increases for such direct labor and does not include fringe direct labor costs as defined herein or any other labor costs.

(5) "Fringe direct labor costs" means direct labor costs other than wages and includes Federal social security taxes, Federal and New York State unemployment insurance taxes, New York State health insurance taxes, vacation and holiday pay, workmen's compensation and public liability insurance premiums, and supervisory pay of foremen to the extent they are not direct labor employees.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154.)

Effective date. This Supplementary Regulation 13 to Ceiling Price Regulation 34 shall become effective March 12, 1952.

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.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 7, 1952.

**Marine Terminal Companies
Operating Under Joint
Agreements Pursuant to
Section 15 of Shipping Act
of 1916 as Amended**

**Ceiling Price Regulation 34
Supplementary Regulation 14**

MARCH 24, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 14]

CPR 34—SERVICES

**SR 14—MARINE TERMINAL COMPANIES OPER-
ATING UNDER JOINT AGREEMENTS PURSU-
ANT TO THE PROVISIONS OF SECTION 15
OF THE SHIPPING ACT OF 1916, AS
AMENDED**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 14 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATION

Except for certain stevedoring and carloading services which have been specifically exempted from price control, all marine terminal services are subject to price control by the Office of Price Stabilization under the provisions of Ceiling Price Regulation 34, effective May 16, 1951. Marine terminal companies handle all types and classes of commodities in providing their terminal services and publish tariffs which specify the rates and charges currently assessed for each type of commodity handled or service afforded. Changing conditions in the industry require either a reduction or an increase in the rates and charges assessed for the various services provided and usually there are a number of tariff changes made each year. Under the present provisions of Ceiling Price Regulation 34, a marine terminal company desiring an increase in any of its ceiling rates or charges is required to apply to the Office of Price Stabilization for adjustment thereof and obtain approval therefor before charging the increased rate or charge. Inasmuch as the very nature of the business requires rates and charges to be adjusted as conditions change, each individual marine terminal company is now required to file a large number of individual applications seeking approval of the various adjustments it desires to make. This results in a substantial burden being placed upon the respective marine terminal companies as well as upon the staff of the Office of Price Stabilization which is required to process each application for adjustment. Unless Ceiling Price Regulation 34 is modified or supplemented so as to provide for the fixing or adjusting of uniform ceiling rates on

a group basis, marine terminal companies operating in the manner discussed below which desire to establish ceiling rates covering new services or to increase any one of the many rates and charges assessed by them on a uniform basis would be required to apply individually for the relief they seek. Furthermore, the uniform rate structure presently maintained by marine terminal companies in various areas, with the approval of the Federal Maritime Board, will be disrupted.

The wharfage, dock and other terminal services afforded by marine terminal companies in connection with common carriers by water are subject to certain controls by the Federal Maritime Board. Under the provisions of section 15 of the Shipping Act of 1916, as amended, marine terminal companies may enter into agreements with one another providing for the fixing of rates and for exclusive, preferential or cooperative working arrangements, provided such agreements are filed with and approved by the Federal Maritime Board. Signatories to such agreements are prohibited from participating in any discriminatory practices and are required to establish and enforce just and reasonable regulations and practices related to or connected with the receiving, handling, storing, or delivery of property. Under section 15 of the Shipping Act, the Federal Maritime Board has the power to disapprove, cancel, or modify any joint agreement entered into by marine terminal companies which it finds to be unjustly discriminatory or unfair among signatories thereto or to operate to the detriment of the commerce of the United States. It also has the power to prevent discrimination between shippers in any respect, including rate discrimination.

Marine terminal companies in various areas have entered into agreements of the type specified above and have obtained from the Federal Maritime Board the necessary approval thereof. Under each of these agreements the participating marine terminal companies have formed associations which act on behalf of the participating members of such associations. These associations, as a matter of practice, have either authorized an agent to publish tariffs on behalf of all their respective members, or the various members of the respective associations have concurred in the rates and charges published by one of the terminal companies which is a member of the particular association. Under either of such practices, the necessity for each member of an association to make a separate filing with the Federal Maritime Board of its rates and charges is eliminated, the

filing for all members being accomplished by the publishing agent being authorized to act for all. As a consequence, uniform rates and charges are collected by all members of the association.

The authority of the Federal Maritime Board with respect to terminal services is to prevent unreasonable and discriminatory practices. Thus with respect to marine terminal facilities the Federal Maritime Board does not regulate the rates themselves except insofar as they may involve unreasonable or discriminatory practices.

In view of the impracticability of establishing or adjusting ceiling rates for the signatories to section 15 agreements on an individual basis, it is deemed to be in the best interest of the stabilization program to provide for the establishing or adjusting of uniform ceiling rates on a group basis, provided the proper safeguards are maintained to insure that the general purposes of the Defense Production Act of 1950, as amended, are properly carried out. Accordingly, this supplementary regulation provides that signatories to joint agreements filed with the Federal Maritime Board under the provisions of section 15 of the Shipping Act of 1916, as amended, may file as a group with the Office of Price Stabilization, simultaneously with the filing required by the Federal Maritime Board, each proposal involving the establishment of a ceiling rate for new services or the adjustment of existing ceiling rates. In connection with such filings, this regulation provides that the Director of Price Stabilization shall, within 20 days from the date of filing, either approve or disapprove the rates proposed. If he fails to act within the 20-day period, the rates proposed shall become the new ceiling rates for the signatories to the joint agreements filed under the provisions of section 15 of the Shipping Act of 1916, as amended. This supplementary regulation further provides that, if the Director of Price Stabilization notifies the Federal Maritime Board, and the applicants, within the 20-day period specified above, that additional time for the disposition of the applications is required, the proposed ceiling rates may become effective only to the extent that they are finally approved by the Office of Price Stabilization.

In the formulation of this supplementary regulation, there has been consultation with the Federal Maritime Board and with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations. In the judgment of

the Director of Price Stabilization, the provisions of this supplementary regulation are generally fair and equitable and will effectuate the purposes of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Relationship to Ceiling Price Regulation 34.
3. Establishment of ceiling rates and charges.
4. Adjustment of ceiling rates and charges.
5. Effectiveness of new and adjusted ceiling rates.

AUTHORITY: Sections 1 to 5 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 provides a means for establishing or adjusting on a group basis, uniform ceiling rates and charges for marine terminal companies operating under joint written agreements filed with the Federal Maritime Board pursuant to the provisions of section 15 of the Shipping Act of 1916, as amended.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34 applicable to marine terminal companies, except as changed by the provisions of this supplementary regulation, shall remain in full force and effect.

SEC. 3. Establishment of ceiling rates and charges. Whenever marine terminal companies subject to this regulation desire to establish uniform ceiling rates or charges for services for which no ceiling rates have been established, an application setting forth the proposed rates and charges must be filed with the Transportation, Public Utilities and Fuels Division, Office of Price Stabilization, Washington 25, D. C., simultaneously with the filing of such rates and charges required by the Federal Maritime Board pursuant to the provisions of section 15 of the Shipping Act of 1916, as amended. A joint application may be filed by the marine terminal companies, either directly or through an authorized agent. Each filing shall be accompanied

by a description of the service most comparable to the one for which a rate is requested, the ceiling rates for the most comparable service, the reasons for selection of such service, an explanation of the differences, if any, between the rates for the most comparable service and the proposed ceiling rates. Each such filing shall be sent by registered mail, return receipt requested. The date on the return receipt will indicate the effective date of filing.

SEC. 4. Adjustment of ceiling rates and charges. Marine terminal companies subject to this regulation may seek uniform adjustments in their rates appearing in tariffs on file with the Federal Maritime Board by filing the proposed adjusted rates and charges with the Transportation, Public Utilities and Fuels Division, Office of Price Stabilization, Washington 25, D. C., simultaneously with the filing required by the Federal Maritime Board pursuant to the provisions of section 15 of the Shipping Act of 1916, as amended.

(a) **General rate increases.** If an adjustment in the general level of ceiling rates is sought, the criteria for adjustment contained in section 20 of Ceiling Price Regulation 34 shall govern the disposition of the application. Each applicant company must file, by registered mail, in duplicate, OPS Public Form Pub. 43, Revised, with the Transportation, Public Utilities and Fuels Division, Office of Price Stabilization, Washington 25, D. C., and identify the group with which it is associated in an agreement pursuant to section 15 of the Shipping Act of 1916, as amended.

(b) **Adjustment of specific rates.** If an adjustment in specific rates and charges is sought, a statement specifying the ceiling rates proposed to be changed, the proposed ceiling rates and the justification for the proposed change in rates must be filed with the Transportation, Public Utilities and Fuels Division, Office of Price Stabilization, Washington 25, D. C. Insofar as possible, the justification should indicate the volume of business represented by the service for which the rate adjustment is requested, its relationship to the business as a whole, any peculiarities of the service which

necessitate an adjustment and any changes in costs associated with the particular service.

An application under this section may be filed by a marine terminal company on behalf of all signatories to a section 15 agreement or by an agent authorized to act for all such signatories. An application for a general rate increase under paragraph (a) shall include a statement that each signatory company has filed OPS Public Form Pub. 43, Revised, in duplicate with the Office of Price Stabilization, Washington 25, D. C.

Each application shall be sent by registered mail, return receipt requested. The date on the return receipt will indicate the effective date of filing. Additional information may be required by OPS, and such additional information likewise must be sent by registered mail, return receipt requested.

SEC. 5. Effectiveness of new and adjusted ceiling rates. (a) Twenty days after the filing of an application under section 3 or section 4 of this supplementary regulation, or twenty days after the receipt of additional information, if such information is requested, the proposed rates or charges shall become lawful ceiling rates, unless the Office of Price Stabilization disapproves the proposed rates or charges in whole or in part. *Provided, however,* That the Office of Price Stabilization prior to the expiration of the appropriate 20-day period specified above, may notify, in writing, the Federal Maritime Board and the applicants that additional time for disposition of the applications is required. In the event of such notification the proposed rates and charges shall not become effective unless, until, and only to the extent that they are approved by the Office of Price Stabilization.

Effective date. This Supplementary Regulation 14 to Ceiling Price Regulation 34 is effective March 29, 1952.

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.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 24, 1952.

**Certain Private Marine
Terminal Services**

**Ceiling Price Regulation 34
Supplementary Regulation 14
Amendment 1**

JUNE 2, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 1 to Sup-
plementary Regulation 14]

CPR 34—SERVICES

**SR 14—MARINE TERMINAL COMPANIES OP-
ERATING UNDER JOINT AGREEMENTS PUR-
SUANT TO THE PROVISIONS OF SECTION 15
OF THE SHIPPING ACT OF 1916, AS
AMENDED**

CERTAIN PRIVATE MARINE TERMINAL SERVICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 14 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 14 to Ceiling Price Regulation 34 provides a means for establishing or adjusting on a group basis the rates and charges of marine terminals operating under agreements approved by the Federal Maritime Board under section 15 of the Shipping Act of 1916, if such agreements require all of the signatories thereto to maintain uniform rates and charges.

Since the issuance of SR 14 the rates of publicly owned marine terminals, some of which are parties to such agreements, have been exempt from price control by Amendment 9 to General Overriding Regulation 14. In addition, it has come to the attention of the Director that some privately owned terminals which are parties to such agreements are appropriately to be classified as public utilities exempt from price control under section 402 (e) (v) of the Defense Production Act.

In at least one instance publicly owned terminals, privately owned terminals exempt from price control as public utilities, and privately owned terminals

covered by SR 14 are all parties to a single agreement approved by the Maritime Board which requires the maintenance of uniform rates. Such circumstances were not contemplated when OPS issued SR 14, which is designed to permit, within the standards of CPR 34, the maintenance of uniformity in rates by parties to such agreements. SR 14 provides for a filing for adjustment on behalf of all of the signatories to a section 15 agreement, not for a filing by only some of them.

The rates of marine terminals which are public utilities and the rates of publicly owned marine terminals have been exempt from price control by the Congress and by OPS because they have been deemed not to be a source of serious inflationary dangers. Since all of the parties to a section 15 agreement requiring uniform rates compete in the same general area under substantially the same conditions and the agreement itself must be given legal sanction by the Maritime Board, it is the view of the Director that, consistently with the maintenance of effective price control, the ceiling rates of terminals controlled by OPS can be permitted to be adjusted to conform to the rates established by the publicly owned and privately owned but publicly regulated terminals where agreements such as that described above so require. This amendment permits terminals subject to CPR 34 and SR 14 to adjust their rates accordingly.

In the formulation of this amendment there has been extensive consultation with industry representatives, including representatives of terminal associations, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 34, Supplementary Regulation 14, is amended in the following respect: Section 4 is amended by adding at the end thereof the following:

(c) *In-line adjustments.* (1) If any marine terminal companies subject to

this regulation have entered into an agreement with publicly owned marine terminals, as defined in paragraph 89 of section 3 (a) of General Overriding Regulation 14, or with marine terminals classified as public utilities under section 402 (e) (v) of the Defense Production Act, as amended, which agreement requires all of the signatories thereto to maintain uniform rates and charges and has been approved by the Federal Maritime Board under section 15 of the Shipping Act of 1916, as amended, adjustments may be made in their ceiling rates and charges to conform to their obligations under that agreement.

(2) Adjustments under this paragraph may be had by filing with the Transportation, Public Utilities and Fuels Division, OPS, Washington 25, D. C., a statement specifying the terminal companies whose rates and charges are proposed to be adjusted, the rates and charges to be adjusted, the adjustments to be made, and that such adjustments are necessary to conform to an agreement approved by the Maritime Board requiring the maintenance of uniform rates and charges, accompanied by or referring to the applicable agreement. The adjusted rates and charges shall become lawful ceiling rates and charges upon the receipt by OPS of such filing and shall continue to be such unless modified by an order of OPS. Filings may be made by one of the marine terminal companies seeking an adjustment under this paragraph on behalf of all the marine terminal companies seeking such adjustments or by any agent authorized to act for all such marine terminal companies.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 to Supplementary Regulation 14 to Ceiling Price Regulation 34, is effective June 7, 1952.

**ELLIS ARNALL,
Director of Price Stabilization.**

JUNE 2, 1952.

Power Laundries in
Milwaukee County,
Wisconsin

Ceiling Price Regulation 34
Supplementary Regulation 15
APRIL 22, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 15]

CPR 34—SERVICES

SR 15—POWER LAUNDRIES IN MILWAUKEE
COUNTY, WISCONSIN

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 15 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 15 to Ceiling Price Regulation 34 permits a uniform increase in ceiling prices of certain services supplied by power laundries in Milwaukee County, Wisconsin. This supplementary regulation does not permit the increase to be applied to the diaper supply, linen supply and dry cleaning services of such laundries.

There are 22 power laundries providing laundry services in Milwaukee County, Wisconsin. It is estimated that in 1951 total revenue received by these power laundries from sales of their services amounted to 6½ million dollars. A study of the operating costs and profit margins of a representative number of these power laundries, accounting for 85 percent of total sales in this area, reveals that they are suffering an impairment of their pre-Korean earnings as a result of greatly increased labor and material costs, which have been incurred. In addition, a general wage increase recently granted employees of these power laundries has imposed further financial hardship. Failure to make an adjustment in the ceiling prices of these firms would impair their continued operation and would threaten an interruption in the supply of these essential services. The amount granted herein has been deemed the minimum necessary to restore these laundries to a financial position which would assure the continued supply of these essential services, in accordance with the standards for individual adjustments under section 20 (a) of CPR 34.

Under the provisions of this supplementary regulation, ceiling prices of such power laundries may be increased by not more than 5 percent, such adjustment to be applied to the total amount of each invoice rendered to the customer and identified as the "OPS permitted price increase", or, at the option

of the individual laundry, the ceiling flat price for each article may be increased by not more than 5 percent. If such increase results in a ceiling price ending in a fraction of a cent, the ceiling price must be decreased to the next lower cent if the fractional cent is one-half (½¢) cent or less, or may be increased to the next higher cent if the fraction is greater than one-half (½¢) cent. Adjusted flat ceiling prices must within ten days after their determination be filed with the appropriate Office of Price Stabilization district office.

In the future, power laundries subject to this supplementary regulation may not obtain an adjustment of their ceiling prices under section 20 of CPR 34. In addition, adjustments previously granted any of them under that section are automatically revoked by this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 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 Sup.

SECTION 1. Purpose. This supplementary regulation permits power laundries in Milwaukee County, Wisconsin, to increase the ceiling prices of their power laundry services by 5 percent. This supplementary regulation shall not apply to the diaper supply, linen supply and dry cleaning services of power laundries.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, to the extent you supply power laundry services in Milwaukee County,

Wisconsin, increase your ceiling prices by 5 percent for power laundry services, except diaper supply, linen supply and dry cleaning services, thus supplied, by either of the following methods:

(a) You may apply such an adjustment to the total amount of each invoice rendered to the customer, provided you shall clearly stamp or evidence on each such invoice the words "OPS permitted price increase."

(b) You may, in lieu of the method provided in paragraph (a) of this section, increase by 5 percent the flat prices of each power laundry services article, except a diaper supply, linen supply and dry cleaning services article. If you determine your ceiling prices under the provisions of this paragraph and the ceiling prices you so determine result in a fraction of a cent, that fraction must be adjusted upward or downward, as the case may be, to the cent next nearest such fraction. Within ten days after your prices are established under this paragraph, you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required under section 18 of Ceiling Price Regulation 34. You may not price under paragraph (a) of this section once you have elected to price under this paragraph.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. No seller subject to this supplementary regulation may, after the effective date of this supplementary regulation, apply for an adjustment of any of his ceiling prices under section 20 of Ceiling Price Regulation 34, as amended. All orders establishing ceiling prices for any power laundry subject to this supplementary regulation issued under either section 20 (a), (b) or (c) of Ceiling Price Regulation 34, as amended, are hereby revoked, upon the effective date of this regulation.

SEC. 5. Definitions. (a) "Power laundry" or "power laundries" as used in this regulation are laundries which in the laundry trade are customarily known and designated as such, and do not include hand laundries, launderettes or laundries using home-type laundry equipment to supply laundry services.

Effective date. This Supplementary Regulation 15 to Ceiling Price Regulation 34 shall become effective April 28, 1952.

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.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 22, 1952.

Computation of Increase and Filing Requirements

(Amending Statement of
Considerations and
Secs. 3(a) and (b);
adding Sec. 3(c))

Ceiling Price Regulation 34 Supplementary Regulation 15 Amendment 1

JUNE 3, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Amdt. 1 to
Supplementary Regulation 15]

CPR 34—SERVICES

SR 15—POWER LAUNDRIES IN MILWAUKEE COUNTY, WISCONSIN

COMPUTATION OF INCREASE AND FILING REQUIREMENTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 15 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 1 to Supplementary Regulation 15 to Ceiling Price Regulation 34 clarifies the computation of ceiling price increases granted by this supplementary regulation. Under Supplementary Regulation 15 power laundries in Milwaukee County, Wisconsin, are granted a 5 percent increase in ceiling

prices for certain power laundry services. Affected service sellers have the choice of adding the percent increase to each invoice or of increasing the flat price of each article by the permitted 5 percent. In both cases, there will be many instances when the new ceiling price will consist of a fraction of a cent. It is necessary, therefore, to add to the regulatory provisions of the regulation a new paragraph setting forth instructions on how to determine the ceiling price in these cases.

In addition, there is some ambiguity as to the applicability of the supplementary filing requirement of section 18 (c) of Ceiling Price Regulation 34. Section 3 (a) of Supplementary Regulation 15 is amended to show clearly that a supplementary filing is not required of power laundries which add the 5 percent increase to each invoice.

In view of the clarifying nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Supplementary Regulation 15 to Ceiling Price Regulation 34 is amended in the following respects:

1. The second sentence of the third paragraph of the Statement of Consideration is deleted.

2. Paragraph (a) of section 3 is amended by adding at the end thereof a new sentence to read as follows: "If you use this method of applying your price increase you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34."

3. Paragraph (b) of section 3 is amended by deleting the second sentence thereof.

4. A new paragraph (c) is added to section 3 to read as follows:

(c) If the increase computed in paragraph (a) or (b) of this section results in a fraction of a cent, the ceiling price must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 to Supplementary Regulation 15 to Ceiling Price Regulation 34 is effective June 9, 1952.

ELLIS ARNALL,

Director of Price Stabilization.

JUNE 3, 1952.

**Wholesale Labor
Warranty Services**

**Ceiling Price Regulation 34
Supplementary Regulation 16
APRIL 23, 1952**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 16]

CPR 34—SERVICES

**SR 16—WHOLESALE LABOR WARRANTY
SERVICES**

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 16 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 16 to Ceiling Price Regulation 34, as amended, permits a manufacturer who introduces a new commodity or a new model of an existing commodity to apply for a ceiling price for the new wholesale labor warranty service to be furnished in connection with the sale of this commodity.

Many products, especially in the household appliances field, carry with their sale to the consumer a period of guarantee or warranty. Generally, the retail dealer performs any necessary service in connection therewith. However, some manufacturer and distributor organizations find it more desirable to appoint firms that primarily perform repair services to handle much or all of such guarantee or warranty work in their appointed areas. These are called central service firms (or stations). The arrangement usually provides that the manufacturer or distributor pay, to the dealer or central service firm responsible for performing the service, a stipulated amount for each product, sold in the area, to which a guarantee or warranty is applicable.

In order to be eligible to apply under this supplementary regulation, a manufacturer or distributor must have customarily set or proposed uniform prices which were uniformly adopted throughout the United States for its wholesale labor warranty arrangements. The manufacturer or distributor qualifying hereunder may apply for a ceiling price for the new wholesale labor warranty service in line with customary prices in the industry and with the level of ceiling prices established by Ceiling Price Regulation 34. In determining whether a requested ceiling price is in line with

ceiling prices established for similar warranty services OPS will give consideration to relative costs of rendering these services. In the absence of such a provision it would be necessary for each dealer or central service firm to individually apply for a wholesale labor warranty service ceiling price for each new commodity or new model of a commodity introduced by a manufacturer. This regulation will, therefore, substantially reduce the administrative burden which would otherwise face both the affected industries and the Office of Price Stabilization.

In view of the technical nature of the provisions of this regulation, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable. In the judgment of the Director of Price Stabilization 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.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Relationship to Ceiling Price Regulation 34.
3. Application for ceiling prices for wholesale labor warranty services.

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

SECTION 1. What this supplementary regulation does. This supplementary regulation permits a manufacturer offering for sale a new commodity or a new model of an existing commodity to apply for a ceiling price for its new wholesale labor warranty service if such manufacturer has customarily set or proposed uniform prices which have been uniformly adopted throughout the United States for its wholesale labor warranty arrangements.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, except the provisions of section 18 (c) thereof, shall remain in effect for all sellers of affected wholesale labor warranty services. All buyers of affected wholesale labor warranty services shall be subject to all applicable provisions of Ceiling Price Regulation 34, including section 9 thereof.

SEC. 3. Application for ceiling prices. (a) If you are a manufacturer offering

for sale a new commodity or a new model of an existing commodity and it has been your custom to set or to propose uniform prices which have been adopted uniformly throughout the United States for certain wholesale labor warranty services sold by your authorized dealers or central service firms to you or your distributor organization or organizations as an incident of the sale of such new commodity or new model, you may apply to the Office of Price Stabilization, Service Trades Branch, Washington 25, D. C., for a ceiling price for each new wholesale labor warranty service in line with the level of ceiling prices established by this regulation.

(1) Your application must contain a description of the wholesale labor warranty service, anticipated direct labor costs and anticipated direct material costs, the basis used for making the determination of cost (such as the actual annual or other representative period average cost for a similar service upon a similar commodity) and the proposed ceiling price. In addition, you must submit a description of the most comparable wholesale labor warranty service furnished by retail dealers or central service firms to you or to your wholesale distributor or distributors showing the present annual or other representative period average direct labor costs and direct material costs for such wholesale labor warranty service and the present ceiling price therefor. Where there is no comparable wholesale labor warranty service to you or your distribution organization or where the above cost data cannot be obtained to substantiate the proposed price, you must furnish a description and ceiling price for any comparable wholesale labor warranty service furnished by retail dealers or central service firms on competing products of two or more other manufacturers.

(2) You may not establish your ceiling price for the wholesale labor warranty service for your dealers or central service firms under this subsection until that price is approved by Special Order of OPS and is published in the Federal Register.

Effective date. This Supplementary Regulation 16 to Ceiling Price Regulation 34, as amended, is effective April 28, 1952.

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.

**ELLIS ARNALL,
Director of Price Stabilization.
APRIL 23, 1952.**

**Fur Dressers Services
in New York City Area**

**Ceiling Price Regulation 34
Supplementary Regulation 17
JUNE 2, 1952**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 17]

CPR 34—SERVICES

**SR 17—FUR DRESSERS SERVICES IN
NEW YORK CITY AREA**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 17 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 17 to Ceiling Price Regulation 34, as amended, permits fur dressers in the counties of Bronx, Kings, New York and Queens in the State of New York and in the counties of Hudson and Somerset in the State of New Jersey (hereinafter referred to as the New York City area) to increase their present ceiling prices for fur dressing services by eight percent. The services supplied by fur dressers in the New York City area have been provided at uniform prices for similar services performed on similar furs for many years antedating the issuance of Ceiling Price Regulation 34. There are 18 firms providing fur dressing services in the New York City area. A study of the operating costs and profit margins of a representative number of these fur dressing firms, accounting for approximately 80 percent of total fur dressing sales in this area, reveals that they are suffering an impairment of their pre-Korean earnings as a result of recent increased labor costs which have been incurred. The uniform adjustment authorized for these sellers has been computed in accordance with the standards for individual adjustments in section 20 of Ceiling Price Regulation 34.

The existence of uniform prices, standardized service and generally comparable earnings experience facilitate the area order pricing technique. In the formulation of this regulation there has been consultation with industry representatives, including trade association representatives, and consideration has been

given to their recommendations. In the judgment of the Director of the Office of Price Stabilization the increases permitted by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Relationship to Ceiling Price Regulation 34.
3. Establishment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154. Interpret or apply Title IV, 64 Stat. 806, 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 permits fur dressers in the counties of Bronx, Kings, New York and Queens in the State of New York and in the counties of Hudson and Somerset in the State of New Jersey to increase their charges for fur dressing services.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation shall remain in effect.

SEC. 3. Establishment of ceiling prices. You may to the extent you supply fur dressing services in the counties of Bronx, Kings, New York and Queens in the State of New York and in the counties of Hudson and Somerset in the State of New Jersey, increase your ceiling prices for fur dressing services by eight per cent by either one or the other of the following methods: (a) You may apply such an increase to the total amount of each invoice rendered to the customer computed on the basis of your ceiling prices under CPR 34 prior to the increase permitted under this supplementary regulation, provided that you clearly write or stamp on each invoice the words "OPS permitted price increase", and you need not file your new ceiling prices pursuant to section 18 (c) of Ceiling Price Regulation 34, or (b) you may increase by eight percent the ceiling price of each fur dressing service which you supply and you must file your new ceiling prices

pursuant to section 18 (c) of Ceiling Price Regulation 34.

Whichever method you use, if the increase results in a fraction of a cent, the price must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. No seller subject to this supplementary regulation may, after the effective date of this supplementary regulation, apply under section 20 of Ceiling Price Regulation 34 for an adjustment of any ceiling prices established under this supplementary regulation.

SEC. 5. Definitions. (a) As used in this supplementary regulation to Ceiling Price Regulation 34:

(1) The term "fur dressing services" means the following operations performed upon raw, i. e., unprocessed, fur-bearing skins and hides, except such operations performed upon "Persian Lamb skins and hides"; soaking and drumming the whole skins to make the same soft, clean, pliable and eliminating and preventing matting of the hair side of the fur; skinning, scraping and fleshing the under or flesh side of the skin and hide to remove excess flesh and fatty substances; and plucking to remove long, stiff and unsightly hairs from the face or fur side of the skin. Fur dressing does not include dyeing or shearing of the fur or fur-bearing skins and hides.

(2) The term "You" means a person who has a fur dressing establishment in any of the counties of Bronx, Kings, New York and Queens in the State of New York or Hudson and Somerset in the State of New Jersey, and shall otherwise have the same meaning as in section 27 (a) (18) of Ceiling Price Regulation 34.

Effective date. This Supplementary Regulation 17 to Ceiling Price Regulation 34 shall become effective June 2, 1952.

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.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

JUNE 2, 1952.

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**Bowling Alleys in
Baltimore, Md.**

**Ceiling Price Regulation 34
Supplementary Regulation 18**

JUNE 6, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 18]

CPR 34—SERVICES

**SR 18 BOWLING ALLEYS IN BALTIMORE,
MARYLAND**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 18 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 18 to Ceiling Price Regulation 34 establishes dollars and cents ceiling prices for open and league bowling services supplied by bowling alleys situated in the City of Baltimore, Maryland. Bowling services have been rendered in Baltimore at substantially uniform prices for many years antedating the issuance of Ceiling Price Regulation 34. The piece rates paid pin boys by all establishments are identical; and wage rates paid other employees, and unit costs of bowling supplies are substantially the same. The existence of uniform prices and standardized services facilitate the establishment of dollars and cents ceiling prices.

A study of the operating costs and profit margins of a representative number of bowling alleys situated in the City of Baltimore, accounting for 90 percent of total sales, discloses that despite a stable volume of sales they are suffering an impairment of their normal pre-Korean earnings as a result of steadily increasing operating costs, particularly in the piece rate of pin boys and the cost of bowling pins. In addition, a wage increase recently granted to pin boys, which has been approved by the Wage Stabilization Board, has imposed further financial hardship. Failure to make an adjustment in the ceiling prices of these

establishments would threaten an interruption in the supply of their services. The dollars and cents ceiling prices established by this supplementary regulation are deemed the minimum necessary to restore these businesses to a financial position which will assure the continued supply of these services. The adjusted ceiling prices have been determined in accordance with the adjustment standard of Section 20 of CPR 34.

This supplementary regulation does not apply to any seller of bowling services who has established under Ceiling Price Regulation 34 higher prices for such services than the dollars and cents ceiling prices established by this supplementary regulation. In the future, bowling establishments subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for services under section 20 of Ceiling Price Regulation 34.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including the Monumental City Bowling Proprietors' Association of Baltimore, Maryland, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary regulation are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Definitions.

AUTHORITY: Sections 1 to 4 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 fixes dollars and cents ceiling prices for sellers who supply open and league bowling services within

the limits of the City of Baltimore, State of Maryland.

SEC. 2. Relationship to Ceiling Price Regulation 34. Sections 18 (c) and 20 of Ceiling Price Regulation 34 do not apply to services covered by this supplementary regulation. All other provisions of Ceiling Price Regulation 34, except as changed by the provisions of this supplementary regulation shall remain in effect.

SEC. 3. Ceiling prices. The ceiling prices which sellers may charge within the limits of the City of Baltimore, State of Maryland, for the services listed below shall be as follows:

Open duckpin bowling, week-	
days, until 6 p. m.-----	23¢ a game.
Open duckpin bowling, after 6	
p. m. and on Saturdays, Sun-	
days, and Holidays-----	28¢ a game.
League duckpin bowling-----	90¢ 3 games.
League duckpin bowling, guar-	
anteed attendance basis-----	28¢ a game.
Open and league tenpin bowl-	
ing-----	33¢ a game.

SEC. 4. Definitions. (a) When used in this supplementary regulation to Ceiling Price Regulation 34:

(1) "League bowling" means bowling done under contract between groups of bowlers and the bowling alley proprietors, by the terms of which the rates and conditions of bowling are set for the season.

(2) "Open bowling" means all non-league bowling.

(3) "Seller" means a supplier of bowling services within the limits of the City of Baltimore, State of Maryland, who has not, prior to the issuance of this supplementary regulation, established higher ceiling prices for those services under the provisions of Ceiling Price Regulation 34 than those established by this supplementary regulation.

Effective date. This Supplementary Regulation 18 to Ceiling Price Regulation 34 shall become effective June 11, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 6, 1952.

**Wholesale Power Laundries in
The New York City Area
(Counties of Bronx, New York, Kings,
Queens, Richmond, Westchester,
Suffolk, Nassau)**

**Ceiling Price Regulation 34
Supplementary Regulation 19**

JUNE 18, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 19]

CPR 34—SERVICES

**SR 19—WHOLESALE LAUNDRIES IN THE NEW
YORK CITY AREA**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 19 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 19 to Ceiling Price Regulation 34 permits an increase in ceiling prices for wholesale laundry services to retail hand laundries supplied by power laundries situated in the Counties of Bronx, New York, Kings, Queens, Richmond, Westchester, Nassau, and Suffolk, in New York State.

A study of the operating costs and profit margins of a representative number of the power laundries supplying wholesale laundry services to retail hand laundries, which it is estimated amounted to five and one-half million dollars in 1951, reveals that increased labor and material costs have impaired the pre-Korean earnings of such power laundries. In addition in May, 1952, new wage contracts were negotiated granting substantial wage increases to all classes of workers. The wage increases are all within the formula of Wage Stabilization Board regulations or have received Wage Stabilization Board approval with the result that the earnings of these power laundries will be further impaired. The amount granted herein has been determined to be the minimum necessary to maintain the financial stability of these power laundries in order to assure a continued supply of these essential wholesale laundry services.

Under the provisions of this supplementary regulation the charges of these power laundries for their wholesale laundry services to retail hand laundries may be increased by 5 percent. This uniform increase was determined in accordance with the standards for individual adjustment under section 20 of Ceiling Price Regulation 34. Such an adjustment may be applied to the total amount of each invoice rendered to the customer, and identified as the "OPS permitted price increase." If this method is used to apply the amount of the increase, the seller need not make the supplementary

filing required by section 18 (c) of CPR 34. At the option of the individual power laundry, however, the ceiling price for each item may be increased by not more than 5 percent. Adjusted flat prices must within ten days after their determination be filed with the appropriate Office of Price Stabilization district office.

In the future, power laundries subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for their wholesale laundry services under section 20 of CPR 34.

In addition, the ceiling prices established by this supplementary regulation apply to all such power laundries' wholesale laundry services to their retail hand laundries, irrespective of any adjustment of ceiling prices heretofore granted under the provisions of CPR 34. Consequently, any adjustments granted under that regulation are automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes to Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 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 Sup.

SECTION 1. Purpose. This supplementary regulation permits power laundries in the counties of Bronx, New York, Kings, Queens, Richmond, Westchester, Suffolk and Nassau, State of New York to increase the ceiling prices of their wholesale laundry services by 5 percent. This supplementary regulation shall not apply to any other services supplied by such power laundries.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, unless

changed by the provisions of section 3 and 4 of this regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, to the extent you as a power laundry supply wholesale laundry services from plants located in the following counties of New York State: Bronx, New York, Kings, Queens, Richmond, Suffolk, Westchester and Nassau, increase your ceiling prices established under section 5 of Ceiling Price Regulation 34, by 5 percent for such wholesale laundry services by either of the following methods:

(a) You may apply such increase to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp on each such invoice the words "OPS permitted price increase". If you use this method of applying your price increase you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

(b) You may in lieu of the method provided in paragraph (a) of this section, increase by 5 percent the ceiling prices of each wholesale laundry services item you supply. Within ten days after your prices are established under this subparagraph, you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required under section 18 (c) of Ceiling Price Regulation 34. You may not use paragraph (a) of this section once you have elected to adjust ceiling prices under this subparagraph.

(c) If the increase computed in paragraph (a) or (b) above results in a fraction of a cent, the price must be decreased to the next lower cent if the fractional cent is less than one-half cent or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. (a) A supplier who is a power laundry subject to this supplementary regulation may not, after the effective date of this supplementary regulation, apply for an adjustment of any of his ceiling prices for wholesale laundry services under section 20 of Ceiling Price Regulation 34, as amended.

(b) The adjustment of ceiling prices granted by section 3 of this supplementary regulation shall be the maximum adjustment permitted any such supplier of wholesale laundry services in lieu of, and irrespective of, any adjustment heretofore granted any such supplier under the provisions of Ceiling Price Regulation 34, as amended. Any order adjusting the ceiling prices of any such supplier's wholesale laundry services under section

20 of Ceiling Price Regulation 34, as amended, is hereby revoked as of the effective date of this supplementary regulation.

SEC. 5. Definitions. (a) "Wholesale laundry services" as used in this regulation means laundry services sold or offered for sale by power laundries to retail hand laundries.

(b) "Power laundry" or "power laundries" as used in this regulation are laundries which in the laundry trade are cus-

tomarily known and designated as such, and do not include hand laundries, laundrettes, or laundries using home-type laundry equipment to supply laundry services.

(c) "Retail hand laundry" or "retail hand laundries" as used in this regulation are retail laundry establishments receiving and distributing laundry, generally finishing some wearing apparel by hand ironing done on the premises, giving only limited, if any delivery services.

Effective date. This Supplementary Regulation 19 to CPR 34 shall become effective June 18, 1952.

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

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 18, 1952.

Power Laundries
in the City of St. Louis,
Missouri

Ceiling Price Regulation 34
Supplementary Regulation 20

JUNE 18, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency[Ceiling Price Regulation 34, Supplementary
Regulation 20]

CPR 34—SERVICES

SR 20—POWER LAUNDRIES IN THE CITY OF
ST. LOUIS, MISSOURI

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation to Ceiling Price Regulation 34 permits an increase in ceiling prices for certain services supplied by power laundries situated in the City of St. Louis, Missouri. This supplementary regulation does not permit the increase to be applied to the diaper supply, linen supply and dry cleaning services of such laundries.

A study of the operating costs and profit margins of a representative number of the power laundries in the City of St. Louis, which provide 90 percent of the total sales of services furnished by these laundries amounting to an estimated seven and one-half million dollars in 1951, reveals that increased labor and material costs have impaired the pre-Korean earnings of such laundries. In addition, in December 1951, new two-year wage contracts were entered into with labor unions representing the employees of these laundries which resulted in substantial wage increases to all classes of workers. These wage increases are all within the formula of Wage Stabilization Board regulations or have received Wage Stabilization Board approval, with the result that earnings of these laundries will be further impaired. The price increase granted herein has been determined to be the minimum necessary to maintain the financial stability of these laundries in order to assure a continued supply of these essential services. The uniform increase has been determined in accordance with the standards for individual adjustments under section 20 of CPR 34.

Under the provisions of this supplementary regulation, ceiling prices of such power laundries may be increased by 7 percent, such adjustment to be applied to the total amount of each invoice rendered to the customer and identified as the "OPS permitted price increase." If this method is used to apply the amount of the increase, the seller need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34. At the option of the individual laundry, however, the flat ceiling price for each article may be increased by 7 per-

cent. Adjusted flat ceiling prices must, within ten days after their determination, be filed with the appropriate Office of Price Stabilization district office as required by section 18 (c) of Ceiling Price Regulation 34.

In the future, power laundries subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for power laundry services under section 20 of Ceiling Price Regulation 34. Any adjustment of ceiling prices under section 20 of Ceiling Price Regulation 34 heretofore granted is automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary regulation are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling Prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 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 Sup.

SECTION 1. Purpose. This supplementary regulation permits power laundries whose plants are located in the City of St. Louis, Missouri, to increase their ceiling charges for power laundry services by 7 percent. This supplementary regulation does not apply to the diaper supply, linen supply and dry cleaning services of power laundries.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, except as affected by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, to the extent you supply power laundry services from plants located in the City of St. Louis, Missouri, increase your ceiling prices by 7 percent for power laundry services, except diaper supply, linen supply and dry cleaning services, thus supplied by either of the following methods:

(a) You may apply such an adjustment to the total amount of each invoice rendered to the customer for services covered by this supplementary regulation, provided you clearly write or stamp on each such invoice the words "OPS

permitted price increase." If you use this method of applying your ceiling price increase, you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

(b) You may, in lieu of the method provided in paragraph (a) of this section, increase by 7 percent the ceiling prices of each power laundry services article, except a diaper supply, linen supply and dry cleaning services article. Within ten days after your ceiling prices are established under this paragraph, you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required under section 18 (c) of Ceiling Price Regulation 34. You may not use paragraph (a) of this section once you have elected to adjust ceiling prices under this subparagraph.

(c) If the increase computed under paragraphs (a) or (b) above, results in a fraction of a cent, the price must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. (a) A seller subject to this supplementary regulation may not, after the effective date of this supplementary regulation, apply for an adjustment of any of his ceiling prices for power laundry services except diaper supply, linen supply and dry cleaning services under section 20 of Ceiling Price Regulation 34, as amended.

(b) The adjustment of ceiling prices granted by section 3 of this supplementary regulation shall be the maximum adjustment permitted any such supplier of power laundry services in lieu of, and irrespective of, any adjustment heretofore granted any such supplier under the provisions of Ceiling Price Regulation 34, as amended. Any order adjusting the ceiling prices of any such supplier's power laundry services under section 20 of Ceiling Price Regulation 34, as amended, is hereby revoked as of the effective date of this supplementary regulation.

SEC. 5. Definitions. (a) "Power laundry" or "power laundries" as used in this regulation are laundries which in the laundry trade are customarily known and designated as such, and do not include hand laundries, laundrettes or laundries using home-type laundry equipment to supply laundry services.

Effective date. This Supplementary Regulation 20 to Ceiling Price Regulation 34 shall become effective June 23, 1952.

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.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 18, 1952.

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**Dry Cleaning Services
of Power Laundries in
City of St. Louis, Missouri**

(Amending Secs. 1,
3, 4(a) and (b); adding
Sec. 5(b))

**Ceiling Price Regulation 34
Supplementary Regulation 20
Amendment 1**

DECEMBER 15, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 1 to
Supplementary Regulation 20]

CPR 34—SERVICES

**SR 20—POWER LAUNDRIES IN THE CITY OF
ST. LOUIS, MISSOURI**

**DRY CLEANING SERVICES OF POWER LAUN-
DRIES IN THE CITY OF ST. LOUIS, MISSOURI**

Pursuant to the Defense Production Act of 1950 as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2 this Amendment 1 to Supplementary Regulation 20 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 1 to Supplementary Regulation 20 permits an increase in ceiling prices for dry cleaning services supplied by power laundries situated in the City of St. Louis, Missouri. Supplementary Regulation 20 effective June 23, 1952 permitted power laundries in the City of St. Louis to increase their ceiling charges for power laundry services by 7 percent. Excluded from the application of such increase were the diaper supply, linen supply and dry cleaning services of such power laundries. This Amendment 1 removes the limitation of the application of Supplementary Regulation 20 only as to dry cleaning services supplied by power laundries. The ceiling prices of diaper supply and linen supply services of such power laundries are not affected by this amendment. Such services shall continue to be priced under the pricing provisions of Ceiling Price Regulation 34.

When the power laundries in this area submitted their financial data which was the basis for the limited relief granted by Supplementary Regulation 20, such financial data covered their total operations. Their request for ceiling price increases covered both laundry and dry cleaning services. At the time of the issuance of Supplementary Regulation 20 it was determined that hardship resulting from dry cleaning price ceilings could be relieved by individual adjustment under section 20 (a) of Ceiling Price Regulation 34, as amended. Upon reexamination of this decision at the request of the power laundries it was decided that a uniform increase would

relieve the hardship still existing and substantially reduce the administrative burden to OPS which is occasioned in the processing, and issuing of individual adjustment orders.

The same considerations that governed the action taken in Supplementary Regulation 20 exist in connection with the granting of relief by way of this amendment.

This amendment only affects the coverage of Supplementary Regulation 20 and does not make any changes in the amount of permitted increase or the methods by which the increase granted by this amendment is to be effected. The pricing technique of Supplementary Regulation 20 remains the same. However, a definition of "dry cleaning services" has been added.

The uniform increase granted by this amendment has been determined in accordance with the standards for individual adjustments under Section 20 of CPR 34 and is the minimum necessary to maintain the financial stability of these laundries and to assure a continued supply of dry cleaning services.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Supplementary Regulation 20 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. Purpose. This supplementary regulation permits power laundries whose plants are located in the City of St. Louis, Missouri, to increase their ceiling prices for power laundry services and dry cleaning services by 7 percent. This Supplementary Regulation does not apply to diaper supply and linen supply services of power laundries.

2. The first paragraph of section 3 is amended to read as follows:

SEC. 3. Adjustment of ceiling prices. If you are a power laundry, you may increase by 7 percent your ceiling prices for dry cleaning and power laundry services, except for diaper supply and linen supply services, rendered from plants located in the City of St. Louis, Missouri. You may put such increase into effect by either of the following methods:

3. The first sentence of paragraph (b) of section 3 is amended to read as follows:

(b) You may, in lieu of the method provided in paragraph (a) of this section, increase by 7 percent the ceiling prices of each power laundry service article and dry cleaning services article, except a diaper supply and linen supply services article.

4. Paragraph (a) of section 4 is amended to read as follows:

(a) A seller subject to this supplementary regulation may not, after the effective date of this supplementary regulation, apply for an adjustment of any of his ceiling prices for power laundry services and dry cleaning services, except diaper supply and linen supply services under section 20 of Ceiling Price Regulation 34, as amended.

5. Paragraph (b) of section 4 is amended to read as follows:

(b) The adjustment of ceiling prices granted by section 3 of this supplementary regulation shall be the maximum adjustment permitted any such supplier of power laundry services and dry cleaning services, in lieu of, and irrespective of, any adjustment heretofore granted any such supplier under the provisions of Ceiling Price Regulation 34, as amended. Any order adjusting the ceiling prices of any such supplier's power laundry services and dry cleaning services, except diaper supply and linen supply services, under section 20 of Ceiling Price Regulation 34, as amended, is hereby revoked as of the effective date of this supplementary regulation.

6. A new paragraph (b) is added to section 5 to read as follows:

(b) "Dry Cleaning Services" as used in this Amendment 1 to Supplementary Regulation 20 to Ceiling Price Regulation 34, means services rendered in the cleaning of garments and other items primarily with fluids other than water, and shall include pressing the garment or item.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This Amendment 1 to Supplementary Regulation 20 to Ceiling Price Regulation 34 is effective December 20, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 15, 1952.

Power Laundries in the Greater Cincinnati, Ohio, Trading Area

**Ceiling Price Regulation 34
Supplementary Regulation 21**

JULY 14, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary Regulation 21]

CPR 34—SERVICES

SR21—POWER LAUNDRIES IN THE GREATER CINCINNATI, OHIO, TRADING AREA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 21 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 21 to Ceiling Price Regulation 34 permits an increase in ceiling prices for power laundry services supplied by power laundries situated in the Greater Cincinnati, Ohio, Trading Area. This supplementary regulation does not permit the increase to be applied to the diaper supply, linen supply and dry cleaning services of such laundries.

An OPS study of the operating costs and profit margins of a representative number of the power laundries in the Greater Cincinnati, Ohio, Trading Area accounting for over 88 percent of the total sales of these services which, it is estimated, amounted to about 5 million dollars in 1951, reveals that increased labor and material costs incurred between June 24, 1950 and January 1, 1952 have impaired the pre-Korean earnings of such laundries. In addition, in April 1952 a one year wage contract was entered into with labor unions representing the employees of these laundries granting substantial wage increases to production workers. These wage increases all have received WSB approval or are within the formula of Wage Stabilization Board regulations; with the result that the earnings of the laundries will be further impaired. The increase in ceiling prices granted herein has been determined to be the minimum necessary to maintain the financial stability of these laundries and to assure a continued supply of these essential services. The action taken herein with respect to the group of power laundry operators gives effect to the standards for individual adjustments of section 20 (a) of CPR 34.

Under the provisions of this supplementary regulation, ceiling prices of such power laundries may be increased by not more than 7 percent, such adjustment to be applied to the total amount of each invoice rendered to the customer and identified as the "OPS permitted price increase." If this method is used to apply the amount of the increase, the seller need not make the supplementary filing required by section 18 (c) of CPR 34.

At the option of the individual laundry, however, the ceiling price for each article may be increased by not more than 7 percent. Adjusted ceiling prices must within ten days after their determination be filed with the appropriate Office of Price Stabilization district office.

In the future, power laundries subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for power laundry services under section 20 of CPR 34. In addition, adjustments previously granted any of them under that section are automatically revoked by this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increase permitted by this supplementary regulation is generally fair and equitable and necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 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. Purpose. This supplementary regulation permits power laundries whose plants are located in the Greater Cincinnati, Ohio, Trading Area to increase their ceiling prices for power laundry services by 7 percent. This supplementary regulation shall not apply to the diaper supply, linen supply and dry cleaning services of power laundries.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, to the extent you supply power laundry services from plants located in the Greater Cincinnati, Ohio, Trading Area, increase your ceiling prices by 7 percent for power laundry services, except diaper supply, linen supply and dry cleaning services, thus supplied, by either of the following methods:

(a) You may apply such an adjustment to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp on each such

invoice the words "OPS permitted price increase". If you use this method of applying your price increase, you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

(b) You may, in lieu of the method provided in paragraph (a) of this section, increase by 7 percent the ceiling prices of each power laundry services article, except a diaper supply, linen supply and dry cleaning services article. Within ten days after your prices are established under this paragraph you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required under section 18 of Ceiling Price Regulation 34. You may not establish prices under paragraph (a) of this section once you have elected to establish prices under this paragraph.

(c) If the price increase computed in paragraphs (a) or (b) of this section results in a fraction of a cent, the price increase must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. No seller subject to this supplementary regulation may, after the effective date of this supplementary regulation, apply for an adjustment of any of his ceiling prices for power laundry services except diaper supply, linen supply and dry cleaning services under section 20 of Ceiling Price Regulation 34, as amended. All orders establishing ceiling prices for any power laundry subject to this supplementary regulation issued under either section 20 (a), 20 (b) or 20 (c) of Ceiling Price Regulation 34 are hereby revoked, upon the effective date of this regulation.

SEC. 5. Definitions. (a) "Power laundry" or "power laundries" as used in this regulation are laundries which in the laundry trade are customarily known and designated as such, and do not include hand laundries, launderettes or laundries using home-type laundry equipment to supply laundry services.

(b) "The Greater Cincinnati, Ohio, Trading Area", as used in this regulation is the area comprising Hamilton County in the State of Ohio and the Counties of Boone, Kenton and Campbell in the State of Kentucky.

Effective date. This Supplementary Regulation 21 to Ceiling Price Regulation 34 shall become effective July 19, 1952.

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.

ELLIS ARNALL,
Director of Price Stabilization.

JULY 14, 1952.

Table 1: Summary of Data		
Category	Value 1	Value 2
Item 1	10	20
Item 2	15	25
Item 3	20	30
Item 4	25	35
Item 5	30	40
Item 6	35	45
Item 7	40	50
Item 8	45	55
Item 9	50	60
Item 10	55	65
Item 11	60	70
Item 12	65	75
Item 13	70	80
Item 14	75	85
Item 15	80	90
Item 16	85	95
Item 17	90	100
Item 18	95	105
Item 19	100	110
Item 20	105	115
Item 21	110	120
Item 22	115	125
Item 23	120	130
Item 24	125	135
Item 25	130	140
Item 26	135	145
Item 27	140	150
Item 28	145	155
Item 29	150	160
Item 30	155	165
Item 31	160	170
Item 32	165	175
Item 33	170	180
Item 34	175	185
Item 35	180	190
Item 36	185	195
Item 37	190	200
Item 38	195	205
Item 39	200	210
Item 40	205	215
Item 41	210	220
Item 42	215	225
Item 43	220	230
Item 44	225	235
Item 45	230	240
Item 46	235	245
Item 47	240	250
Item 48	245	255
Item 49	250	260
Item 50	255	265
Item 51	260	270
Item 52	265	275
Item 53	270	280
Item 54	275	285
Item 55	280	290
Item 56	285	295
Item 57	290	300
Item 58	295	305
Item 59	300	310
Item 60	305	315
Item 61	310	320
Item 62	315	325
Item 63	320	330
Item 64	325	335
Item 65	330	340
Item 66	335	345
Item 67	340	350
Item 68	345	355
Item 69	350	360
Item 70	355	365
Item 71	360	370
Item 72	365	375
Item 73	370	380
Item 74	375	385
Item 75	380	390
Item 76	385	395
Item 77	390	400
Item 78	395	405
Item 79	400	410
Item 80	405	415
Item 81	410	420
Item 82	415	425
Item 83	420	430
Item 84	425	435
Item 85	430	440
Item 86	435	445
Item 87	440	450
Item 88	445	455
Item 89	450	460
Item 90	455	465
Item 91	460	470
Item 92	465	475
Item 93	470	480
Item 94	475	485
Item 95	480	490
Item 96	485	495
Item 97	490	500
Item 98	495	505
Item 99	500	510
Item 100	505	515

JULY 11, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTONTITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabilization,
Economic Stabilization Agency[Ceiling Price Regulation 34, Supplementary
Regulation 22]

CPR 34—SERVICES

SR 22—SERVICE CHARGES FOR BANKS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 22 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 22 to Ceiling Price Regulation 34, as amended, adapts ceiling price regulation of bank service charges more nearly to the operations of the banking industry.

Generally, this regulation covers two classes of situations. First, it provides, to the extent consistent with fair treatment of small as well as large depositors, flexibility for changes in certain service charges within individual banks so long as the total revenue to the bank from service charges remains approximately the same as it was during the most recent fiscal year. More specifically, this regulation contains a provision for simplifying the method of determining earnings credit on depositors' checking accounts. It also permits a realignment of service charges and at the same time assures that the services which were available during the base period will remain available to all classes of depositors. Also included in this part of the regulation is a provision which will permit nonpar banks with an exchange charge system to change to par banks with a schedule of service charges in lieu of the exchange charges.

Secondly, this regulation provides a means for realigning service charges where such a realignment is necessary to permit the customary uniformity of ceiling prices and sound banking operation in certain cases where a bank has branch offices.

A provision is included in this part of the regulation to permit those banks which had a trial service charge in effect during the base period to price uniformly at all of their branch offices if those banks customarily had a substantially uniform system of pricing at all of their branch offices. Consideration has also been given to the special pricing problems of merging and consolidating banks and to new branch offices of old banks. With respect to the merger or consolidation situation, this supplementary regulation authorizes the smaller merging

bank to adopt entirely, but not in part, the schedule of service charges of the larger merging bank where the larger bank is accountable for 66⅔ percent or more of their aggregate total time and demand deposits. If the necessary two-thirds ratio is not present, the merging or consolidating banks either may continue their individual lawful ceiling prices for service charges in effect at the time of the merger or may apply under section 4 of this supplementary regulation for an appropriate changed schedule of service charges. The provision for branch offices permits new bank branches to adopt the schedule of service ceiling charges in effect at the principal bank if the principal bank had a substantially uniform system of service charges during the base period or did not, prior to the base period, have any branch offices.

This supplementary regulation also states additional requirements and special factors to be taken into account in respect to banks which seek to qualify for and obtain a ceiling price adjustment under section 20 (a) of Ceiling Price Regulation 34, as amended.

There is nothing in this supplementary regulation which would prohibit any bank from determining its schedule of service charge ceilings pursuant to any of the provisions of Ceiling Price Regulation 34, as amended. The provisions of this supplementary regulation are alternatives which a bank may utilize, if it wishes, in lieu of the otherwise applicable provisions of Ceiling Price Regulation 34.

In the formulation of this supplementary regulation there was consultation with representatives of the banking industry as well as members of bankers' trade associations and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Relationship to Ceiling Price Regulation 34.
3. Alternative methods of computing earnings credit on depositors' checking accounts.
4. Changing schedule of service charges on depositors' checking accounts.
5. Nonpar banks changing to par banks.
6. Base period trial service charges.
7. Mergers and consolidations.
8. New branch offices.
9. Applications for adjustment under section 20 (a) of Ceiling Price Regulation 34.
10. Definitions.

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.
(a) This supplementary regulation to Ceiling Price Regulation 34 authorizes banks to institute a new method or to change their present method of computing depositors' earnings credits in connection with service charge ceilings on depositors' checking accounts. It permits banks to change their schedule of service charge ceilings if certain requirements are met. It also authorizes banks desiring to change from a nonpar check clearance system to a par check clearance system to institute service charges in lieu of exchange charges. It further provides a method by which banks may establish uniform service charge ceilings where two or more banks merge or consolidate and in certain other instances where banks operate branch offices.

(b) This supplementary regulation also states additional requirements and special factors to be taken into account in respect to banks which seek to qualify for and obtain a ceiling price adjustment under section 20 (a) of Ceiling Price Regulation 34, as amended.

SEC. 2. Relationship to Ceiling Price Regulation 34. The provisions of this supplementary regulation give banks the option to determine certain ceiling prices for service charges differently than permitted by the provisions of Ceiling Price Regulation 34, as amended. Except for such option, all provisions of Ceiling Price Regulation 34 remain in effect for service suppliers affected by this regulation.

SEC. 3. Alternative methods of computing earnings credit on depositors' checking accounts. This section applies to you if you are a bank and wish to modify your service charge ceilings by changing your present method of computing earnings credit on depositors' checking accounts. In this event you may apply to the Director of Price Stabilization, Attention: Chief, Service Trades Branch, Washington 25, D. C., for permission to change your method of computing the earnings credit on depositors' checking accounts from one of the following methods to another of the following methods: (a) An average daily balance for the month, with customary deductions for float and reserve; or (b) the depositors' minimum balance for the month, without deduction for float and reserve; or (c) by adding the highest balance appearing during a month and the lowest balance appearing during the same month, dividing the total by two, and making customary deductions for float and reserve. Your application under this section must contain an ex-

planation of your present method (included in the foregoing list of alternatives) of computing earnings credit on depositors' checking accounts and a statement of which of the alternative methods provided for herein you propose to use in lieu of your present method. You may not change your method of computing your earnings credit on depositors' checking accounts under this section until you are advised in writing of OPS approval. Nothing in this section shall be construed to authorize any bank to lower the rate it allows to its depositors with respect to credit on depositors' checking accounts.

SEC. 4. Changing schedule of service charges on depositors' checking accounts.

(a) Banks which now have a schedule of service charges on depositors' checking accounts may apply to the Director of Price Stabilization, Attention: Chief, Service Trades Branch, Washington 25, D. C., for permission to substitute another schedule therefor, provided:

(1) The aggregate proceeds that would have been received from the proposed schedule of service charges on depositors' checking accounts had that schedule been in effect during the last preceding fiscal year do not exceed the aggregate proceeds actually received from the service charges on depositors' checking accounts in effect during that period;

(2) The proposed schedule of service charges on depositors' checking accounts will not result in the discontinuance of any service rendered during the base period to any class of depositor; and

(3) The requested plan is fair and equitable to all classes of depositors and particularly that smaller depositors will not be subjected to an unreasonable increase in charges under the requested plan.

(b) If you are a bank applying for permission to change your schedule of service charges on depositors' checking accounts under this section, your application must contain the following information:

(1) An explanation of your present service charge plan, including rates on depositors' checking accounts of various categories.

(2) An explanation of the requested plan and rates of service charges on your depositors' checking accounts of various categories.

(3) A statement of (i) the total income actually received from the service charges on your depositors' checking accounts during the last preceding fiscal year, (ii) the total income actually received from service charges on your depositors' checking accounts in each of every third month of the last preceding fiscal year and (iii) the total income that you would have received from service charges on your depositors' checking accounts in each of the same months as in subdivision (ii) if the requested schedule of service charges described in subparagraph (2) of this paragraph had been in effect. The statement of income required by this subparagraph must include an analysis of all established categories of depositors' checking accounts that would have been affected under the proposed schedule but must exclude in-

come received from other service charges not included in the present or proposed service charge schedule.

(4) If you have ever been authorized to adjust your service charges by the Office of Price Stabilization, you must adequately identify the order by which you were authorized to make such adjustment.

(5) If you have changed from a nonpar bank to a par bank under section 5 of this regulation, you must adequately identify your application therefor, and any order issued with respect thereto.

(c) You may not change the schedule of service charges on depositors' checking accounts under this section until you are advised in writing of OPS approval, which will be given only where granting such approval is consistent with the purposes of the Defense Production Act of 1950, as amended.

SEC. 5. Nonpar banks changing to par banks. (Substitution of a check clearance service charge to the maker in place of an exchange charge to the payee or endorser.)

(a) If you are a bank which now imposes an exchange charge for check clearance on the payee or endorser of a check (nonpar system) and you now wish to impose a service charge on the maker of the check (par system), you may, under this section, apply to OPS for permission to change from the nonpar system to a system of service charges applicable to depositors' checking accounts. However, you must make a showing that the total calculated income from the application of proposed service charges to depositors' checking account, had they been in effect during the last preceding fiscal year, would not have exceeded the total income actually received from the service charges on depositors' checking accounts and exchange charges in effect during that fiscal year.

(b) Your application under this section must be submitted to the Director of Price Stabilization, Attention: Chief, Service Trades Branch, Washington 25, D. C., and must contain the following information:

(1) An explanation of your present schedule of exchange charges and service charges on depositors' checking accounts, if any.

(2) An explanation of the service charge plan and schedules applicable to depositors' checking accounts which you propose to institute in lieu of the exchange charges.

(3) A statement of (i) the total income actually received from exchange charges and service charges on depositors' checking accounts, if any, during the last preceding fiscal year, (ii) the total income actually received from exchange charges and service charges on depositors' checking accounts, if any, in each of every third month of the last preceding fiscal year, and (iii) the total income that you would have received from service charges applicable to depositors' checking accounts in each of the same months as in subparagraph (ii) if the requested plan described in subparagraph (2) of this paragraph had been in effect, with an explanation, in-

cluding wherever feasible, item counts of how you arrived at such totals.

(4) If you have ever been authorized to change your schedule of service charges on depositors' checking accounts under any section of Ceiling Price Regulation 34, as amended, or this supplementary regulation, you must adequately identify your application and any order issued with respect thereto.

(c) If your application, under this section is approved by OPS as herein-after provided you must discontinue your exchange charges before instituting your approved schedule of service charges. You may not change from a nonpar system to a system of service charges applicable to depositors' checking accounts under this section however, until you are advised in writing of OPS approval, which will be given only where granting such approval is consistent with the purposes of the Defense Production Act of 1950, as amended.

SEC. 6. Base period trial service charges.

(a) If you have one or more branch offices and during the base period the prices for your service charges were centrally determined and had substantially uniform application in your principal bank and your branch offices, but during the base period you were supplying a service at a new charge (trial service charge) at your principal office or at a branch office to determine the feasibility of installing that charge in your other offices, you may apply to the Director of Price Stabilization, Attention: Chief, Service Trades Branch, Washington 25, D. C., for permission to supply such service at the trial service charge price established for its supply in all of your offices, provided you submit a statement indicating (1) that you price centrally out of your principal office, (2) during the base period the ceiling prices or pricing methods for all of your services were substantially uniform in all of your offices, (3) that the service was being supplied at the trial service charge price during the base period at an office which you shall identify by name and address, (4) a description of the service for which you are requesting permission to change your ceiling price and a statement of the present ceiling price and the base period trial charge therefor, and (5) that you desire to apply this trial service charge in all of your offices.

(b) You may not institute the charge under this section until you are advised in writing of OPS approval, which will be given only where granting such approval is consistent with the purposes of the Defense Production Act of 1950, as amended.

SEC. 7. Mergers and consolidations.

(a) Two or more banks which have merged or consolidated since January 25, 1951, may determine the ceiling prices for their services pursuant to this section if, during the base period, one of the banks involved in the merger or consolidation had a uniform schedule of service charges in all of its offices and on the next preceding June 30 or December 31, whichever date is closer to the date of the merger or consolidation, was alone or with its branches, as the case may be, accountable for 66 $\frac{2}{3}$ percent or more

of the total time and demand deposits of the merging or consolidating banks. In such event, the bank resulting from the merger or consolidation may apply to the Director of Price Stabilization, Attention: Chief, Service Trades Branch, Washington 25, D. C., for permission to establish as the ceiling prices for its services, the ceiling prices which the bank accountable for 66 $\frac{2}{3}$ percent or more of the total time and demand deposits had in effect on the date of the merger or consolidation.

(b) If you are a bank applying for permission to establish the ceiling prices for your services provided for in paragraph (a) of this section, your application must contain a statement showing how you are eligible to establish your ceiling prices as provided therein together with schedules of the service charges in effect at each of the merged or consolidated banks on the date of your application. You may not establish your ceiling prices under this section until you are advised in writing of OPS approval, which will be given only where granting such approval is consistent with the purposes of the Defense Production Act of 1950, as amended.

SEC. 8. New branch offices. (a) If during the base period, December 19, 1950 to January 25, 1951, inclusive, you had a branch office or offices with a substantially uniform schedule of service charges and subsequent to January 25, 1951, you open or plan to open a new branch office, you may apply to the Director of Price Stabilization, Attention: Chief, Service Trades Branch, Washington 25, D. C., for permission to establish at the new branch office the uniform schedule of service charges in effect at your other branch office or offices during the base period.

(b) Banks without branch offices during the base period: If you are a bank which did not have any branch offices during the base period, December 19, 1950 to January 25, 1951, inclusive, and subsequent thereto you open or plan to open a new branch office, you may apply to the Director of Price Stabilization, Attention: Chief, Service Trades Branch, Washington 25, D. C., for permission to charge in the new branch office the ceiling prices for services which the principal office charges for the same services supplied therein.

(c) If you are applying for permission to establish ceiling prices for your services under paragraph (a) or (b) of this section your application must contain a list of the addresses of the principal bank and all branch offices together

with a schedule of the ceiling prices for services in effect at the principal office on the date of your application and if you have ever been authorized to adjust your service charges by the Office of Price Stabilization, you must adequately identify the order under which you were authorized to make such adjustment. You may not supply the services for which you are requesting a ceiling price under this section until you are advised in writing of OPS approval, which will be given only where granting such approval is consistent with the purpose of the Defense Production Act of 1950, as amended.

SEC. 9. Application for adjustment under section 20 (a) of Ceiling Price Regulation 34. If you are eligible for an adjustment under section 20 (a) of Ceiling Price Regulation 34, as amended, your application must contain in addition to the information required by OPS Public Form 43, Revised, a statement of the total demand and time deposits of the bank on the next preceding June 30 or December 31, whichever is closer to the date of application. OPS in granting relief under section 20 (a) will take into account in addition to the matters referred to in that adjustment provision: (a) The United States ratio of average percentage of service charge revenue to total income for banks of various sizes as measured by demand and time deposits; (b) whether your ratio of average percentage of service charge revenue to total income is more or less than the United States ratio on insured banks, as computed on the basis of the 1949 report of the Federal Deposit Insurance Corporation; and (c) the reasonable dollar amount of allowable increased revenue from service charges to offset, in whole or in part, impairment of your normal pre-Korean earnings to meet the needs of smaller banks and to cover costs of installing or modifying your service charge schedule.

SEC. 10. Definitions. (a) As used in this supplementary regulation: (1) The term "bank" shall include any person, firm or corporation engaged in the business of receiving and paying deposits of money or its equivalent, and which is authorized or permitted to engage in such business by the laws of the United States or any State, Territory or District.

(2) The term "service charges" means those charges made by the banks for services which are subject to price regulation, including, but not limited to, service charges on depositors' checking accounts, safety deposit box rentals,

bank money orders, cashiers' checks, and other miscellaneous services.

(3) The term "service charges on depositors' checking accounts" means only those charges which the bank imposes against its depositors for the services it renders the depositors in connection with the depositors' checking accounts.

(4) The term "uniform schedule of service charges" means that the same ceiling price is charged for the same services at all offices of a bank.

(5) The term "exchange" means the charge that nonpar banks deduct for paying checks drawn upon themselves when they are presented through the mails from out-of-town points for the service of remitting the proceeds of the checks to distant points.

(6) The term "par bank" refers to those banks which will remit in full items payable by them.

(7) The terms "merger and consolidation" refers to the combining of two or more banks under the charter of one of such banks or under a new charter with or without the dissolution of any such banks.

(8) The term "earnings credit" is the allowance to checking account depositors as a partial or full offset against certain service charges.

(9) The term "float" means items in transit which are in the process of collection but not actually collected.

(10) The term "reserve" means funds set aside by the bank as required by law and as deemed necessary by the bank to enable it to meet its depositors' demands.

(11) The term "new branch" means a bank which is established in a separate location from that of the principal office and any previously established branch office or offices. It does not include the previously established branch of a bank which has moved to a new location.

(12) The term "average daily balance" means the average amount of money that customer keeps on deposit, determined by adding the daily balances of his account for any given period and dividing the total by the number of days in such period.

Effective date. This Supplementary Regulation 22 to Ceiling Price Regulation 34 shall become effective July 11, 1952.

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.

ELLIS ARNALL,
Director of Price Stabilization.

JULY 11, 1952.

Correction

**Ceiling Price Regulation 34
Supplementary Regulation 22
Correction**
JANUARY 16, 1953

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 22, Correction]

CPR 34—SERVICES

SR 22—SERVICE CHARGES FOR BANKS

CORRECTION

Due to a clerical error the word "sub-
stantially" was omitted from the first

sentence of paragraph (a) of section 7
of Supplementary Regulation 22 to Ceiling
Price Regulation 34, effective July 11,
1952. Accordingly, the first sentence of
paragraph (a) of section 7 of Supple-
mentary Regulation 22 to Ceiling Price
Regulation 34 is corrected to read as
follows:

(a) Two or more banks which have
merged or consolidated since January 25,
1951, may determine the ceiling prices
for their services pursuant to this sec-
tion if, during the base period, one of
the banks involved in the merger or con-

solidation had a substantially uniform
schedule of service charges in all of its
offices and on the next preceding June 30
or December 31, whichever date is closer
to the date of the merger or consolida-
tion, was alone or with its branches, as
the case may be, accountable for 66 $\frac{2}{3}$
percent or more of the total time and
demand deposits of the merging or con-
solidating banks.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 16, 1953.

Summary of Transactions		
Date	Description	Amount
1/1/2023	Initial deposit	\$10,000.00
1/15/2023	Withdrawal for rent	\$2,000.00
2/1/2023	Deposit of interest	\$500.00
2/15/2023	Withdrawal for groceries	\$1,000.00
3/1/2023	Deposit of salary	\$5,000.00
3/15/2023	Withdrawal for utilities	\$1,500.00
4/1/2023	Deposit of dividend	\$750.00
4/15/2023	Withdrawal for car payment	\$3,000.00
5/1/2023	Deposit of bonus	\$2,500.00
5/15/2023	Withdrawal for vacation	\$1,200.00
6/1/2023	Deposit of interest	\$600.00
6/15/2023	Withdrawal for insurance	\$800.00
7/1/2023	Deposit of salary	\$5,500.00
7/15/2023	Withdrawal for groceries	\$1,100.00
8/1/2023	Deposit of dividend	\$800.00
8/15/2023	Withdrawal for car payment	\$3,200.00
9/1/2023	Deposit of bonus	\$2,750.00
9/15/2023	Withdrawal for vacation	\$1,300.00
10/1/2023	Deposit of interest	\$650.00
10/15/2023	Withdrawal for insurance	\$850.00
11/1/2023	Deposit of salary	\$6,000.00
11/15/2023	Withdrawal for groceries	\$1,200.00
12/1/2023	Deposit of dividend	\$850.00
12/15/2023	Withdrawal for car payment	\$3,400.00
1/1/2024	Deposit of bonus	\$3,000.00
1/15/2024	Withdrawal for vacation	\$1,400.00
2/1/2024	Deposit of interest	\$700.00
2/15/2024	Withdrawal for insurance	\$900.00
3/1/2024	Deposit of salary	\$6,500.00
3/15/2024	Withdrawal for groceries	\$1,300.00
4/1/2024	Deposit of dividend	\$900.00
4/15/2024	Withdrawal for car payment	\$3,600.00
5/1/2024	Deposit of bonus	\$3,250.00
5/15/2024	Withdrawal for vacation	\$1,500.00
6/1/2024	Deposit of interest	\$750.00
6/15/2024	Withdrawal for insurance	\$950.00
7/1/2024	Deposit of salary	\$7,000.00
7/15/2024	Withdrawal for groceries	\$1,400.00
8/1/2024	Deposit of dividend	\$950.00
8/15/2024	Withdrawal for car payment	\$3,800.00
9/1/2024	Deposit of bonus	\$3,500.00
9/15/2024	Withdrawal for vacation	\$1,600.00
10/1/2024	Deposit of interest	\$800.00
10/15/2024	Withdrawal for insurance	\$1,000.00
11/1/2024	Deposit of salary	\$7,500.00
11/15/2024	Withdrawal for groceries	\$1,500.00
12/1/2024	Deposit of dividend	\$1,000.00
12/15/2024	Withdrawal for car payment	\$4,000.00
1/1/2025	Deposit of bonus	\$3,750.00
1/15/2025	Withdrawal for vacation	\$1,700.00
2/1/2025	Deposit of interest	\$850.00
2/15/2025	Withdrawal for insurance	\$1,050.00
3/1/2025	Deposit of salary	\$8,000.00
3/15/2025	Withdrawal for groceries	\$1,600.00
4/1/2025	Deposit of dividend	\$1,050.00
4/15/2025	Withdrawal for car payment	\$4,200.00
5/1/2025	Deposit of bonus	\$4,000.00
5/15/2025	Withdrawal for vacation	\$1,800.00
6/1/2025	Deposit of interest	\$900.00
6/15/2025	Withdrawal for insurance	\$1,100.00
7/1/2025	Deposit of salary	\$8,500.00
7/15/2025	Withdrawal for groceries	\$1,700.00
8/1/2025	Deposit of dividend	\$1,100.00
8/15/2025	Withdrawal for car payment	\$4,400.00
9/1/2025	Deposit of bonus	\$4,250.00
9/15/2025	Withdrawal for vacation	\$1,900.00
10/1/2025	Deposit of interest	\$950.00
10/15/2025	Withdrawal for insurance	\$1,150.00
11/1/2025	Deposit of salary	\$9,000.00
11/15/2025	Withdrawal for groceries	\$1,800.00
12/1/2025	Deposit of dividend	\$1,150.00
12/15/2025	Withdrawal for car payment	\$4,600.00
1/1/2026	Deposit of bonus	\$4,500.00
1/15/2026	Withdrawal for vacation	\$2,000.00
2/1/2026	Deposit of interest	\$1,000.00
2/15/2026	Withdrawal for insurance	\$1,200.00
3/1/2026	Deposit of salary	\$9,500.00
3/15/2026	Withdrawal for groceries	\$1,900.00
4/1/2026	Deposit of dividend	\$1,200.00
4/15/2026	Withdrawal for car payment	\$4,800.00
5/1/2026	Deposit of bonus	\$4,750.00
5/15/2026	Withdrawal for vacation	\$2,100.00
6/1/2026	Deposit of interest	\$1,050.00
6/15/2026	Withdrawal for insurance	\$1,250.00
7/1/2026	Deposit of salary	\$10,000.00
7/15/2026	Withdrawal for groceries	\$2,000.00
8/1/2026	Deposit of dividend	\$1,250.00
8/15/2026	Withdrawal for car payment	\$5,000.00
9/1/2026	Deposit of bonus	\$5,000.00
9/15/2026	Withdrawal for vacation	\$2,200.00
10/1/2026	Deposit of interest	\$1,100.00
10/15/2026	Withdrawal for insurance	\$1,300.00
11/1/2026	Deposit of salary	\$10,500.00
11/15/2026	Withdrawal for groceries	\$2,100.00
12/1/2026	Deposit of dividend	\$1,300.00
12/15/2026	Withdrawal for car payment	\$5,200.00
1/1/2027	Deposit of bonus	\$5,250.00
1/15/2027	Withdrawal for vacation	\$2,300.00
2/1/2027	Deposit of interest	\$1,150.00
2/15/2027	Withdrawal for insurance	\$1,350.00
3/1/2027	Deposit of salary	\$11,000.00
3/15/2027	Withdrawal for groceries	\$2,200.00
4/1/2027	Deposit of dividend	\$1,350.00
4/15/2027	Withdrawal for car payment	\$5,400.00
5/1/2027	Deposit of bonus	\$5,500.00
5/15/2027	Withdrawal for vacation	\$2,400.00
6/1/2027	Deposit of interest	\$1,200.00
6/15/2027	Withdrawal for insurance	\$1,400.00
7/1/2027	Deposit of salary	\$11,500.00
7/15/2027	Withdrawal for groceries	\$2,300.00
8/1/2027	Deposit of dividend	\$1,400.00
8/15/2027	Withdrawal for car payment	\$5,600.00
9/1/2027	Deposit of bonus	\$5,750.00
9/15/2027	Withdrawal for vacation	\$2,500.00
10/1/2027	Deposit of interest	\$1,250.00
10/15/2027	Withdrawal for insurance	\$1,450.00
11/1/2027	Deposit of salary	\$12,000.00
11/15/2027	Withdrawal for groceries	\$2,400.00
12/1/2027	Deposit of dividend	\$1,450.00
12/15/2027	Withdrawal for car payment	\$5,800.00
1/1/2028	Deposit of bonus	\$6,000.00
1/15/2028	Withdrawal for vacation	\$2,600.00
2/1/2028	Deposit of interest	\$1,300.00
2/15/2028	Withdrawal for insurance	\$1,500.00
3/1/2028	Deposit of salary	\$12,500.00
3/15/2028	Withdrawal for groceries	\$2,500.00
4/1/2028	Deposit of dividend	\$1,500.00
4/15/2028	Withdrawal for car payment	\$6,000.00
5/1/2028	Deposit of bonus	\$6,250.00
5/15/2028	Withdrawal for vacation	\$2,700.00
6/1/2028	Deposit of interest	\$1,350.00
6/15/2028	Withdrawal for insurance	\$1,550.00
7/1/2028	Deposit of salary	\$13,000.00
7/15/2028	Withdrawal for groceries	\$2,600.00
8/1/2028	Deposit of dividend	\$1,550.00
8/15/2028	Withdrawal for car payment	\$6,200.00
9/1/2028	Deposit of bonus	\$6,500.00
9/15/2028	Withdrawal for vacation	\$2,800.00
10/1/2028	Deposit of interest	\$1,400.00
10/15/2028	Withdrawal for insurance	\$1,600.00
11/1/2028	Deposit of salary	\$13,500.00
11/15/2028	Withdrawal for groceries	\$2,700.00
12/1/2028	Deposit of dividend	\$1,600.00
12/15/2028	Withdrawal for car payment	\$6,400.00
1/1/2029	Deposit of bonus	\$6,750.00
1/15/2029	Withdrawal for vacation	\$2,900.00
2/1/2029	Deposit of interest	\$1,450.00
2/15/2029	Withdrawal for insurance	\$1,650.00
3/1/2029	Deposit of salary	\$14,000.00
3/15/2029	Withdrawal for groceries	\$2,800.00
4/1/2029	Deposit of dividend	\$1,650.00
4/15/2029	Withdrawal for car payment	\$6,600.00
5/1/2029	Deposit of bonus	\$7,000.00
5/15/2029	Withdrawal for vacation	\$3,000.00
6/1/2029	Deposit of interest	\$1,500.00
6/15/2029	Withdrawal for insurance	\$1,700.00
7/1/2029	Deposit of salary	\$14,500.00
7/15/2029	Withdrawal for groceries	\$2,900.00
8/1/2029	Deposit of dividend	\$1,700.00
8/15/2029	Withdrawal for car payment	\$6,800.00
9/1/2029	Deposit of bonus	\$7,250.00
9/15/2029	Withdrawal for vacation	\$3,100.00
10/1/2029	Deposit of interest	\$1,550.00
10/15/2029	Withdrawal for insurance	\$1,750.00
11/1/2029	Deposit of salary	\$15,000.00
11/15/2029	Withdrawal for groceries	\$3,000.00
12/1/2029	Deposit of dividend	\$1,750.00
12/15/2029	Withdrawal for car payment	\$7,000.00
1/1/2030	Deposit of bonus	\$7,500.00
1/15/2030	Withdrawal for vacation	\$3,200.00
2/1/2030	Deposit of interest	\$1,600.00
2/15/2030	Withdrawal for insurance	\$1,800.00
3/1/2030	Deposit of salary	\$15,500.00
3/15/2030	Withdrawal for groceries	\$3,100.00
4/1/2030	Deposit of dividend	\$1,800.00
4/15/2030	Withdrawal for car payment	\$7,200.00
5/1/2030	Deposit of bonus	\$7,750.00
5/15/2030	Withdrawal for vacation	\$3,300.00
6/1/2030	Deposit of interest	\$1,650.00
6/15/2030	Withdrawal for insurance	\$1,850.00
7/1/2030	Deposit of salary	\$16,000.00
7/15/2030	Withdrawal for groceries	\$3,200.00
8/1/2030	Deposit of dividend	\$1,850.00
8/15/2030	Withdrawal for car payment	\$7,400.00
9/1/2030	Deposit of bonus	\$8,000.00
9/15/2030	Withdrawal for vacation	\$3,400.00
10/1/2030	Deposit of interest	\$1,700.00
10/15/2030	Withdrawal for insurance	\$1,900.00
11/1/2030	Deposit of salary	\$16,500.00
11/15/2030	Withdrawal for groceries	\$3,300.00
12/1/2030	Deposit of dividend	\$1,900.00
12/15/2030	Withdrawal for car payment	\$7,600.00
1/1/2031	Deposit of bonus	\$8,250.00
1/15/2031	Withdrawal for vacation	\$3,500.00
2/1/2031	Deposit of interest	\$1,750.00
2/15/2031	Withdrawal for insurance	\$1,950.00
3/1/2031	Deposit of salary	\$17,000.00
3/15/2031	Withdrawal for groceries	\$3,400.00
4/1/2031	Deposit of dividend	\$1,950.00
4/15/2031	Withdrawal for car payment	\$7,800.00
5/1/2031	Deposit of bonus	\$8,500.00
5/15/2031	Withdrawal for vacation	\$3,600.00
6/1/2031	Deposit of interest	\$1,800.00
6/15/2031	Withdrawal for insurance	\$2,000.00
7/1/2031	Deposit of salary	\$17,500.00
7/15/2031	Withdrawal for groceries	\$3,500.00
8/1/2031	Deposit of dividend	\$2,000.00
8/15/2031	Withdrawal for car payment	\$8,000.00
9/1/2031	Deposit of bonus	\$8,750.00
9/15/2031	Withdrawal for vacation	\$3,700.00
10/1/2031	Deposit of interest	\$1,850.00
10/15/2031	Withdrawal for insurance	\$2,050.00
11/1/2031	Deposit of salary	\$18,000.00
11/15/2031	Withdrawal for groceries	\$3,600.00
12/1/2031	Deposit of dividend	\$2,050.00
12/15/2031	Withdrawal for car payment	\$8,200.00
1/1/2032	Deposit of bonus	\$9,000.00
1/15/2032	Withdrawal for vacation	\$3,800.00
2/1/2032	Deposit of interest	\$1,900.00
2/15/2032	Withdrawal for insurance	\$2,100.00
3/1/2032	Deposit of salary	\$18,500.00
3/15/2032	Withdrawal for groceries	\$3,700.00
4/1/2032	Deposit of dividend	\$2,100.00
4/15/2032	Withdrawal for car payment	\$8,400.00
5/1/2032	Deposit of bonus	\$9,250.00
5/15/2032	Withdrawal for vacation	\$3,900.00
6/1/2032	Deposit of interest	\$1,950.00
6/15/2032	Withdrawal for insurance	\$2,150.00
7/1/2032	Deposit of salary	\$19,000.00
7/15/2032	Withdrawal for groceries	\$3,800.00
8/1/2032	Deposit of dividend	\$2,150.00
8/15/2032	Withdrawal for car payment	\$8,600.00
9/1/2032	Deposit of bonus	\$9,500.00
9/15/2032	Withdrawal for vacation	\$4,000.00
10/1/2032	Deposit of interest	\$2,000.00
10/15/2032	Withdrawal for insurance	\$2,200.00
11/1/2032	Deposit of salary	\$19,500.00
11/15/2032	Withdrawal for groceries	\$3,900.00
12/1/2032	Deposit of dividend	\$2,200.00
12/15/2032	Withdrawal for car payment	\$8,800.00
1/1/2033	Deposit of bonus	\$9,750.00
1/15/2033	Withdrawal for vacation	\$4,100.00
2/1/2033	Deposit of interest	\$2,050.00
2/15/2033	Withdrawal for insurance	\$2,250.00
3/1/2033	Deposit of salary	\$20,000.00
3/15/2033	Withdrawal for groceries	\$4,000.00
4/1/2033	Deposit of dividend	\$2,250.00
4/15/2033	Withdrawal for car payment	\$9,000.00
5/1/2033	Deposit of bonus	\$10,000.00
5/15/2033	Withdrawal for vacation	\$4,200.00
6/1/2033	Deposit of interest	\$2,100.00
6/15/2033	Withdrawal for insurance	\$2,300.00
7/1/2033	Deposit of salary	\$20,500.00
7/15/2033	Withdrawal for groceries	\$4,100.00
8/1/2033	Deposit of dividend	\$2,300.00
8/15/2033	Withdrawal for car payment	\$9,200.00
9/1/2033	Deposit of bonus	\$10,250.00
9/15/2033	Withdrawal for vacation	\$4,300.00
10/1/2033	Deposit of interest	\$2,150.00
10/15/2033	Withdrawal for insurance	\$2,350.00
11/1/2033	Deposit of salary	\$21,000.00
11/15/2033	Withdrawal for groceries	\$4,200.00
12/1/2033	Deposit of dividend	\$2,350.00
12/15/2033	Withdrawal for car payment	\$9,400.00
1/1/2034	Deposit of bonus	\$10,500.00
1/15/2034	Withdrawal for vacation	\$4,400.00
2/1/2034	Deposit of interest	\$2,200.00
2/15/2034	Withdrawal for insurance	\$2,400.00
3/1/2034	Deposit of salary	\$21,500.00
3/15/2034	Withdrawal for groceries	\$4,300.00
4/1/2034	Deposit of dividend	\$2,400.00
4/15/2034	Withdrawal for car payment	\$9,600.00
5/1/2034	Deposit of bonus	\$10,750.00
5/15/2034	Withdrawal for vacation	\$4,500.00
6/1/2034	Deposit of interest	\$2,250.00
6/15/2034	Withdrawal for insurance	\$2,450.00
7/1/2034	Deposit of salary	\$22,000.00
7/15/2034	Withdrawal for groceries	\$4,400.00
8/1/2034	Deposit of dividend	\$2,450.00
8/15/2034	Withdrawal for car payment	\$9,800.00
9/1/2034	Deposit of bonus	\$11,000.00
9/15/2034	Withdrawal for vacation	\$4,600.00
10/1/2034	Deposit of interest	\$2,300.00
10/15/2034	Withdrawal for insurance	\$2,500.00
11/1/2034	Deposit of salary	\$22,500.00
11/15/2034	Withdrawal for groceries	\$4,500.00
12/1/2034	Deposit of dividend	\$2,500.00
12/15/2034	Withdrawal for car payment	\$10,000.00
1/1/2035	Deposit of bonus	\$11,250.00
1/15/2035	Withdrawal for vacation	\$4,700.00
2/1/2035	Deposit of interest	\$2,350.00
2/15/2035	Withdrawal for insurance	\$2,550.00
3/1/2035	Deposit of salary	\$23,000.00
3/15/2035	Withdrawal for groceries	\$4,600.00
4/1/2035	Deposit of dividend	\$2,550.00
4/15/2035	Withdrawal for car payment	\$10,200.00
5/1/2035	Deposit of bonus	\$11,500.00
5/15/2035	Withdrawal for vacation	\$4,800.00
6/1/2035	Deposit of interest	\$2,400.00
6/15/2035	Withdrawal for insurance	\$2,600.00
7/1/2035	Deposit of salary	\$23,500.00
7/15/2035	Withdrawal for groceries	\$4,700.00
8/1/2035	Deposit of dividend	\$2,600.00
8/15/2035	Withdrawal for car payment	\$10,400.00
9/1/2035	Deposit of bonus	\$11,750.00
9/15/2035	Withdrawal for vacation	\$4,900.00
10/1/2035	Deposit of interest	\$2,450.00
10/15/2035	Withdrawal for insurance	\$2,650.00
11/1/2035	Deposit of salary	\$24,000.00
11/15/2035	Withdrawal for groceries	\$4,800.00

Filing of Applications by Banks

(Amending Secs. 3, 4(a), 5(b),
6(a), 7(a), 8(a) and (b))

**Ceiling Price Regulation 34
Supplementary Regulation 22
Amendment 1
NOVEMBER 13, 1952**

OFFICE OF PRICE STABILIZATION WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

CPR 34—SERVICES

SR 22—SERVICE CHARGES FOR BANKS

FILING OF APPLICATIONS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment to Supplementary Regulation 22 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 22 to Ceiling Price Regulation 34, as amended, provides for filing applications thereunder with the OPS District Office for the district in which the bank is located, rather than the National Office.

It is the policy of this office to delegate to its field offices the authority to process applications of local sellers whenever it is feasible to do so. The OPS District Office in the proximate area of the seller is usually better aware of the local situation and problems than the National Office. In addition, the burden on the applicant is often substantially lessened by dealing with the local office in that it is more convenient than dealing with the National Office in Washington, D. C. Most banks operate within a limited geographical area and their problems in most cases can best be handled by local OPS offices.

It is therefore the opinion of the Director of Price Stabilization that applications for change in banking practices or for the establishment of ceiling prices by banks on their depositors' checking accounts should be handled by the OPS district offices.

The technical nature of this amendment has made formal consultation with industry representatives impracticable.

AMENDATORY PROVISIONS

Supplementary Regulation 22 of Ceiling Price Regulation 34, as amended, is amended by deleting the phrase "Director of Price Stabilization, Attention: Chief, Service Trades Branch, Washington 25, D. C.," wherever it appears in sections 3, 4 (a), 5 (b), 6 (a), 7 (a), 8 (a), and 8 (b) of Supplementary Regulation 22 to Ceiling Price Regulation 34, and inserting in lieu thereof, the phrase "appropriate OPS District Office."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective November 18, 1952.

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

TIGHE E. WOODS,
Director of Price Stabilization.

NOVEMBER 13, 1952.

**Modification of
Approval Requirements**

(Amending Secs. 3
and 8(c))

**Ceiling Price Regulation 34
Supplementary Regulation 22
Amendment 2**

NOVEMBER 28, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 22, Amdt. 2]

CPR 34—SERVICES

SR 22—SERVICE CHARGES FOR BANKS

MODIFICATIONS OF APPROVAL REQUIREMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Supplementary Regulation 22 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 22 to Ceiling Price Regulation 34 permits certain changes in banking practices to be instituted prior to written approval from OPS in those cases where the applicant is not required to submit special financial data to OPS.

Previously, section 3 to Supplementary Regulation 22 of Ceiling Price Regulation 34, required OPS to approve, in writing, all applications thereunder, for permission to change from one method of computing earnings credit on depositors' checking accounts to another method. Information available to the OPS indicates that there is no significant difference in the amount of earnings credit under any of the methods described in section 3. Therefore, there is no requirement under that section that applications contain special financial data. Accordingly, since there is no financial data to be analyzed by OPS there is no need to continue the requirement that written authority must be given by OPS before the bank can change its method of computing earnings credit on depositors checking accounts.

Similarly, under section 8 (b) of Supplementary Regulation 22 to Ceiling

Price Regulation 34, any bank that did not have a branch office during the base period is authorized to institute in new branch offices, the schedule of ceiling prices at the principal bank for the same service to the same class of purchaser. This section is available to any bank that did not have branch offices during the base period and the application is in effect merely a reporting of ceiling prices. Accordingly, section 8 (c) is amended to permit new branch banks to institute the schedule of service charges of their principal bank ten days after filing an application therefor without written approval from OPS.

Provision is not made for such automatic approval of section 8 (a) since that section is made available only to banks that had branch offices with uniform prices during the base period. It is therefore necessary for this office to consider the application with respect to determining if all the branch banks did, in fact, have uniform prices during the base period.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Supplementary Regulation 22 to Ceiling Price Regulation 34, as amended, is amended in the following respects:

1. Section 3 is amended by striking out the last two sentences and inserting in lieu thereof the following: "You may not change your method of computing earnings credit on depositors' checking accounts under this section until your application therefor has been approved by OPS, but your application shall be considered approved 10 days after mailing the application or in the event any additional information is requested by OPS, ten days after mailing such additional information, unless within that time OPS notifies you that your application has been disapproved. Nothing in this sec-

tion shall be construed to authorize any bank to lower the rate it allows to its depositors with respect to credit on depositors' checking account, and in your application you must certify that your bank will not lower its rate of credit on depositor's checking accounts."

2. Section 8 (c) is amended to read as follows:

(c) If you are applying for permission to establish ceiling prices for your services under paragraph (a) or (b) of this section your application must contain a list of the addresses of the principal bank and all branch offices together with a schedule of the ceiling prices for services in effect at the principal office on the date of your application and if you have ever been authorized to adjust your service charges by the Office of Price Stabilization, you must adequately identify the order under which you were authorized to make such adjustment. You may not supply the service for which you are requesting a ceiling price under paragraph (a) of this section until you are advised in writing of OPS approval, which will be given only where granting such approval is consistent with the purpose of the Defense Production Act of 1950, as amended. You may not supply the services for which you are requesting ceiling prices under paragraph (b) until your application therefor has been approved by OPS, but your application under section 8 (b) shall be considered approved 10 days after mailing the application or in the event any additional information is requested by OPS, ten days after mailing such additional information unless within that time OPS notifies you that your application has been disapproved.

Effective date. This amendment to Supplementary Regulation 22 to Ceiling Price Regulation 34, as amended, shall become effective December 3, 1952.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

NOVEMBER 28, 1952.

Appendix 1: List of Sites

Site Name		Site Number		Site Type	
Site 1		101		Urban	
Site 2		102		Urban	
Site 3		103		Urban	
Site 4		104		Urban	
Site 5		105		Urban	
Site 6		106		Urban	
Site 7		107		Urban	
Site 8		108		Urban	
Site 9		109		Urban	
Site 10		110		Urban	
Site 11		111		Urban	
Site 12		112		Urban	
Site 13		113		Urban	
Site 14		114		Urban	
Site 15		115		Urban	
Site 16		116		Urban	
Site 17		117		Urban	
Site 18		118		Urban	
Site 19		119		Urban	
Site 20		120		Urban	
Site 21		121		Urban	
Site 22		122		Urban	
Site 23		123		Urban	
Site 24		124		Urban	
Site 25		125		Urban	
Site 26		126		Urban	
Site 27		127		Urban	
Site 28		128		Urban	
Site 29		129		Urban	
Site 30		130		Urban	
Site 31		131		Urban	
Site 32		132		Urban	
Site 33		133		Urban	
Site 34		134		Urban	
Site 35		135		Urban	
Site 36		136		Urban	
Site 37		137		Urban	
Site 38		138		Urban	
Site 39		139		Urban	
Site 40		140		Urban	
Site 41		141		Urban	
Site 42		142		Urban	
Site 43		143		Urban	
Site 44		144		Urban	
Site 45		145		Urban	
Site 46		146		Urban	
Site 47		147		Urban	
Site 48		148		Urban	
Site 49		149		Urban	
Site 50		150		Urban	
Site 51		151		Urban	
Site 52		152		Urban	
Site 53		153		Urban	
Site 54		154		Urban	
Site 55		155		Urban	
Site 56		156		Urban	
Site 57		157		Urban	
Site 58		158		Urban	
Site 59		159		Urban	
Site 60		160		Urban	
Site 61		161		Urban	
Site 62		162		Urban	
Site 63		163		Urban	
Site 64		164		Urban	
Site 65		165		Urban	
Site 66		166		Urban	
Site 67		167		Urban	
Site 68		168		Urban	
Site 69		169		Urban	
Site 70		170		Urban	
Site 71		171		Urban	
Site 72		172		Urban	
Site 73		173		Urban	
Site 74		174		Urban	
Site 75		175		Urban	
Site 76		176		Urban	
Site 77		177		Urban	
Site 78		178		Urban	
Site 79		179		Urban	
Site 80		180		Urban	
Site 81		181		Urban	
Site 82		182		Urban	
Site 83		183		Urban	
Site 84		184		Urban	
Site 85		185		Urban	
Site 86		186		Urban	
Site 87		187		Urban	
Site 88		188		Urban	
Site 89		189		Urban	
Site 90		190		Urban	
Site 91		191		Urban	
Site 92		192		Urban	
Site 93		193		Urban	
Site 94		194		Urban	
Site 95		195		Urban	
Site 96		196		Urban	
Site 97		197		Urban	
Site 98		198		Urban	
Site 99		199		Urban	
Site 100		200		Urban	

**No Minimum Balance
Checking Accounts**

(Adding new Sec. 10)

**Ceiling Price Regulation 34
Supplementary Regulation 22
Amendment 3**

DECEMBER 5, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 3 to
Supplementary Regulation 22]

CPR 34—SERVICES

SR 22—SERVICE CHARGE FOR BANKS

NO MINIMUM BALANCE CHECKING ACCOUNTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to Supplementary Regulation 22 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 22 to Ceiling Price Regulation 34 permits banks to institute "no minimum balance" checking accounts of a type which they do not presently offer.

A "no minimum balance" checking account is defined for the purposes of this regulation as a checking account where, regardless of the balance in the depositor's checking account, the only service charge to the depositor is a flat charge for each check drawn and each deposit made, or a flat charge for each check drawn with no charge for deposits. If a bank institutes a new type of account pursuant to this amendment, it must continue to supply each type of account which it offered during the base period or

since that time. Thus, this amendment makes it possible for a bank to offer to its depositors a selection of the type of account most economical or convenient to them.

The technical nature of this amendment has made formal consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Supplementary Regulation 22 to Ceiling Price Regulation 34, as amended, is further amended in the following respects:

1. Section 10 is renumbered section 11.
2. A new section 10 is added after section 9 to read as follows:

SEC. 10. No minimum balance checking accounts. (a) If you wish to supply any type of no minimum balance checking account which you do not presently supply, you may apply to the appropriate OPS District Office for the establishment of a ceiling price therefor. Your application must be filed by registered mail, return receipt requested, must be signed by you, and must contain a statement of your name and address; a description of the no minimum balance checking account service you wish to supply; and your proposed ceiling price for the service, which may not be higher than the ceiling price of the bank closest to you serving a comparable market and supplying the identical no minimum balance checking account service. Your

application must also state the name and address of that bank. You may not sell the service for which a ceiling price is requested under this section until that price has been approved by OPS, but your proposed price shall be considered approved 20 days after receipt of your application by OPS, as shown by the return postal receipt, unless, within that time, OPS notifies you otherwise. If you institute a new type of account under this section, you must continue to supply each type of account which you supplied during the base period or since.

(b) For the purposes of this section, a no minimum balance checking account is a type of checking account where, regardless of the balance in the depositor's account, the only service charge to the depositor is a flat charge for each check drawn and each deposit made, or a flat charge for each check drawn with no charge for deposits, or a charge paid in advance for a specified number of checks. There may also be a maintenance charge on such accounts.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective December 10, 1952.

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.

TIGHE E. WOODS,
Director of Price Stabilization.

DECEMBER 5, 1952.

Handling and Storage
of Grain Under the Uniform
Grain Storage Agreement of
U. S. Department of Agriculture

Ceiling Price Regulation 34
Supplementary Regulation 23
AUG. 14, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 23]

CPR 34—SERVICES

SR 23—HANDLING AND STORAGE OF GRAIN
UNDER THE UNIFORM GRAIN STORAGE
AGREEMENT OF THE UNITED STATES
DEPARTMENT OF AGRICULTURE

Pursuant to the Defense Production
Act of 1950, as amended, Executive Order
10161, and Economic Stabilization
Agency General Order No. 2, this Supple-
mentary Regulation to Ceiling Price
Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to Ceiling
Price Regulation 34 establishes dol-
lars and cents ceiling prices for the han-
dling and storage of grain for the Com-
modity Credit Corporation under the
provisions of the Uniform Grain Storage
Agreement. These ceiling rates are the
same as the rates currently set forth in
the uniform schedule of rates in con-
tracts for the handling and storage of
Commodity Credit Corporation grain.
All of the contracts for the storage and
handling of Commodity Credit Corpora-
tion grain include a uniform schedule
of rates covering such services. This
schedule was amended early in 1952 to
cover the contract year of 1952-53. The
renewal dates are June 1 for some prin-
cipal grain areas, and July 1 for other
grain areas. The Commodity Credit
Corporation has recommended that OPS
permit sellers to use this new schedule
of rates as their ceiling prices.

From the point of view of price con-
trol, the principal change that has been
made by the new schedule of rates issued
under the Uniform Grain Storage
Agreement is the elimination of free
storage time that had been allowed in
previous agreements. The rates for
handling charges, however, are the same
as were in effect when the General Ceiling
Price Regulation was issued, and in
some cases storage rates have been re-
duced. Therefore, although the elimi-
nation of free time may in an individual
case result in a higher rate being paid

for storage, it is the opinion of officials
of the Department of Agriculture and of
other experts in this field that the an-
nual cost of storing grain will remain
substantially the same as it has been for
the past three years. These parties
unanimously express the belief that the
change made in the schedule of rates is
not in fact an increase since the amounts
finally payable are dependent on the
period of time that the grain remains
in storage. It is estimated that this
period will average between 5½ and 9
months.

This regulation also permits elevators
and warehouses to charge private and
commercial users the same rates for
storage as those applicable to the Com-
modity Credit Corporation, if prior to the
issuance of the General Ceiling Price
Regulation the operator had followed a
pattern of charging private and com-
mercial users the same rates established
under previous Uniform Grain Storage
Agreements. At the time the grain is
stored it is not known in many instances
whether the charges will be paid by the
Commodity Credit Corporation or by the
storer of the grain. This is true because
weeks or months may elapse before the
storer decides whether to redeem the
grain or to let title pass to the Com-
modity Credit Corporation.

Finally, this supplementary regulation
is made effective as of June 1, 1952,
since that is the earlier renewal date for
the services covered by the agreement.

In the formulation of this regulation
there have been consultations with rep-
resentatives of the Commodity Credit

Corporation and industry representa-
tives, and consideration has been given
to their recommendations. In the
judgment of the Director of Price Stabi-
lization the ceiling prices established by
this supplementary regulation are gen-
erally fair and equitable and are neces-
sary to effectuate the purposes of Title
IV of the Defense Production Act of 1950,
as amended.

REGULATORY PROVISIONS

- Sec.
1. What this regulation does.
2. Relationship to CPR 34.
3. Ceiling prices.

AUTHORITY: Sections 1 to 4, 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 dollar and
cents ceiling prices for the handling and
storage of grain by signatories to the
Uniform Grain Storage Agreement of
the United States Department of Agri-
culture.

SEC. 2. *Relationship to CPR 34.* All
provisions of Ceiling Price Regulation
34, as amended, except as changed by
the pricing provisions of this supple-
mentary regulation, shall remain in full
force and effect.

SEC. 3. *Ceiling prices.* (a) The ceiling
prices which may be charged the Com-
modity Credit Corporation by ware-
houses and elevators for the handling
and storage of grain shall be as follows:

GRAIN RECEIVED BY TRUCK

Commodity	Areas	Receiving, insuring, conditioning and storing for first 10 days (cents)	Storing, insuring, conditioning, and all other charges after first 10 days for remainder of the annual pe- riod and each succeeding annual period ¹ (in cents per diem)	Loading out (cent)
Oats.....	All.....	3	180 days at 1/30—balance annual period 1/40.....	1/4
Corn:				
Commingled.....	All.....	4	150 days at 1/20—balance annual period 1/40.....	1/4
Identity preserved....	All.....	4	1/30 per diem.....	1/4
Barley:				
Commingled.....	All.....	5	150 days at 1/20—balance annual period 1/40.....	1/4
Identity preserved....	All.....	5	1/30 per diem.....	1/4
Flax:				
Commingled.....	All.....	6½	210 days at 1/20—balance annual period 1/30.....	3/4
Identity preserved....	All.....	6½	1/25 per diem.....	3/4
Wheat and all other grain.	I ^a	6	90 days at 1/20—balance annual period 1/30.....	1/2
	II ^b	6	120 days at 1/20—balance annual period 1/30.....	1/2
	III ^c	6½	150 days at 1/20—balance annual period 1/30.....	1/2
	IV ^d	7½	180 days at 1/20—balance annual period 1/30.....	1/2

See footnotes at end of table.

GRAIN RECEIVED BY RAIL OR WATER

Commodity	Area	Receiving charges (cents)	Storing, insuring, conditioning, and all other charges for each annual period ¹ (in cents per diem)	Loading out (cent)
Oats.....	All.....	1½	First 180 days at 1/30—next 185 days at 1/40.....	¾
Corn:				
Commingled.....	All.....	1½	First 150 days at 1/20—next 215 days at 1/40.....	¾
Identity preserved.....	All.....	1½	1/30 per dlem.....	¾
Barley:				
Commingled.....	All.....	1½	First 150 days at 1/20—next 215 days at 1/40.....	¾
Identity preserved.....	All.....	1½	1/30 per dlem.....	¾
Flax:				
Commingled.....	All.....	2	First 210 days at 1/20—next 155 days at 1/30.....	¾
Identity preserved.....	All.....	2	1/25 per dlem.....	¾
Wheat and all other grain.	I ^a	1½	First 90 days at 1/20—next 275 days at 1/30.....	¾
	II ^b	1½	First 120 days at 1/20—next 245 days at 1/30.....	¾
	III ^c	1½	First 150 days at 1/20—next 215 days at 1/30.....	¾
	IV ^d	1½	First 180 days at 1/20—next 185 days at 1/30.....	¾

¹ Annual period begins on the date of the warehouse receipt.

NOTE: Charges on flax shall be computed on a gross bushel basis.

- ^a Area I includes: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.
- ^b Area II includes: Minnesota, Montana, North Dakota, South Dakota, also Superior, Wisconsin.
- ^c Area III includes: Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, Wyoming, Wisconsin, except Superior.
- ^d Area IV includes: All States not listed in Areas I, II, and III above.

Direct transfer 1½ cents per bushel.
Add customary port authority or mandatory charges where grain is received at port locations.

(b) The ceiling rates established in paragraph (a) of this section shall apply to private and commercial users, if prior to January 26, 1951, the grain warehouse or elevator had charged such users the same rates as those established by previous Uniform Grain Storage Agreements of the United States Department of Agriculture.

Effective date. This supplementary regulation to Ceiling Price Regulation 34 shall become effective as of June 1, 1952.

JOSEPH H. FREEHILL,
Acting Director of
Price Stabilization.

AUGUST 14, 1952.

Sales of Linen Supply Services to Small Commercial Users

Ceiling Price Regulation 34 Supplementary Regulation 24

AUG. 22, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 24]

CPR 34—SERVICES

SR 24—LINEN SUPPLIERS LOCATED IN NEW YORK CITY AREA: SALES OF CERTAIN LINEN SUPPLY SERVICES TO SMALL COM- MERCIAL USERS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 24 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 24 to Ceiling Price Regulation 34 (CPR 34) applies to sellers of linen supply services located in the New York City metropolitan area. It establishes dollars and cents ceiling prices for sales to small commercial purchasers of the linen supply services as specified in Appendix A. Previously, ceiling prices for sales of these services had been established by CPR 34, as amended.

While CPR 34 remains the regulation applicable to most service industries and to certain sales by sellers subject to this supplementary regulation, this action is taken in line with OPS policy of providing price controls better adapted to the specific nature and needs of particular service industries and to requirements for more effective administration and enforcement.

Generally, CPR 34 fixes a seller's ceiling price for sale of a service to a purchaser at the highest price at which he delivered the service or offered it for delivery to a purchaser of the same class during the base period (December 19, 1950, to January 25, 1951, inclusive). A purchaser of the same class is defined in the regulation as a purchaser belonging to a price class, i. e. group of purchasers to whom it was the seller's established practice in the base period to supply the service at a particular price different from that customarily charged other groups of purchasers. This definition further provides that a single purchaser constitutes a price class if that purchaser was customarily treated differently price-wise by the seller from all other purchasers. Section 12 (c) generally provides that a seller who customarily charged different purchasers different prices without regard to standards but on an individually negotiated basis must treat each purchaser as a separate class of purchaser. Such a

seller was required to establish almost as many ceiling prices as he had customers in the base period. Section 12 (d) generally required this type of seller to compute the ceiling price for sale of a service to a new purchaser at the arithmetic average of his ceiling prices to purchasers in the same category as derived from his base period experience. It also imposed upon this seller the requirement that if he discontinued supplying a service to an old purchaser within one month before or after beginning to supply that service to a new purchaser, he was required to sell to the new purchaser at a price no higher than the ceiling price to the old purchaser he discontinued if the purchaser had been supplied the service during the base period at a price below the seller's average price to purchasers in the same category. Sections 12 (c) and (d) were designed to meet exceptional cases and as applied to the service trades generally have not constituted a burden upon sellers in computing ceiling prices.

Two central facts make departure from the freeze technique of CPR 34 appropriate and desirable in the case of sales by linen suppliers located in the New York City metropolitan area to small commercial purchasers of linen supply services. In the first place, the dollars and cents pricing technique is appropriate and desirable where a service industry furnishes a service which is generally uniform in nature from seller to seller. This technique is desirable also from the standpoint of simplicity and certainty of administration both for sellers subject to the regulation and for the OPS. The services covered by this supplementary regulation are generally uniform in their nature irrespective of which linen supplier furnishes it. In the second place, the peculiar nature of the linen supply industry in the New York City metropolitan area makes the application of CPR 34 to their pricing problems a difficult and burdensome task.

There are approximately 80 linen supply firms in the New York City metropolitan area. It has been estimated that they furnish linen supply services to approximately one hundred seventy-five thousand purchasers with a dollar sales volume of nearly \$500,000 per week. Most of the contracts for sale of these services to smaller accounts have customarily been negotiated in this industry on an individual basis without regard to objective standards such as quantity of purchases or nature of the business or location of the purchaser. The basic reason for this type of sales pattern is the highly competitive nature of the industry. A consequence of this industry characteristic is the frequent movement from seller to seller of individual small

purchasers. Another characteristic of this industry is the frequent purchase by one linen supplier from his competitor of existing customer routes. The result of this practice is to cause a movement from seller to seller of whole groups of purchasers. Generally the linen supply trade considers as a small account the restaurant which currently buys less than \$75 a week of linen supply services or other buyers that currently buy less than \$20 per week of the linen supply services. These smaller accounts include roughly 150,000 buyers whose purchases in dollars represent 50 percent of total dollar volume of the New York City linen suppliers. There are roughly 25,000 of larger accounts which represent the other 50 percent of dollar volume.

CPR 34, although well adapted for the bulk of the services industries, does not solve adequately the ceiling price problems of the linen supply industry in the New York City metropolitan area. Each seller in this industry must compute almost as many ceiling prices as the seller had customers in the base period, which often runs into the thousands. In addition, each seller is faced with the problem of determining ceiling prices for new purchasers acquired either through competitively lower prices offered them or through purchase of existing routes of competitors. To compute these ceiling prices the seller who customarily negotiates individual prices must find the arithmetic average of his ceiling prices derived from his base period sales experience. If, at the time of beginning to sell a new purchaser, the seller has within one month discontinued selling an old purchaser, he must make an individual analysis of his prices to the discontinued purchaser in the base period and may be required to use the latter's ceiling price instead of the arithmetic average of all ceiling prices derived from base period sales experience as the ceiling price to the new purchaser. Due to the multiplicity of customers which each seller has the amount of computations required becomes not only a difficult operation but a time-consuming one as well.

The dollars and cents technique adopted by this supplementary regulation will not only simplify greatly the determination of ceiling prices by sellers subject to this regulation but will eliminate many of the difficulties of enforcement previously encountered in the administration of CPR 34.

This supplementary regulation applies only to sales of linen supply services to small commercial purchasers. Section 4 sets forth the technique for determining which commercial purchasers are large accounts and provides that all others are small accounts. Generally, a commercial purchaser is a large account if it

purchased for use in other than restaurant facilities a volume of twenty or more dollars in the base calendar week or if it purchased for use in restaurant facilities a volume of seventy-five or more dollars in that week. This line of demarcation is supported generally by the practices of the New York City linen supply trade. On the basis of ceiling price adjustments previously granted under section 20 (a) of CPR 34 to sellers subject to this supplementary regulation it appears that the ceiling prices established by this regulation represent the present ceiling prices under CPR 34 for approximately half of the sales to small commercial purchasers. Sales of these services to large commercial purchasers remain subject to CPR 34 due to the relatively smaller number of purchasers involved and to differences in treatment of larger purchasers as recognized generally by the New York City linen supply industry. The establishment of uniform dollars and cents ceiling prices for large commercial purchasers of linen supply services from suppliers located in New York City is not feasible at this time because of very wide variations in the prices charged them.

In determining the level of ceiling prices established in this supplementary regulation, as well as the need for this regulation, the Director has considered the availability of price relief to individual members of this industry under the provisions of section 20 (a) of CPR 34. This section permits a seller of services to apply for an upward adjustment of his ceiling prices for sales of his services when his present ceiling prices impair his normal earnings, for a representative pre-Korean period, to such an extent that the effective operation of his service business is threatened. Among the factors which the Director considers in acting on an application under this section are the seller's post-Korean increases and decreases in cost, the earnings of the seller's services' business as well as the earnings of his entire business operation, change in sales volume, and the nature and size of the seller's business. Based upon data submitted by nine linen supply houses in the New York City metropolitan area, the Director found that each company was entitled to upward adjustment of their ceiling prices. The amount of the adjustment of ceiling prices granted varied from three to six percent. Study of other data indicates that many of the other sellers in this area would be entitled to price relief under the provisions of section 20 (a) of CPR 34. The issuance of this supplementary regulation on an area basis should substantially ease the administrative burden and avoid the otherwise necessary time lag involved in processing many individual applications under this section by sellers subject to this regulation and will generally give these sellers the price relief which, on the average, they would be entitled under section 20 (a) of CPR 34. Accordingly, section 2 (b) of this supplementary regulation provides that no seller subject to this regulation can obtain an adjustment of ceiling prices under section 20 (a) after its effective date; and it also revokes any

adjustment orders previously issued by OPS under this section with respect to sales covered by this supplementary regulation.

The dollars and cents ceiling prices set forth for linen supply services listed in Appendix A have been determined basically upon the customary past prices for different sellers in the New York City metropolitan area for the same services rendered. In preference to weighted average prices of the different sellers, the modal price has been used as the basis for determination of the ceiling prices established by this supplementary regulation. The modal price is that price charged by these sellers to the greatest number of purchasers for each particular service item supplied. Although this supplementary regulation is not issued as an adjustment action, the dollars and cents ceiling prices established by it are on the average slightly above the modal prices so as to take into account fairly recent wage and other cost increases of the New York City linen supply industry and the impairment of normal pre-Korean earnings resulting from such cost increases. The ceiling prices established will result in some rollbacks of some service items for some suppliers. At any uniform ceiling price level established certain rollbacks are necessary unless the criterion of the highest price for a service item of a single supplier were followed which, of course, is not feasible for purposes of sound price control by a dollars and cents technique. Excluded from the scope of this linen supply services regulation are certain related services supplied to professional purchasers, linen supply services furnished to seasonal purchasers, related services purchased for home use, office towel services and commercial flat work services. These exclusions are designed to limit the scope of linen supply services covered by this regulation to a well defined segment of linen supply services in accordance with the industry pattern of the linen supply trade in New York City.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

As far as practical, in the formulation of this regulation, the Director of Price Stabilization has given due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to the prices prevailing during the period January 25 through February 24, 1951, as well as to the level of prices prevailing just before the issuance of this regulation; and to all relevant factors of general applicability.

In formulating this regulation, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Every effort has been made to conform this regulation to business practices existing with respect to the linen supply services covered in the regulation. Insofar as any provisions of this regulation may operate to compel changes in those business practices, such provisions are found by the Director of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Relationship of this supplementary regulation to Ceiling Price Regulation 34.
3. Ceiling prices.
4. How to determine whether a commercial purchaser is a small or a large account.
5. Application for redesignation of account.
6. Invoices.
7. Interpretations.
8. Definitions.

AUTHORITY: Section 1 through 8 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 supplementary regulation does. This supplementary regulation applies to you if you are a seller of linen supply services located in the New York City area. It establishes dollars and cents ceiling prices for your sales of linen supply services listed in Appendix A to all commercial purchasers which are small accounts. Ceiling prices for these sales were previously established by Ceiling Price Regulation 34 (CPR 34). The terms "linen supply services", "New York City Area", and "commercial purchasers" are defined in section 8 of this regulation. Section 4 of this regulation tells you how to determine whether a commercial purchaser is a small or a large account. This regulation does not apply to sales of linen supply services to commercial purchasers which are large accounts, to professional or seasonal purchasers, or to purchasers for home use, as the foregoing terms are defined in section 8 of this regulation. This regulation also does not apply to sales of office towel or commercial flatwork services as these terms are defined in section 8 of this regulation.

SEC. 2. Relationship of this supplementary regulation to Ceiling Price Regulation 34. (a) Except to the extent they are modified by or are inconsistent with the provisions of this supplementary regulation, all provisions of CPR 34, as amended, shall continue to apply to you.

(b) You may not, after the effective date of this supplementary regulation, obtain an adjustment of ceiling prices under paragraphs (a) (1) and (2), (b), or (c) of section 20 of CPR 34 for your sales of linen supply services listed in Appendix A to commercial purchasers which are small accounts. Any order previously issued by the Office of Price Stabilization under these paragraphs and applicable to you is hereby revoked, upon the effective date of this regulation, as to your sales of linen supply services listed in Appendix A to commercial purchasers which are small accounts.

(c) The requirement contained in section 18 (c) of CPR 34, as amended, with

respect to filing of supplemental statements of ceiling prices does not apply, as of the effective date of this supplementary regulation, to your sales of linen supply services listed in Appendix A to commercial purchasers which are small accounts.

SEC. 3. Ceiling prices. If you sell a linen supply service listed in Appendix A from an establishment located in the New York City Area, your ceiling price for a sale of that service to any commercial purchaser which is a small account as determined under section 4 of this regulation, shall be the price specified for that service in Appendix A. If you sell that service to a commercial purchaser which is a large account, your ceiling price for a sale of that service is the one previously established under the provisions of CPR 34, as amended.

SEC. 4. How to determine whether a commercial purchaser is a small or a large account. (a) (1) A commercial purchaser of linen supply services listed in Appendix A is a large account if it purchased for use in other than restaurant facilities a volume of twenty or more dollars of these services during the period specified in paragraph (b) of this section, or if it purchased for use in restaurant facilities, as defined in section 8 of this regulation, a volume of seventy-five or more dollars of these services during the period specified in paragraph (b) of this section, or if it is redesignated as a large account by order of the Director of the New York Regional Office of the Office of Price Stabilization in accordance with the provisions of section 5 of this regulation. All other commercial purchasers of these services are deemed to be small accounts.

(2) If a commercial purchaser purchased linen supply services for use in both restaurant facilities and other facilities during the period specified in paragraph (b) of this section, that buyer is a large account for all of those purchases if it would constitute a large account based upon its purchases for either type of facilities as described in subparagraph (1) of this paragraph.

(3) If a commercial purchaser operates more than one establishment, all of these establishments for which linen supply services listed in Appendix A were purchased during the period specified in paragraph (b) of this section shall, for the purposes of this supplementary regulation, be considered a single purchaser for the purpose of determining whether the commercial purchaser is a large account.

(b) For the purpose of making the status determination required in paragraph (a) of this section, you must select whichever of the following periods is applicable to you: the base week from Monday, July 28, 1952, to Sunday, August 3, 1952, inclusive, or of any seven consecutive days the first of which falls

within that week if you customarily maintain your weekly records on the latter basis. If, however, a commercial purchaser did not purchase linen supply services listed in Appendix A from any seller during the base week applicable to you, the determination of whether that purchaser is a large account must be based upon its volume of these purchases during the first comparable full week, following the base week, in which you did supply these services to that purchaser. Until you have so determined the status of such a purchaser but in no event for more than 14 days after you first furnish linen supply services to such purchaser, your ceiling prices to such purchaser shall be those established by this supplementary regulation. After such time, your ceiling prices to that purchaser must be determined under either this supplementary regulation or CPR 34, whichever is applicable.

(c) If a commercial purchaser did not purchase linen supply services listed in Appendix A from you during the base week specified under paragraph (b) of this section but did purchase these services during that period from another seller subject to this supplementary regulation, you must determine from these purchases whether that purchaser is a large account. You may rely upon the statements of the purchaser concerning the dollar volume of his purchases of linen supply services from others during the base week.

SEC. 5. Application for redesignation of nature of account. (a) A seller subject to this supplementary regulation must, or a purchaser of linen supply services listed in Appendix A from that seller may apply in writing to the Director of the New York Regional Office of the Office of Price Stabilization for an order redesignating that purchaser as a large account or as a small account, whichever is applicable, if the applicant knows and can demonstrate that the purchaser has changed, as described in paragraph (b) of this section, the volume of his purchases of the linen supply services listed in Appendix A. The applicant must give in his application the information specified in paragraph (c) of this section. If the Director finds that the facts warrant a redesignation of the purchaser, either as a large account or as a small account, whichever is applicable, he will issue an order in writing establishing the new designation for the purchaser. Until the Director notifies an applicant in writing of the redesignation of a purchaser as a large account or as a small account, whichever is applicable, a seller subject to this regulation may not charge that purchaser prices higher than the ceiling prices previously applicable for sales of the linen supply services listed in Appendix A to that purchaser.

(b) Either of the persons referred to in paragraph (a) of this section should

apply for an order redesignating the status of a purchaser from a seller subject to this regulation under the following circumstances:

(1) When that purchaser is presently classified as a small account under section 4 of this regulation and his purchases of linen supply services listed in Appendix A during any four consecutive weeks would for each of these weeks constitute that purchaser a large account according to the standards set forth in section 4 of this regulation; or

(2) When that purchaser is presently classified as a large account under section 4 of this regulation and his purchases of linen supply services listed in Appendix A during any four consecutive weeks would not for each of those weeks constitute that purchaser a large account according to the standards set forth in section 4 of this regulation.

(c) An application under this section must include the following information:

(1) Name and address of the seller and the purchaser;

(2) The period which constitutes the seller's base week, the dollar amount of the purchaser's purchases of linen supply services during that week, and the type of facilities for which the purchases were made, together with the present status of that purchaser (i. e. whether it is a large or a small account) if the status has changed since the base week;

(3) The four consecutive weeks upon which the applicant relies as the basis for seeking a redetermination of status of that purchaser;

(4) The dollar volume of purchases of linen supply services listed in Appendix A by that purchaser from the seller for each week referred to in subparagraph 3 of this paragraph.

SEC. 6. Invoices. In complying with the provisions of section 17 of CPR 34, as amended, you must supply sales slips, receipts, or invoices to purchasers which describe linen supply services furnished to such purchasers in the terms as used to describe those services in Appendix A of this supplementary regulation.

SEC. 7. Interpretations. If you want an official interpretation of this regulation, you should write to the Regional Counsel of the New York Regional Office of the Office of Price Stabilization. Any action taken by you in reliance upon and in conformity with a written official interpretation will constitute action in good faith pursuant to this supplementary regulation. Further information on obtaining official interpretations is contained in Price Procedural Regulation 1, revised.

SEC. 8. Definitions. When used in this supplementary regulation, the term:

(a) "Linen supply services" means the supplying to others on a rental basis of clean laundered linens or garments listed in Appendix A by the owner of these items. The term "linen" as used

in this definition, is not confined to articles made of linen textiles, but includes articles consisting of any fabric which are commonly laundered as distinguished from being dry cleaned.

(b) "Commercial purchaser" means a person who buys linen supply services in connection with the operation of his business, such as a restaurant, hotel, hospital, barber shop, or other similar businesses.

(c) "New York City Area" means the following counties of the State of New York: New York, Kings, Queens, Bronx, Richmond, Nassau, Suffolk and Westchester.

(d) "Small account" means a commercial purchaser of linen supply services listed in Appendix A which is not a large account as described in section 4 of this regulation.

(e) "Large account". Section 4 of this regulation tells you how to determine whether a commercial purchaser of linen supply services listed in Appendix A is a large account.

(f) "Professional purchaser" means a member of the medical or dental profession who purchases linen supply services for use in his professional office.

(g) "Seasonal purchaser" means a commercial purchaser who normally and in the regular course of business purchases linen supply services listed in Appendix A during less than six consecutive months of each year.

(h) "Purchaser for home use" means a person who purchases linen supply services for a use in his home unconnected with the operation of a business.

(i) "Office towel service" means the

supplying to others for use in offices on a rental basis of clean laundered towels, owned by the supplier, which are delivered at regular intervals and normally at a specified price per month based upon the quantity of towels used.

(j) "Commercial flatwork service" means laundry services supplied by a seller on linens, flatwork or garments owned by the purchaser of the services.

(k) "Restaurant facilities" means the facilities normally provided by a public or private eating place serving food or beverages operated either as a separate business or as a department of a business, such as a hotel or department store.

Effective date. This supplementary regulation is effective August 27, 1952.

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.

ELLIS ARNALL,

Director of Price Stabilization:

AUGUST 22, 1952.

APPENDIX A—CEILING PRICES FOR LINEN SUPPLY SERVICE ITEMS

The terms used below to describe linen supply service items shall have the meaning customary to the linen supply service trade in the New York City Area. You must follow the customary practice of the trade in replacing at normal intervals and under customary conditions the items of linen supply service furnished to purchasers. The term "special", as used in this Appendix, means an item which has a special trim or embroidery or an item which is not plain white.

Item	Per piece	Per hundred pieces
1. Aprons, plain.....	\$0.165	-----
2. Aprons, tea.....	.11	-----
3. Aprons, industrial.....	.20	-----
4. Coats, plain.....	.42	-----
5. Coats, special.....	.47	-----
6. Dresses, smocks, and Hoover.....	.55	-----
7. Dresses, bungalows.....	.40	-----
8. Dresses, special.....	.60	-----
9. Gowns, regular.....	.55	-----
10. Gowns, special.....	.60	-----
11. Hair cloths furnished to barber shops.....	.16	-----
12. Hair cloths furnished to beauty shops.....	.16	-----
13. Mops.....	.06	-----
14. Napkins, 16-inch.....	-----	\$1.50
15. Napkins, 18-inch.....	-----	1.65
16. Napkins, 22-inch mercerized.....	-----	2.10
17. Pants, regular.....	.41	-----
18. Pants, special.....	.46	-----
19. Pillow cases.....	.09	-----
20. Shave cloths.....	.10	-----
21. Sheets.....	.19	-----
22. Shirts, regular.....	.35	-----
23. Shirts, special.....	.40	-----
24. Suits (special pants and special shirts).....	.80	-----
25. Tablecloth, regular, white up to 64-inch.....	.18	-----
26. Table tops, white cotton.....	.10	-----
27. Towels, bath, small 18 by 26 or smaller.....	.085	-----
28. Towels, bath, large over 18 by 36.....	.10	-----
29. Towels, glass, side, kitchen, grade 1.....	.06	-----
30. Towels, hand.....	.05	-----
31. Towels, kitchen, grade 2.....	.04	-----
32. Towels, rag.....	.02	-----
33. Towels, 16 by 32, furnished to barber shops.....	-----	2.15
34. Towels, 16 by 32, furnished to beauty shops.....	-----	2.55
35. Towels, 18 by 36, furnished to barber shops.....	-----	2.50
36. Towels, 18 by 36, furnished to beauty shops.....	-----	2.75
37. Towels, massage, furnished to barber shops.....	.055	-----
38. Towels, massage, furnished to beauty shops.....	.06	-----

**Clarification—Linen Suppliers
Located in New York City Area, Etc.**

(Amending Secs. 1,
4(a) (3), 5(c) and 8(b))

**Ceiling Price Regulation 34
Supplementary Regulation 24
Amendment 1
OCT. 10, 1952**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 1 to
Supplementary Regulation 24]

CPR 34—SERVICES

**SR 24—LINEN SUPPLIERS LOCATED IN NEW
YORK CITY AREA: SALES OF CERTAIN
LINEN SUPPLY SERVICES TO SMALL COM-
MERCIAL USERS**

CLARIFICATION

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 24 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 1 to Supplementary Regulation 24 to Ceiling Price Regulation 34 clarifies the coverage of this supplementary regulation to indicate clearly that it applies only when both the buyer and the seller of linen supply services are located in the New York City Area (the counties of New York, Kings, Queens, Bronx, Richmond, Nassau, Suffolk and Westchester in New York State). If either the buyer or seller is located outside of the New York City Area, the transaction continues to fall within the provisions of Ceiling Price Regulation 34.

If a buyer or seller has several places of business, some of which are within the New York City Area, the ceiling prices established by this supplementary regulation apply to sales or purchases made to and by those places of business only. Thus, there are two criteria for the applicability of this Supplementary Regulation 24: the location of buyer and seller, and the volume of linen supply services purchased by the buyer.

In view of the clarifying nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Supplementary Regulation 24 to Ceiling Price Regulation 34 is amended in the following respects:

1. The second sentence of section 1 is amended by inserting after the word "purchasers" the phrase "located in the New York City Area" so that the new sentence reads as follows: "It establishes dollars and cents ceiling prices for your sales of linen supply services listed in Appendix A to all commercial purchasers located in the New York City Area which are small accounts."

2. Subparagraph (a) (3) of section 4 is amended by inserting after the word "establishments" the phrase "located in the New York City Area" so that the new subparagraph reads as follows:

(3) If a commercial purchaser operates more than one establishment, all of these establishments located in the New York City Area for which linen supply services listed in Appendix A were pur-

chases during the period specified in paragraph (b) of this section shall, for the purposes of this supplementary regulation, be considered a single purchaser for the purpose of determining whether the commercial purchaser is a large account.

3. Paragraph (c) of section 5 is amended by adding at the beginning thereof the following new subparagraph:

(5) This paragraph sets forth the information that your application must contain. If the purchaser operates more than one establishment, all of such establishments located in the New York City Area shall be considered a single purchaser. Data which relates to any establishments outside of the New York City Area operated by the purchaser cannot be used as a basis for redesignation and therefore the information submitted under this section must be limited to establishments located in the New York City Area.

4. Paragraph (b) of section 8 is amended by adding at the end thereof the following new sentence: "For the purposes of this regulation the term 'commercial purchaser' refers only to such purchasers located in the New York City Area."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 is effective October 15, 1952.

TIGHE E. WOODS,
Director of Price Stabilization.

OCTOBER 10, 1952.

1891-1892
The following is a list of the names of the persons who have been elected to the office of the President of the United States since the year 1789.

Year	President	Party
1789	George Washington	None
1793	Thomas Jefferson	Democratic-Republican
1797	John Adams	Federalist
1801	Thomas Jefferson	Democratic-Republican
1805	James Madison	Democratic-Republican
1809	James Monroe	Democratic-Republican
1817	James Monroe	Democratic-Republican
1821	James Monroe	Democratic-Republican
1825	Andrew Jackson	Democratic-Republican
1829	Andrew Jackson	Democratic-Republican
1837	Andrew Jackson	Democratic-Republican
1841	John Tyler	Whig
1845	James Polk	Democratic-Republican
1849	Zachary Taylor	Whig
1853	Franklin Pierce	Democratic-Republican
1857	James Buchanan	Democratic-Republican
1861	Abraham Lincoln	Republican
1865	Abraham Lincoln	Republican
1869	Ulysses S. Grant	Republican
1873	Ulysses S. Grant	Republican
1877	Rutherford B. Hayes	Republican
1881	Rutherford B. Hayes	Republican
1885	James A. Garfield	Republican
1889	Benjamin Harrison	Republican
1893	Benjamin Harrison	Republican
1897	William McKinley	Republican
1901	William McKinley	Republican
1905	Theodore Roosevelt	Republican
1909	William Howard Taft	Republican
1913	Woodrow Wilson	Democratic
1917	Woodrow Wilson	Democratic
1921	Warren G. Harding	Republican
1923	Calvin Coolidge	Republican
1925	Calvin Coolidge	Republican
1929	Herbert Hoover	Republican
1933	Franklin D. Roosevelt	Democratic
1937	Franklin D. Roosevelt	Democratic
1941	Franklin D. Roosevelt	Democratic
1945	Franklin D. Roosevelt	Democratic
1949	Dwight D. Eisenhower	Republican
1953	Dwight D. Eisenhower	Republican
1957	Dwight D. Eisenhower	Republican
1961	John F. Kennedy	Democratic
1965	John F. Kennedy	Democratic
1969	Richard M. Nixon	Republican
1973	Richard M. Nixon	Republican
1977	Gerald R. Ford	Republican
1981	Ronald Reagan	Republican
1985	Ronald Reagan	Republican
1989	George H. W. Bush	Republican
1993	Bill Clinton	Democratic
1997	Bill Clinton	Democratic
2001	George W. Bush	Republican
2005	George W. Bush	Republican
2009	Barack Obama	Democratic
2013	Barack Obama	Democratic
2017	Donald Trump	Republican
2021	Joe Biden	Democratic

**Extension of Coverage To
Include Certain Counties
in New Jersey**

(Amending Secs. 3, 4(a),
5(c), 8(c) and App. A)

OFFICE OF PRICE STABILIZATION

WASHINGTON

**Ceiling Price Regulation 34
Supplementary Regulation 24
Amendment 2
FEBRUARY 4, 1953**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 2 to
Supplementary Regulation 24]

CPR 34—SERVICES

**SR 24—LINEN SUPPLIERS LOCATED IN
METROPOLITAN NEW YORK AREA: SALES
OF CERTAIN LINEN SUPPLY SERVICES TO
SMALL COMMERCIAL USERS**

**EXTENSION OF COVERAGE TO INCLUDE CER-
TAIN COUNTIES IN NEW JERSEY**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Supplementary Regulation 24 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 2 to Supplementary Regulation 24 to Ceiling Price Regulation

34 extends the coverage of this supplementary regulation so as to include linen service suppliers located in the Counties of Bergen, Passaic, Hudson, Essex, Union, Middlesex and Mercer in the State of New Jersey. The inclusion of these linen suppliers in the same regulation with New York linen supply service sellers has ample precedent in action taken by OPA. Furthermore, these counties comprise the Newark, New Jersey area and historically have been considered as a part of the Metropolitan New York area.

The statement of considerations contained in the formulation of Supplementary Regulation 24 is equally applicable to the sellers affected by this amendment and is incorporated herein by reference.

In view of the clarifying nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Supplementary Regulation 24, as amended, to Ceiling Price Regulation 34

is further amended in the following respects:

1. Delete the phrase "New York City Area" wherever it appears in sections 1, 3, 4 (a), 5 (c), 8 (b), 8 (c) and Appendix A of Supplementary Regulation 24, as amended, to Ceiling Price Regulation 34, and insert in lieu thereof, the phrase "Metropolitan New York Area".

2. Paragraph (c) of section 8 is amended to read as follows:

(c) "Metropolitan New York Area" means the Counties of New York, Kings, Queens, Bronx, Richmond, Nassau, Suffolk and Westchester in the State of New York and the Counties of Bergen, Passaic, Hudson, Essex, Union, Middlesex and Mercer in the State of New Jersey.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 2 is effective February 4, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 4, 1953.

14. *Chrysomelidae* (continued)
15. *Curculionidae*
16. *Chrysomelidae*

17. *Chrysomelidae* (continued)

18. *Chrysomelidae* (continued)
19. *Chrysomelidae* (continued)
20. *Chrysomelidae* (continued)

21. *Chrysomelidae* (continued)
22. *Chrysomelidae* (continued)
23. *Chrysomelidae* (continued)
24. *Chrysomelidae* (continued)
25. *Chrysomelidae* (continued)
26. *Chrysomelidae* (continued)
27. *Chrysomelidae* (continued)
28. *Chrysomelidae* (continued)
29. *Chrysomelidae* (continued)
30. *Chrysomelidae* (continued)
31. *Chrysomelidae* (continued)
32. *Chrysomelidae* (continued)
33. *Chrysomelidae* (continued)
34. *Chrysomelidae* (continued)
35. *Chrysomelidae* (continued)
36. *Chrysomelidae* (continued)
37. *Chrysomelidae* (continued)
38. *Chrysomelidae* (continued)
39. *Chrysomelidae* (continued)
40. *Chrysomelidae* (continued)
41. *Chrysomelidae* (continued)
42. *Chrysomelidae* (continued)
43. *Chrysomelidae* (continued)
44. *Chrysomelidae* (continued)
45. *Chrysomelidae* (continued)
46. *Chrysomelidae* (continued)
47. *Chrysomelidae* (continued)
48. *Chrysomelidae* (continued)
49. *Chrysomelidae* (continued)
50. *Chrysomelidae* (continued)

51. *Chrysomelidae* (continued)
52. *Chrysomelidae* (continued)
53. *Chrysomelidae* (continued)
54. *Chrysomelidae* (continued)
55. *Chrysomelidae* (continued)
56. *Chrysomelidae* (continued)
57. *Chrysomelidae* (continued)
58. *Chrysomelidae* (continued)
59. *Chrysomelidae* (continued)
60. *Chrysomelidae* (continued)

Power Laundries in
Philadelphia, Pennsylvania

Ceiling Price Regulation 34
Supplementary Regulation 25
NOVEMBER 10, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 25]

CPR 34—SERVICES

SR 25—POWER LAUNDRIES IN PHILADELPHIA, PENNSYLVANIA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 25 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 25 to Ceiling Price Regulation 34 permits an increase in ceiling prices for certain power laundry services and dry cleaning services supplied by power laundries located in the City of Philadelphia, Pennsylvania. An increase in ceiling prices is also given to independent routemen and stores, known in the laundry and dry cleaning industry as "bob-tailers", in order that customary differentials between classes of power laundry service purchasers may be maintained. This supplementary regulation does not permit the increase to be applied to the diaper supply and linen supply services of such laundries.

A study of the operating costs and profit margins of a representative number of the power laundries in the City of Philadelphia, which provide 90 percent of the total sales of services furnished by these laundries amounting to an estimated \$16,300,000 in 1951, reveals that increased labor and material costs have impaired the pre-Korean earnings of such laundries. In addition, new wage contracts entered into with labor unions representing the employees of these laundries resulted in substantial wage increases to all classes of workers. These wage increases are all within the formula of Wage Stabilization Board regulations or have received Wage Stabilization Board approval, with the result that earnings of these laundries will be further impaired. The price increase granted herein has been determined to be the minimum necessary to maintain the financial stability of these laundries in order to assure a continued supply of these essential services. The uniform increase has been determined in accordance with the standards for individual adjustments under section 20 of Ceiling Price Regulation 34.

Under the provisions of this supplementary regulation, ceiling prices of such power laundries and bobtail sellers may be increased by 9 percent, such ad-

justment to be applied to the total amount of each invoice rendered to the customer and identified as the "OPS permitted price increase." If this method is used to apply the amount of the increase, the seller need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34. At the option of the individual laundry and bobtailer, however, the flat ceiling price for each article may be increased by 9 percent. Adjusted flat ceiling prices must, within ten days after their determination, be filed with the appropriate Office of Price Stabilization district office as required by section 18 as amended of Ceiling Price Regulation 34.

In the future, power laundries and bobtailers subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for power laundry and dry cleaning services under section 20 of Ceiling Price Regulation 34. Any adjustment of ceiling prices under section 20 of Ceiling Price Regulation 34 heretofore granted is automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary regulation are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR 1950 Supp.

SECTION 1. Purpose. This supplementary regulation permits power laundries whose plants are located in the City of Philadelphia, Pennsylvania, to increase their ceiling prices for power laundry and dry cleaning services by 9 percent. It also permits bob-tail sellers (see section 5—Definitions) who purchase power laundry and dry cleaning services from power laundries located in Philadelphia, Pennsylvania, for resale to ultimate consumers, to increase their ceiling prices for the resale of such services by 9 percent. This supplementary

regulation does not apply to the sale of diaper supply and linen supply services by power laundries or bob-tail sellers.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. If you are subject to this supplementary regulation, you may, to the extent you sell power laundry and dry cleaning services supplied by power laundries located in Philadelphia, Pennsylvania, increase your ceiling prices by 9 percent for power laundry and dry cleaning services, except diaper supply and linen supply services, thus supplied by either of the following methods:

(a) You may apply such an adjustment to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp on each such invoice the words "OPS permitted price increase." If you use this method of applying your price increase, you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

(b) You may, in lieu of the method provided in paragraph (a) of this section, increase by 9 percent the ceiling prices of each power laundry and dry cleaning service article, except a diaper supply and linen supply service article. Within ten days after your prices are established under this paragraph you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required under section 18 as amended of Ceiling Price Regulation 34. You may not establish prices under paragraph (a) of this section once you have elected to establish prices under this paragraph.

(c) If the price increase computed in paragraphs (a) or (b) of this section results in a fraction of a cent, the price increase must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. No seller subject to this supplementary regulation may, after the effective date of this supplementary regulation, apply for an adjustment of any of his ceiling prices for power laundry and dry cleaning services except diaper supply and linen supply services under section 20 of Ceiling Price Regulation 34, as amended. All orders establishing ceiling prices for any power laundry subject to this supplementary regulation issued under either section 20 (a), (b), or (c) of Ceiling Price Regulation 34 are hereby revoked, upon the effective date of this regulation.

SEC. 5. *Definitions.* (a) (1) "Power laundry" or "power laundries" as used in this regulation are laundries which in the laundry trade are customarily known and designated as such, and do not include hand laundries, launderettes or laundries using home-type laundry equipment to supply laundry services.

(2) "Bobtail sellers" as used in this regulation means a separate class of purchaser of power laundry and dry

cleaning services, consisting of independent route men and stores, not employed or owned by a power laundry, which purchases such power laundry and dry cleaning services from a power laundry at a discount and resells these services to its own customers at the same prices that the power laundry itself would have charged the same class of purchaser for the same services. Bobtail sellers do not ordinarily engage in processing operations.

Effective date. This supplementary regulation is effective November 10, 1952.

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.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

NOVEMBER 10, 1952.

**Additional Power Laundries
in the Philadelphia, Pa., Area**
(Amending Title and
Secs. 1 and 3)

**Ceiling Price Regulation 34
Supplementary Regulation 25
Amendment 1**

DECEMBER 18, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 1 to
Supplementary Regulation 25]

CPR 34—SERVICES**SR 25—POWER LAUNDRIES IN PHILADEL-
PHIA, PENNSYLVANIA****ADDITIONAL POWER LAUNDRIES IN THE
PHILADELPHIA, PENNSYLVANIA AREA**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 1 to Supplementary Regulation 25 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 25 to Ceiling Price Regulation 34, issued November 10, 1952 permitted an increase in ceiling prices for certain power laundry services and dry cleaning services supplied by power laundries located in the City of Philadelphia, Pennsylvania. An increase in ceiling prices was also given to independent routemen and stores, known in the laundry and dry cleaning industry as "bobtailers", in order that customary differentials between classes of power laundry service purchasers might be maintained. That supplementary regulation did not permit the increase to be applied to the diaper supply and linen supply services of such

laundries. This amendment permits the same increase in ceiling prices for additional power laundries located in certain other areas close to Philadelphia namely, Camden, Gloucester, and Burlington Counties, New Jersey and the City of Hammonton in Atlantic County, New Jersey.

A study of the operating costs and profit margins of a representative number of the power laundries in Camden, Gloucester, and Burlington Counties, New Jersey and the City of Hammonton in Atlantic County, New Jersey which provide 90 percent of the total sales of services furnished by these laundries amounting to an estimated \$2,350,000 in 1951, reveals that increased labor and material costs have impaired the pre-Korean earnings of such laundries. In addition, new wage contracts entered into with labor unions representing the employees of these laundries resulted in substantial wage increases. These wage increases are all within the formula of Wage Stabilization Board regulations or have received Wage Stabilization Board approval, with the result that earnings of these laundries will be further impaired. The price increase granted herein has been determined to be the minimum necessary to maintain the financial stability of these laundries in order to assure a continued supply of these essential services. The uniform increase has been determined in accordance with the standards for individual adjustments under Section 20 of Ceiling Price Regulation 34.

All other considerations which were set forth in the Statement of Consid-

erations to Supplementary Regulation 25 to Ceiling Price Regulation 34 are equally applicable to the power laundries located in the areas included in this amendment.

In the formulation of this amendment, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this amendment are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 25 to Ceiling Price Regulation 34 is amended in the following respects:

1. The title of Supplementary Regulation 25 is amended to read as set forth above.

2. Add the phrase "Camden, Gloucester and Burlington Counties, New Jersey and the City of Hammonton in Atlantic County, New Jersey," after the words Philadelphia, Pennsylvania, wherever they appear in sections 1 and 3. (Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective December 18, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 18, 1952.

Additional Power Laundries in the
Philadelphia, Pa., Area
(Amending Title and
Secs. 1 and 2)

Ceiling Price Regulation 34
Supplementary Regulation 25
Amendment 2
FEBRUARY 12, 1953

OFFICE OF PRICE STABILIZATION
WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 2 to
Supplementary Regulation 25]

CPR 34—SERVICES

**SR 25—POWER LAUNDRIES IN PHILADEL-
PHIA, PENNSYLVANIA, AREA**

**ADDITIONAL POWER LAUNDRIES IN THE PHIL-
ADELPHIA, PENNSYLVANIA, AREA**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 2 to Supplementary Regulation 25 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 25 to Ceiling Price Regulation 34, issued November 10, 1952 permitted an increase in ceiling prices for certain power laundry services and dry cleaning services supplied by power laundries located in the City of Philadelphia, Pennsylvania. An increase in ceiling prices was also given to independent routemen and stores, known in the laundry and dry cleaning industry as "bobtailers", in order that customary differentials between classes of power laundry service purchasers might be maintained. That supplementary regulation did not permit the increase to be applied to the diaper supply and linen supply services of such

laundries. Amendment 1 to Supplementary Regulation 25, effective December 18, 1952, extended the coverage of that supplementary regulation to include power laundries located in certain other areas close to Philadelphia namely, Camden, Gloucester, and Burlington Counties, New Jersey and the City of Hammonton in Atlantic County, New Jersey. This amendment permits the same 9 percent increase in ceiling prices for additional power laundries located in Delaware County, Pennsylvania (except the City of Ardmore). These power laundries are in a competitive position with others previously covered by Supplementary Regulation 25.

A study of the operating costs and profit margins of these power laundries which provide 83 percent of the total sales of services furnished by these laundries amounting to an estimated \$1,150,000 reveals that increased labor and material costs have impaired the pre-Korean earnings of such laundries. In addition, substantial wage increases within the formula of Wage Stabilization Board regulations have resulted in further impairment of earnings. The price increase granted herein has been determined to be the minimum necessary to maintain the financial stability of these laundries in order to assure a continued supply of these essential services. The uniform increase has been determined in accordance with the standards for individual adjustments under Section 20 of Ceiling Price Regulation 34.

All other considerations which were set forth in the Statement of Considera-

tions to Supplementary Regulation 25 to Ceiling Price Regulation 34 are equally applicable to the power laundries located in the areas included in this amendment.

In the formulation of this amendment, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this amendment are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 25 to Ceiling Price Regulation 34 is amended as follows:

1. Insert after the word "Philadelphia" and before the word "Pennsylvania", wherever they appear in sections 1 and 3, the phrase "and the County of Delaware (except the City of Ardmore)".

2. The title of Supplementary Regulation 25 as it appeared in Amendment 1 is corrected to read as follows: SR 25—Power Laundries In Philadelphia, Pennsylvania, Area.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective February 12, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 12, 1953.

**Ceiling Prices of Certain
Sellers of Automotive and
Farm Equipment Repair Services**

**Ceiling Price Regulation 34
Supplementary Regulation 26**

NOVEMBER 7, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 26]

CPR 34—SERVICES

**SR 26—CEILING PRICES OF CERTAIN SELLERS
OF AUTOMOTIVE AND FARM EQUIPMENT
REPAIR SERVICES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation to Ceiling Price Regulation 34 adapts ceiling price regulation of automotive and farm equipment repair services more closely to the operation of the automotive and farm equipment industry.

Many sellers of automotive and farm equipment repair services also sell the type of commodities they service. There is no uniformity within the industry, however, in allocating overhead costs between the services portion and the commodity portion of such businesses. Some manufacturers of these commodities recommend to their dealers a method of allocating most overhead costs, but these recommended methods differ from one manufacturer to another, and the dealers of any particular manufacturer may differ among themselves in their application of the recommended method. These differences in methods of allocation cause differences in reported earnings, which would be nearly the same if the same method of allocation had been used. The Director's experience in processing applications under section 20 (a) of CPR 34 is that where the seller is chiefly a seller of automotive and farm equipment, rather than primarily a seller of repair services on such commodities, the differences in methods of allocation cause distortions in the adjustments granted, and that a modification of section 20 (a), as applied to such sellers, is therefore required. This supplementary regulation provides such a modification.

Since there is no basis uniformly used throughout the automotive and farm equipment industry for determining the earnings of dealers from the services portion of their businesses, this supplementary regulation employs, as a method of determining hardship in respect of their sales of automotive and farm equipment repair services, a ratio of labor sales to labor costs. This method utilizes the same category of labor costs and income from labor sales for all such dealers

for all periods without reference to the commodity aspects of their businesses. In general this supplementary regulation employs this ratio of labor sales and labor costs as a basis on which it will grant adjustment of these service prices when the dollar difference between the labor sales and labor cost, for the same volume, has declined but in determining the amount of adjustment, if any, that will be granted, OPS will consider all of the factors mentioned in section 20 (a) of Ceiling Price Regulation 34 which remains applicable to these service sellers except insofar as it is inconsistent with this supplementary regulation. The adjusted ceiling prices of sellers whose representative period ends later than June 30, 1951, may not exceed the prevailing level of prices.

Those sellers who were not in business before January 26, 1951 and have no representative experience that could serve as a basis of adjusting their ceiling prices, but who have been in business at least three months are given the prevailing level of prices. Generally such sellers will be new sellers who have already been given approximately this level of prices as their ceiling prices for their services, and it is not anticipated that this provision of this supplementary regulation will have wide application.

This supplementary regulation also authorizes the service sellers to whom it applies to redetermine their ceiling prices for factory warranty services, on the automotive or farm equipment they sell, to enable them to recover their approximate direct labor costs in supplying these services. Traditionally these services have been furnished on the basis of the direct labor costs involved in supplying them and it is, therefore, considered equitable to provide that these sellers shall be authorized to charge a ceiling price that will enable them to continue to recover these costs.

This supplementary regulation provides a new form of application for adjustment and provides that such applications must, in all cases, be filed in the OPS district offices.

In the formulation of this supplementary regulation, there has been consultation with industry representatives including trade association representatives, to the extent practicable, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Relationship to Ceiling Price Regulation 34.
3. Applicability.

Sec.

4. Ceiling Price Adjustments.
5. Redetermination of your ceiling prices for factory warranty services.
6. Interpretations.
7. Definitions and explanations.

AUTHORITY: Sections 1 to 7 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 supplementary regulation does. This supplementary regulation modifies the method of adjusting the ceiling prices of certain sellers for automotive and farm equipment repair services under section 20 (a) of Ceiling Price Regulation 34. It specifies a new form to be used in applying for such adjustments and now in all cases requires that such applications must be filed in the OPS district offices. It also provides a means whereby the sellers to whom it applies may redetermine their ceiling prices for factory warranty services.

SEC. 2. Relationship to Ceiling Price Regulation 34. Except for the changes made by this supplementary regulation, all provisions of Ceiling Price Regulation 34, as amended, including section 20 (a) remain in effect with respect to sellers subject to this supplementary regulation.

SEC. 3. Applicability. This supplementary regulation applies to sellers of automotive and farm equipment repair services who also sell automotive or farm equipment, and whose dollar volume of customers labor sales (see section 7) was less than 50 percent of the total dollar volume of sales of their entire business during a representative period (see section 7), or if they were not in business before January 26, 1951, and have no representative period but have been in business more than three months, during the entire time they have been in business.

SEC. 4. Ceiling price adjustments. (a) If this supplementary regulation applies to you, OPS will adjust your ceiling prices for automotive and farm equipment repair services upon a showing that they impair, to such an extent as to threaten the effective operation of your service business, your gross profit on customers labor sales (see section 7) in a representative period. In general, the amount of adjustment granted will be the amount necessary to give you the same dollar gross profit on customers labor sales as you had on the same volume of such sales in your representative period. In determining, however, the extent of the adjustment, if any, that will be granted to you, OPS will consider the factors specified in section 20 (a) of Ceiling Price Regulation 34, as amended, insofar as they are applicable to your service business. If your representative

period ends later than June 30, 1951, your adjusted ceiling prices may not exceed the prevailing level of ceiling prices for the same services sold by the most similar class of sellers.

(1) If you were not in business before January 26, 1951, and have no representative period (see section 7), but have been in business more than three months, OPS will adjust your ceiling prices for automotive and farm equipment repair services to the prevailing level of ceiling prices for the same services sold by the most similar class of sellers.

(b) You must file your application for adjustment on OPS Public Form No. 154 in the OPS District Office for the OPS district in which your place of business is located. If you render services at more than one place of business, each place of business is a separate seller under this supplementary regulation and a separate application must be filed for each location at which you want your ceiling prices adjusted. In addition to the information required of you by OPS Public Form No. 154, OPS may request such additional information as may be found necessary in considering your application. If paragraph (a) (1) applies to you, you must file your application as requested in this paragraph.

(c) If prior to November 12, 1952, you have filed an application for adjustment of your ceiling prices for automotive or farm equipment repair services on OPS Public Form No. 43, revised, and an adjustment order has not been issued to you prior to December 2, 1952, you must reapply under this supplementary regulation on OPS Public Form No. 154.

Sec. 5. Redetermination of your ceiling prices for factory warranty services. If you compute your ceiling prices for factory warranty services rendered on automotive or farm equipment, under CPR 34, as amended, by multiplying the actual time required to perform the work, or a time allowance specified in a flat rate manual, by a rate which is below the wage rate you pay your regular productive mechanics, you may use the current wage rate to redetermine your ceiling prices for such services. If you redetermine your ceiling prices for factory warranty services under this section of this supplementary regulation, you must file a statement to that effect, including the wage rate you use in making the computation, with your OPS

District Office before using your increased prices.

Sec. 6. Interpretations. If you want an official interpretation of this supplementary regulation or of OPS Public Form No. 154, you should write to the District Counsel of your OPS District Office. Any action taken by you in reliance upon and in conformity with a written official interpretation will constitute action in good faith pursuant to this supplementary regulation. Further information on obtaining official interpretations is contained in Price Procedural Regulation 1, as revised.

Sec. 7. Definitions and explanations. (a) When used in this supplementary regulation:

(1) "Automotive equipment" means any self-propelled vehicle, except railroad equipment, operated on land as distinguished from on water or in the air.

(2) "Cost of customers labor sales" refers to the total wages you paid for the direct labor which produced the customers labor sales. It includes fringe benefits which are calculated as a percentage of payrolls and it may include certain supplies such as paint or grease which are consumed in producing the services sold to the customers. It does not include cost of parts; wages you paid for "come back" work for which you made no charge to your customers; wages paid to perform factory warranty work; wages paid for work on your own new or used automotive and farm equipment, buildings, or other property; or any wages you paid for any other purpose than to pay for direct labor involved in customers labor sales.

(3) "Customers labor sales" means your sales to customers of labor on automotive or farm equipment, excluding charges for parts, and including among other customers labor sales the following:

- (i) Body repair, if the work was performed by your own employees;
- (ii) Paint work, if the work was performed by your own employees;
- (iii) Lubrication services (not including oil changes);
- (iv) Washing and polishing;
- (v) Tire service (not including tire sales);
- (vi) Undercoating, if the work was performed by your own employees.

"Customers labor sales" does not include any amount for factory warranty work; for work on your own new or used automotive and farm equipment, buildings, or other property; or any amount that does not represent a change to a customer for work done for him by you or your employees on automotive or farm equipment.

(4) "Farm equipment" means any equipment with moving parts, drawn by animals or automotive vehicles, used on a farm.

(5) "Factory warranty services" means work performed for a manufacturer of automotive or farm equipment by one of his authorized dealers, to comply with the manufacturer's warranty on such equipment.

(6) "Gross profit on labor sales" means the difference between your customers labor sales and your cost of customers labor sales.

(7) "Productive mechanic" or "productive employee" means an employee whose direct labor is involved in customers labor sales.

(8) "Representative period" means the first twelve months after December 31, 1948, of the operation of a business that has been operating at least 24 months prior to the date you file your application for adjustment under this supplementary regulation, regardless of whether it was operated by you or your predecessor. If during the twelve month period your business was seriously affected by flood, strike, fire or some other unusual occurrence, OPS may determine that the period is not representative for your business in which case OPS will also determine what period, if any, is representative.

(9) "Sales of the entire business" means total sales of automotive and farm equipment commodities and services and all other commodities and services.

Effective date. This supplementary regulation shall become effective November 12, 1952.

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

TIGHE E. WOODS,
Director of Price Stabilization.

NOVEMBER 7, 1952.

Correction

Ceiling Price Regulation 34
Supplementary Regulation 26
Correction

DECEMBER 11, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency[Ceiling Price Regulation 34, Corr. to Sup-
plementary Regulation 26]

CPR 34—SERVICES

SR 26—CEILING PRICES OF CERTAIN SELL-
ERS OF AUTOMOTIVE AND FARM EQUIP-
MENT REPAIR SERVICES

CORRECTION

Due to a typographical error, section
7 (a) (3) of Supplementary Regulation
26 to Ceiling Price Regulation 34 needs

to be and is hereby, corrected to delete
the word "change" in the seventh line
of the last sentence thereof and to sub-
stitute therefor the word "charge", and
as corrected reads as follows:

(3) "Customers labor sales" means
your sales to customers of labor on auto-
motive or farm equipment, excluding
charges for parts, and including among
other customers labor sales the follow-
ing:

(i) Body repair, if the work was per-
formed by your own employees;

(ii) Paint work, if the work was per-
formed by your own employees;

(iii) Lubrication services (not includ-
ing oil changes);

(iv) Washing and polishing;

(v) Tire service (not including tire
sales);

(vi) Undercoating, if the work was
performed by your own employees.
"Customers labor sales" does not include
any amount for factory warranty work;
for work on your own new or used auto-
motive and farm equipment, buildings,
or other property; or any amount that
does not represent a charge to a customer
for work done for him by you or your
employees on automotive or farm equip-
ment.

JOSEPH H. FREEHILL,

Acting Director of Price Stabilization.

DECEMBER 11, 1952.

Dry Cleaning in
Milwaukee County, Wisconsin

Ceiling Price Regulation 34
Supplementary Regulation 27

NOVEMBER 7, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 27]

CPR 34—SERVICES

SR 27—DRY CLEANING IN MILWAUKEE COUNTY, WISCONSIN

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation to Ceiling Price Regulation 34 permits an increase in ceiling prices for dry cleaning services furnished at wholesale and retail by sellers located in Milwaukee County, Wisconsin. A previous ceiling price increase granted to power laundries in Milwaukee County did not include dry cleaning services.

An OPS study of the operating costs and profit margins of 25 firms doing approximately 90 percent of both the wholesale and retail dry cleaning business in Milwaukee County, Wisconsin, which amounted to \$6,000,000 in 1951, reveals that increased labor and material costs incurred since the Ceiling Price Regulation 34 base period (December 19, 1950, to January 25, 1951, inclusive) have impaired the pre-Korean earnings of such dry cleaning service sellers.

The action taken herein gives effect to the standards for individual price adjustment contained in section 20 (a) of Ceiling Price Regulation 34 and permits the minimum increase necessary to maintain the financial stability of these dry cleaning service sellers and assure continued supply of these essential services.

Under the provisions of this supplementary regulation, Ceiling Price Regulation 34 ceiling prices of sellers of dry cleaning services may be increased by a stated amount. Since OPS has the previous price filings of these sellers in its possession, the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34 is not considered to be necessary and is therefore excused, thereby easing the administrative burden

of these service sellers and of the OPS.

In the future, sellers subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for dry cleaning services at wholesale and retail under section 20 of Ceiling Price Regulation 34. Any adjustment of ceiling prices under section 20 of Ceiling Price Regulation 34 heretofore granted is automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary regulation are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of Ceiling Prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 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 Sup.

SECTION 1. Purpose. This supplementary regulation permits sellers of dry cleaning services furnished at wholesale and retail located in Milwaukee County, Wisconsin, to increase their ceiling prices for wholesale and retail dry cleaning services in the manner provided in section 3.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, except as affected by the provisions of this supplementary regulation shall remain in effect. However, you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

SEC. 3. Adjustment of Ceiling Prices. You may, to the extent you supply dry cleaning services at wholesale or retail from locations in Milwaukee County, Wisconsin, increase your ceiling prices

for the dry cleaning services thus supplied as follows:

	Increase at wholesale	Increase at retail
Suits	\$0.05	\$0.10
Dresses	.05	.10
Ladies' coats	.05	.10
Topcoats	.05	.10

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. No seller of dry cleaning services at wholesale or retail subject to this supplementary regulation may, after the effective date of this regulation, obtain an increase in his ceiling prices for such dry cleaning services under either section 20 (a), 20 (b) or 20 (c) of Ceiling Price Regulation 34. All orders establishing ceiling prices of any seller of dry cleaning services subject to this supplementary regulation issued under either section 20 (a), 20 (b) or 20 (c) of Ceiling Price Regulation 34 are hereby revoked, upon the effective date of this regulation.

SEC. 5. Definitions. (a) As used in this supplementary regulation the term:

(1) "Dry cleaning services" means services rendered in the cleaning of garments primarily with fluids other than water. When rendered at retail, dry cleaning services includes pressing or finishing the garment. When rendered at wholesale, finishing is usually specified if the garment is to be pressed.

(i) "Cleaning" means the dry cleaning of a garment or item, including the spotting thereof.

(ii) "Finishing" means the pressing of a garment or item.

(2) "Wholesale" refers to the sale for resale to the ultimate consumer of dry cleaning services to tailor shops, valets, hotels and retail outlets. It also includes sales to commercial, industrial, institutional or governmental users.

(3) "Retail" refers to the sale of dry cleaning services directly to the ultimate consumer except commercial, industrial, institutional and governmental users.

Effective date. This Supplementary Regulation 27 to Ceiling Price Regulation 34 shall become effective November 7, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

NOVEMBER 7, 1952.

Dry Cleaning in
Cook County, Illinois

**Ceiling Price Regulation 34
Supplementary Regulation 28**

NOVEMBER 7, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 28]

CPR 34—SERVICES

**SR 28—DRY CLEANING IN COOK COUNTY,
ILLINOIS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 28 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 28 to Ceiling Price Regulation 34 permits an increase in ceiling prices for dry cleaning services furnished at wholesale and retail by sellers located in Cook County, Illinois. A previous ceiling price increase granted to power laundries in Cook County did not include dry cleaning services.

An OPS study of the operating costs and profit margins of a representative number of dry cleaning service sellers in Cook County, Illinois, accounting for approximately 75 percent of the total volume of sales of these services, which amounted to \$20,000,000 in 1951, reveals that increased labor and material costs incurred since the Ceiling Price Regulation 34 base period (December 19, 1950 to January 25, 1951, inclusive) have impaired the pre-Korean earnings of such dry cleaning service sellers.

The action taken herein gives effect to the standards for individual price adjustment contained in section 20 (a) of Ceiling Price Regulation 34 and permits the minimum increase necessary to maintain the financial stability of these dry cleaning service sellers and assure continued supply of these essential services.

Under the provisions of this supplementary regulation, Ceiling Price Regulation 34 ceiling prices of sellers of dry cleaning services may be increased by a stated amount. Since OPS has the previous price filings of these sellers in its possession, the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34 is not considered to be necessary and is therefore excused,

thereby easing the administrative burden of these service sellers and of the OPS.

In the future, sellers subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for dry cleaning services at wholesale and retail under section 20 of Ceiling Price Regulation 34. Any adjustment of ceiling prices under section 20 of Ceiling Price Regulation 34 heretofore granted is automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary regulation are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of Ceiling Prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 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 Sup.

SECTION 1. Purpose. This supplementary regulation permits sellers of dry cleaning services furnished at wholesale and retail located in Cook County, Illinois, to increase their ceiling prices for wholesale and retail dry cleaning services in the manner provided in section 3.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, except as affected by the provisions of this supplementary regulation shall remain in effect. However, you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

SEC. 3. Adjustment of Ceiling Prices. You may, to the extent you supply dry cleaning services at wholesale or retail from locations in Cook County, Illinois,

increase your ceiling prices for the dry cleaning services thus supplied as follows:

	Increase at wholesale	Increase at retail
Suits.....	\$0.05	\$0.10
Dresses.....	.05	.10
Ladies' coats.....	.05	.10
Trousers.....	.025	.05

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. No seller of dry cleaning services at wholesale or retail subject to this supplementary regulation may, after the effective date of this regulation, obtain an increase in his ceiling prices for such dry cleaning services under either section 20 (a), 20 (b) or 20 (c) of Ceiling Price Regulation 34. All orders establishing ceiling prices of any seller of dry cleaning services subject to this supplementary regulation issued under either section 20 (a), 20 (b) or 20 (c) of Ceiling Price Regulation 34 are hereby revoked, upon the effective date of this regulation.

SEC. 5. Definitions. (a) As used in this supplementary regulation the term:

(1) "Dry cleaning services" means services rendered in the cleaning of garments primarily with fluids other than water. When rendered at retail, dry cleaning services includes pressing or finishing the garment. When rendered at wholesale, finishing is usually specified if the garment is to be pressed.

(i) "Cleaning" means the dry cleaning of a garment or item, including the spotting thereof.

(ii) "Finishing" means the pressing of a garment or item.

(2) "Wholesale" refers to the sale for resale to the ultimate consumer of dry cleaning services to tailor shops, valets, hotels and retail outlets. It also includes sales to commercial, industrial, institutional or governmental users.

(3) "Retail" refers to the sale of dry cleaning services directly to the ultimate consumer, except commercial, industrial, institutional and governmental users.

Effective date. This Supplementary Regulation 28 to Ceiling Price Regulation 34 shall become effective November 7, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

NOVEMBER 7, 1952.

**Power Laundries in the
City of Spokane, Washington**

**Ceiling Price Regulation 34
Supplementary Regulation 29**

NOVEMBER 18, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 29]

CPR 34—SERVICES

**SR 29—POWER LAUNDRIES IN THE CITY OF
SPOKANE, WASHINGTON**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation to Ceiling Price Regulation 34 permits an increase in ceiling prices of power laundry services supplied by power laundries in the City of Spokane, Washington. This supplementary regulation does not permit the increase to be applied to the diaper supply, linen supply and dry cleaning services of such laundries.

For the past two years the earnings of Spokane suppliers of power laundry services have been decreasing, despite an increase in the volume of sales. Wage increases and sharply increased costs in the latter part of 1950 and in 1951 have brought the average earnings in this area not only below normal earnings, but even below the break-even point.

Under the provisions of this supplementary regulation, ceiling prices of such power laundries may be increased by 5 percent, such adjustment to be applied to the total amount of each invoice rendered to the customer and identified as the "OPS permitted price increase", or, at the option of the individual laundry, the established flat price for each article may be increased 5 percent. The adjusted flat price must within ten days after their determination be filed with the appropriate Office of Price Stabilization district office.

Provision is made to retain such services under Ceiling Price Regulation 34, provided, however, that power laundries subject to this supplementary regulation may not, after the effective date of this supplementary regulation, obtain an adjustment of their ceiling prices under sections 20 (a), (b) or (c) of that regulation. In addition, adjustments previously granted under those sections are automatically revoked as of the effective date of this supplementary regulation.

In the judgment of the Director of Price Stabilization the price increases

permitted by this supplementary regulation are the minimum needed to permit the continued supply of this service.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 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. Purpose. This supplementary regulation permits power laundries in the City of Spokane, Washington to increase the ceiling prices of their power laundry services by 5 percent. This supplementary regulation shall not apply to the diaper supply, linen supply and dry cleaning services of power laundries.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, unless changed by the provisions of this supplementary regulation as provided in sections 3 and 4 of this regulation, remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, to the extent you supply power laundry services in the City of Spokane, Washington increase your ceiling prices by 5 percent for power laundry services, except diaper supply, linen supply and dry cleaning services, thus supplied, by either of the following methods:

(a) You may apply such an adjustment to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp beside the adjustment on each such invoice the words "OPS permitted price increase." If you use this method of applying your price increase you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

(b) You may, in lieu of the method provided in paragraph (a) of this section, increase by 5 percent the flat prices of each power laundry services article, except a diaper supply, linen supply and dry cleaning services article. Within ten days after your prices are established under this paragraph, you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required under section 18 of Ceiling Price Regulation 34. You may not establish prices under paragraph (a) of this section once you have elected to establish prices under this paragraph.

(c) If the increase computed in paragraphs (a) or (b) of this section results in a fraction of a cent, the ceiling price must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. (a) A seller subject to this supplementary regulation may not, after the effective date of this supplementary regulation, apply for an adjustment of any of his ceiling prices for power laundry services except diaper supply, linen supply and dry cleaning services under section 20 of Ceiling Price Regulation 34, as amended.

(b) The adjustment of ceiling prices granted by section 3 of this supplementary regulation shall be the maximum adjustment permitted any such supplier of power laundry services in lieu of, and irrespective of, any adjustment heretofore granted any such supplier under the provisions of Ceiling Price Regulation 34, as amended. Any order adjusting the ceiling prices of any such supplier's power laundry services under section 20 of Ceiling Price Regulation 34, as amended, is hereby revoked as of the effective date of this supplementary regulation.

SEC. 5. Definitions. (a) "Power laundry" or "power laundries" as used in this regulation are laundries which in the laundry trade are customarily known and designated as such, and do not include hand laundries, launderettes or laundries using home-type laundry equipment to supply laundry services.

Effective date. This order shall become effective November 22, 1952.

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.

TIGHE E. WOODS,
Director of Price Stabilization.

NOVEMBER 18, 1952.

**Emergency Car Washing
Services in Texas**

**Ceiling Price Regulation 34
Supplementary Regulation 30
NOVEMBER 17, 1952**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 30]

CPR 34—SERVICES

**SR 30—AUTOMOBILE AND VEHICLE WASHING
SERVICES IN TEXAS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 30 to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

This action is an emergency action designed to relieve severe financial hardship now being suffered by various service establishments in providing car washing services in Texas communities which arise from the serious drought conditions existing in that state.

Information received in this office indicates that due to shortages of water resulting from the drought, municipalities have adopted, or are considering the adoption, of emergency ordinances which prohibit automobile washing establishments and service stations from using water obtained from municipal water distribution systems to wash automobiles and other vehicles. As a result such service establishments have been forced to dig wells, haul water in, install equipment to reclaim water, to buy water from peddlers, and install pressure equipment.

The action permits suppliers of car washing services to increase the ceiling prices established under Ceiling Price Regulation 34 by 25 cents per car.

The amount of this increase is approximately the adjustment which would be granted upon individual applications for adjustment under the provisions of section 20 (a) of Ceiling Price Regulation 34. However, the data available is too incomplete to permit adjustments on an individual or area basis except for a temporary period. In any event, the conditions which would justify such adjustments at this time are of a temporary

nature, which it is anticipated may be alleviated within three months.

The increased charges may be made for a period of 90 days from the effective date of the regulation, unless that time is extended or shortened by further action by the Director of Price Stabilization.

In view of the emergency nature of this supplementary regulation circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Where this supplementary regulation applies.
3. Eligibility to use the increase permitted by this supplementary regulation.
4. Amount of emergency increase.
5. Records.
6. Termination.

AUTHORITY: Sections 1 through 6 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 authorizes a temporary emergency increase in ceiling prices for sellers of the service of washing automobiles and other vehicles in certain drought-stricken areas in Texas.

SEC. 2. Where this supplementary regulation applies. This supplementary regulation applies only in locations in the State of Texas which have adopted emergency municipal ordinances which prohibit the use of water for the purpose of washing automobiles and other vehicles with water obtained from a water distribution system regularly supplying water to such municipalities.

SEC. 3. Eligibility to use the increase permitted by this Supplementary Regulation. You may increase your ceiling price for washing automobiles and other vehicles, if you meet all of the following conditions:

(a) You must have normally since January 25, 1951, taken water which you use to wash automobiles and other vehicles from a water distribution system which regularly supplies water to a municipality in the State of Texas whose

governing body has recently adopted an emergency ordinance prohibiting the use of water for such purpose.

(b) In order to be able to continue washing automobiles and other vehicles, you must have incurred substantial additional expense, which you would not have incurred if you had not been prohibited by the action of the municipal authorities from using water for that purpose, such as drilling a well, hauling water, or providing additional equipment such as pumps, water storage tanks, etc.

(c) You must have filed your ceiling price for washing automobiles and other vehicles with your local OPS Office in accordance with section 18 of Ceiling Price Regulation 34.

SEC. 4. Amount of emergency increase. If you meet the eligibility requirements of section 3 of this supplementary regulation, you may increase your legally established OPS ceiling price for washing automobiles and other vehicles by 25 cents per vehicle.

SEC. 5. Termination. This supplementary regulation is effective immediately. However, the increase in your ceiling prices permitted by section 4 of this supplementary regulation may be charged until February 16, 1953, unless this supplementary regulation is revoked prior to that date, or the time is further extended by the action of the Director. Upon the expiration of this supplementary regulation, or prior termination or upon the expiration of any extension thereof, you must revert to your ceiling prices established under Ceiling Price Regulation 34, as amended, for the service of washing automobiles and other vehicles. If you elect to use this regulation, all provisions of Ceiling Price Regulation 34, as amended, except to the extent they are inconsistent with the provisions of this supplementary regulation remain applicable to you.

Effective date. This supplementary regulation to Ceiling Price Regulation 34 is effective November 17, 1952.

JOSEPH H. FREEHILL,
Acting Director of
Price Stabilization.

NOVEMBER 17, 1952.

Linen Supply Services in
City of Philadelphia, Pa.

Ceiling Price Regulation 34
Supplementary Regulation 31

DECEMBER 18, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 31]

CPR 34—SERVICES

SR 31—LINEN SUPPLY SERVICES IN THE CITY OF PHILADELPHIA, PENNSYLVANIA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 31 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 31 to Ceiling Price Regulation 34 permits an increase in the ceiling prices of linen supply services furnished by linen suppliers in the City of Philadelphia, Pennsylvania.

Increased costs of operation resulting from wage increases, replacement of worn out, obsolete equipment, and higher costs of materials used in processing have decreased the earnings of these suppliers and caused a substantial financial hardship to them. Certain of these linen suppliers also employ the services of power laundries in processing their fabrics. The ceiling prices of power laundries in the City of Philadelphia, Pennsylvania, have been increased by 9 percent under Supplementary Regulation 25 to Ceiling Price Regulation 34, increasing the costs incurred by those linen suppliers utilizing the services of such power laundries.

Under the provisions of this supplementary regulation, ceiling prices of linen suppliers in the City of Philadelphia, Pennsylvania, may be increased by 7 percent, such adjustment to be applied to the total amount of each invoice rendered to the customer and identified as the "OPS permitted price increase", or, at the option of the individual linen supplier, the established flat price for each article may be increased 7 percent. The adjusted flat price must, within ten days after determination, be filed with the appropriate Office of Price Stabilization District Office as required by section 18 of Ceiling Price Regulation 34, as amended.

The uniform increase has been determined in accordance with the standards for individual adjustments under section 20 of Ceiling Price Regulation 34, as amended.

Linen suppliers subject to this supplementary regulation may not, after the effective date of this supplementary regulation, obtain an adjustment of their ceiling prices under section 20 of Ceiling Price Regulation 34, as amended. In addition, adjustments previously granted under that section are automatically revoked upon the effective date of this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5, issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR 1950 Supp.

SECTION 1. Purpose. This supplementary regulation permits linen suppliers located in the City of Philadelphia, Pennsylvania to increase the ceiling prices of their linen supply services by 7 percent. This supplementary regulation shall not apply to any other services supplied by such linen suppliers.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, to the extent you furnish linen supply services from locations in the City of Philadelphia, Pennsylvania, increase your ceiling prices by 7 percent for linen supply services thus supplied by either of the following methods:

(a) You may apply such adjustment to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp beside the adjustment on each invoice the words

"OPS permitted price increase". If you use this method of applying your price increase you need not make the supplementary filing required by Section 18 (c) of Ceiling Price Regulation 34, as amended.

(b) You may in lieu of the method provided in paragraph (a) of this section, increase by 7 percent the flat price of each linen supply service article. You may not establish prices under paragraph (a) of this section once you have elected to establish prices under this paragraph. Within ten days after your prices are established under this paragraph, you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required by section 18 of Ceiling Price Regulation 34. You may not establish prices under paragraph (a) of this section once you have elected to establish prices under this paragraph.

(c) If the increase calculated in paragraphs (a) and (b) of this section results in a fraction of a cent, the ceiling price must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. (a) No seller of linen supply services subject to this supplementary regulation, may, after the effective date of this regulation, apply for an adjustment of any of his ceiling prices for linen supply services under section 20 of Ceiling Price Regulation 34, as amended. All orders establishing ceiling prices of any seller of linen supply services subject to this supplementary regulation issued under either section 20 (a), (b) or (c) of Ceiling Price Regulation 34, as amended, are hereby revoked, upon the effective date of this regulation.

SEC. 5. Definitions. (a) As used in this supplementary regulation the term:

(1) "Linen supply services" means the supplying to others, on a rental basis, of clean, laundered linen or garments by the owner of these items. The term "linen", as used in this definition, is not confined to articles made of linen textiles, but includes articles consisting of any fabric which are commonly laundered as distinguished from being dry cleaned.

Effective date. This supplementary regulation is effective December 18, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 18, 1952.

**Diaper Supply Services in
Philadelphia and Delaware
Counties, Pennsylvania, and
Camden County, New Jersey**

**Ceiling Price Regulation 34
Supplementary Regulation 32**

DECEMBER 18, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 32]

CPR 34—SERVICES

**SR 32—DIAPER SUPPLY SERVICES IN PHILA-
DELPHIA AND DELAWARE COUNTIES, PENN-
SYLVANIA, AND CAMDEN COUNTY, NEW
JERSEY**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 32 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 32 to Ceiling Price Regulation 34 permits an increase in the ceiling prices of the diaper supply services furnished by retail diaper suppliers in Philadelphia and Delaware Counties, Pennsylvania and Camden County, New Jersey.

Sharply increased costs of materials and supplies together with wage increases recently granted with Wage Stabilization Board approval have made repair and replacement of worn out and obsolete equipment virtually impossible. These factors have resulted in substantial financial hardship to these diaper service suppliers. Also, certain of these diaper service suppliers employ the services of power laundries in processing their fabrics. The ceiling prices of power laundries in Philadelphia, Pennsylvania have been increased by 9 percent, increasing the costs incurred by those diaper service suppliers using the services of power laundries.

Under the provisions of this supplementary regulation, ceiling prices of diaper service suppliers in Philadelphia and Delaware Counties, Pennsylvania and Camden County, New Jersey may be increased by 5 percent, such adjustment to be applied to the total amount of each invoice rendered to the customer and identified as the "OPS permitted price increase," or, at the option of the individual diaper service supplier, the established flat price for each article may be increased 5 percent. The adjusted flat price must, within ten days after determination, be filed with the appropriate Office of Price Stabilization District Office.

Provision is made to retain such services under Ceiling Price Regulation 34, provided however, that diaper service

suppliers subject to this supplementary regulation may not, after the effective date of this supplementary regulation, obtain an adjustment of their ceiling prices under section 20 of Ceiling Price Regulation 34, as amended. In addition, adjustments previously granted under that section are automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5, issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR 1950 Supp.

SECTION 1. Purpose. This supplementary regulation permits diaper service suppliers in Philadelphia and Delaware Counties, Pennsylvania, and Camden County, New Jersey to increase the ceiling prices of their retail diaper supply services by 5 percent, in the manner provided in section 3. This supplementary regulation shall not apply to any other services supplied by such diaper service suppliers.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, to the extent you furnish diaper supply services at retail from locations in Philadelphia and Delaware Counties, Pennsylvania and Camden County, New Jersey, increase your ceiling prices by 5 percent for diaper supply services thus supplied by either of the following methods:

(a) You may apply such an adjustment to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp beside the adjustment on each invoice the words "OPS permitted price increase". If you use this method of applying your price increase you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

(b) You may, in lieu of the method provided in paragraph (a) of this section, increase by 5 percent the flat price of each diaper supply service article. Within ten days after your prices are established under this paragraph, you must prepare and file with your district office of Office of Price Stabilization a supplemental statement as required by section 18 of Ceiling Price Regulation 34. You may not establish prices under paragraph (a) of this section once you have elected to establish prices under this paragraph.

(c) If the increase calculated in paragraphs (a) and (b) of this section results in a fraction of a cent, the ceiling price must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. (a) No seller of diaper supply services at retail subject to this supplementary regulation may, after the effective date of this regulation, obtain an increase in his ceiling prices for such diaper supply services under section 20 of Ceiling Price Regulation 34, as amended. All orders establishing ceiling prices of any seller of diaper supply services subject to this supplementary regulation issued under either section 20 (a), (b) or (c) of Ceiling Price Regulation 34 are hereby revoked, upon the effective date of this regulation.

SEC. 5. Definitions. (a) As used in this supplementary regulation the term:

(1) "Diaper supply services" means the supplying to retail customers on a rental basis, of clean laundered diapers by the owner of these items.

(2) The term "Retail" refers to the sale of diaper supply services directly to the ultimate consumer, except commercial, industrial, and governmental users.

Effective date. This Supplementary Regulation 32 to Ceiling Price Regulation 34 shall become effective December 18, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 18, 1952.

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
RESEARCH REPORT NO. 1000
JANUARY 1960

SYNTHESIS OF POLYMER SOLUBLE

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**Power Laundries and
Dry Cleaning Sellers in
Greater Portland, Oregon
Trading Area**

**Ceiling Price Regulation 34
Supplementary Regulation 33**

DECEMBER 19, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 33]

CPR 34—SERVICES

**SR 33—POWER LAUNDRIES AND DRY CLEANING
SELLERS IN GREATER PORTLAND, OREGON
TRADING AREA**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2 this Supplementary Regulation 33 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 33 to Ceiling Price Regulation 34 permits an increase in retail ceiling prices for dry cleaning services to all sellers of such service located in the Greater Portland Oregon Trading Area. This "Area", as it is at times referred to in the regulation, consists of the county of Multnomah and certain cities in the counties of Clackamas in the State of Oregon and Clark in the State of Washington. In addition it permits all power laundries located in the "Area" to increase their retail ceiling prices for power laundry services. In order that customary pricing practices established in the trade may be maintained "bobtailers" (independent routemen) are also permitted an increase in their retail ceiling prices on the resale at retail of power laundry services that they purchase from power laundries located in the "Area". This supplementary regulation does not permit the increase to be applied to the diaper supply and linen supply services of power laundries and "bobtails". Historically it has been industry practice to bargain collectively with the various unions on proposed wage increases. As a result the impact and effect of any increase has been uniform throughout each industry. An analysis of the operating costs and profit margins of a representative number of the sellers in the area reveals that they are suffering an impairment of their pre-Korean earnings as a result of increased labor and material costs, which have been incurred. In May of 1952 new wage contracts were negotiated under which laundry and dry cleaning workers were granted a 5 cent per hour increase together with 6 paid holidays; in August 1952 the Wage Stabilization Board approved certain "fringe benefits" for workers represented by the Teamsters' Union. Failure to make an adjustment in the retail ceiling prices of

these sellers would impair their continued operations and would threaten an interruption in the supply of these essential services. This uniform increase was determined in accordance with the standards for individual adjustments under section 20 of Ceiling Price Regulation 34.

Under the provisions of this supplementary regulation, retail ceiling prices of such power laundries, dry cleaning service sellers and bobtail sellers may be increased by 5 percent such adjustment to be applied to the total amount of each invoice rendered to the customer and identified as the "OPS permitted price increase." If this method is used to apply the amount of the increase, the seller need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34. At the option of the individual power laundry, dry cleaning service seller and bobtailer, however, the flat retail ceiling price for each article may be increased by 5 percent. Adjusted flat ceiling prices must, within ten days after their determination, be filed with the appropriate Office of Price Stabilization district office as required by section 18, as amended, of Ceiling Price Regulation 34. Express authority is granted to make necessary changes in OPS posters.

In the future, power laundries, dry cleaning service sellers and bobtailers subject to this supplementary regulation may not obtain an adjustment of their retail ceiling prices for those services covered by this supplementary regulation, under section 20 of Ceiling Price Regulation 34, as amended. Any adjustment of retail ceiling prices which are the subject of this supplementary regulation under section 20 of Ceiling Price Regulation 34, as amended, heretofore granted is automatically revoked as of the effective date of this supplementary regulation.

In the judgment of the Director of Price Stabilization the price increases permitted by this supplementary regulation are the minimum needed to permit the continued supply of this service.

In the formulation of this supplementary regulation, the Director has informally consulted insofar as practicable with representative suppliers of these services including representatives of trade association, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of Ceiling Prices.
4. Application of Section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.

SECTION 1. Purpose. This Supplementary Regulation permits all sellers of dry cleaning services located in the Greater Portland Oregon Trading Area hereinafter at times referred to as the "Area") to increase their ceiling prices for the sale of such dry cleaning services at retail only by 5 percent. It permits power laundries located in the "Area" to increase by 5 percent their ceiling prices for the sale of power laundry services at retail and to bobtail sellers for resale at retail. It also permits bobtail sellers (see section 5 Definitions) who purchase power laundry services from power laundries located in the "Area", for resale at retail, to increase their ceiling prices for the resale of such services at retail by 5 percent. This supplementary regulation does not apply to the sale or resale of diaper supply and linen supply services by power laundries or bobtail sellers.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of retail ceiling prices. If you are subject to this supplementary regulation, you may to the extent that you either sell at retail or to a bobtail seller for resale at retail power laundry services supplied by power laundries located in the "Area" or are a seller, located in the "Area", selling dry cleaning services at retail, increase your ceiling prices by 5 percent for power laundry services and dry cleaning services, except diaper supply and linen supply services, by either of the following methods:

(a) You may apply such an adjustment to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp on each such invoice beside the adjustment the words "OPS permitted price increase". If you use this method of applying your price increase, you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

(b) You may, in lieu of the method provided in paragraph (a) of this section, increase by 5 percent the retail ceiling price of each power laundry and dry cleaning service article, except a diaper supply and linen supply service article. Within ten days after your prices are established under this paragraph you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required under section 18, as amended, of Ceiling Price Regulation 34 and must change your OPS poster prices or prepare and display a new poster to reflect the price increase permitted by this supplementary regulation. You may not establish prices under paragraph (a) of this section once you have elected to establish prices under this paragraph.

(c) If the price increase computed in paragraphs (a) or (b) of this section results in a fraction of a cent, the price increase must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. No seller subject to this supplementary regulation may, after the effective date of this supplementary regulation, apply for an adjustment of any of his retail ceiling prices for power laundry services and

dry cleaning services except diaper supply and linen supply services under section 20 of Ceiling Price Regulation 34, as amended. All orders establishing retail ceiling prices for any seller of power laundry services and dry cleaning services, except diaper supply services and linen supply services, subject to this supplementary regulation issued under either section 20 (a), (b) or (c) of Ceiling Price Regulation 34 are hereby revoked, upon the effective date of this regulation.

SEC. 5. Definitions. (a) (1) "Power Laundry" or "power laundries" as used in this regulation are laundries which in the laundry trade are customarily known and designed as such, and do not include hand laundries, launderettes or laundries using home-type laundry equipment to supply laundry services.

(a) "Bobtail sellers" as used in this regulation means a separate class of purchaser of power laundry services, consisting of independent routemen or establishments not employed or owned by a power laundry, which purchases such power laundry services from a power laundry at a discount and resells these services to its own customers at the same prices that the power laundry itself would have charged the same class of purchaser for the same services. Bobtail sellers do not ordinarily engage in processing operations.

(3) "Dry cleaning services" as used in this regulation means services rendered in the cleaning of garments and other items primarily with fluids other than water and shall include pressing.

(4) "Retail" refers to the sale of dry cleaning services or laundry services directly to the ultimate consumers, except commercial, industrial, institutional or governmental users.

(5) "The Greater Portland Oregon Trading Area" as used in this regulation means the area comprising all of Multnomah County and the cities of Oregon City, West Linn, Gladysone, Oswego and Milwaukee in Clackamas County, in the State of Oregon; and the cities of Vancouver, McLoughlin, Camas, and Washougal in the County of Clark in the State of Washington.

(6) "Area" as used in this regulation means "The Greater Portland Oregon Trading Area".

Effective date. This supplementary regulation is effective December 24, 1952.

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.

JOSEPH H. FREEHILL,
Director of Price Stabilization
DECEMBER 19, 1952.

**Hand Laundries in the
New York City Area**

**Ceiling Price Regulation 34
Supplementary Regulation 34
JANUARY 13, 1953**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 34]

CPR 34—SERVICES

**SR 34—HAND LAUNDRIES IN THE NEW YORK
CITY AREA**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 34 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation to Ceiling Price Regulation 34 permits an increase in ceiling prices for hand laundries situated in the Counties of Bronx, New York, Kings, Queens, Richmond, Westchester, Nassau, and Suffolk, in New York State.

Hand laundries in this area do an estimated annual volume of business amounting to \$16,000,000. A study of operating costs and profit margins of a representative number of these hand laundries reveals that increased labor and material costs have impaired pre-Korean earnings of such hand laundries. In addition in May 1952, new wage contracts were negotiated granting substantial wage increases to all classes of workers. The wage increases are all within the formula of Wage Stabilization Board regulations or have received Wage Stabilization Board approval. In June 1952 the Office of Price Stabilization issued Supplementary Regulation 19 to Ceiling Price Regulation 34 granting wholesale power laundries in the New York City Area permission to increase their ceiling prices by 5 percent. These cost increases have resulted in further impairment of the earnings of such hand laundries. The amount granted herein has been determined to be the minimum necessary to maintain the financial stability of these hand laundries in order to assure a continued supply of these essential hand laundry services.

Under the provisions of this supplementary regulation the charges of these hand laundries for their services may be increased by 6 percent. This uniform increase was determined in accordance with the standards for individual adjustment under section 20 of Ceiling Price Regulation 34. Such an adjustment may be applied to the total amount of each invoice rendered to the customer, and identified as the "OPS permitted price increase". If this method is used to apply the amount of the increase, the seller need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34. At the option of the individual hand laundry, however, the ceiling price for each item may be

increased by not more than 6 percent. Adjusted flat prices must within ten days after their determination be filed with the appropriate OPS District Office.

In the future, hand laundries subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for their hand laundry services under section 20 of Ceiling Price Regulation 34.

In addition, the ceiling prices established by this supplementary regulation apply to all such hand laundry services, irrespective of any adjustment of ceiling prices heretofore granted under the provisions of Ceiling Price Regulation 34. Consequently, any adjustments granted under that regulation are automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increase permitted by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; to 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. Purpose. This Supplementary Regulation permits hand laundries in the counties of Bronx, New York, Kings, Queens, Richmond, Westchester, Suffolk and Nassau, State of New York to increase the ceiling prices of their hand laundry services by 6 percent.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, unless changed by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, if you are a hand laundry located in the following counties of New York State: Bronx, New York, Kings, Queens, Richmond, Suffolk, Westchester and Nassau, increase your ceiling prices for hand laundry services established under section 5 of Ceiling Price Regulation 34, by 6 percent by either of the following methods:

(a) You may apply such increase to the total amount of each invoice rendered to the customer, provided you

shall clearly write or stamp on each such invoice beside the adjustment the words "OPS permitted price increase". If you use this method of applying your price increase you need not make the supplementary filing required by Section 18 (c) of Ceiling Price Regulation 34.

(b) You may in lieu of the method provided in paragraph (a) of this section, increase by 6 percent the ceiling prices of each hand laundry service item you supply. Within ten days after your prices are established under this subparagraph, you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required under section 18 (c) of Ceiling Price Regulation 34. You must also change or prepare and post on an official OPS poster the adjusted ceiling prices determined under this section. You may not use paragraph (a) of this section once you have elected to adjust ceiling prices under this subparagraph.

(c) If the increase computed in paragraph (a) or (b) above results in a fraction of a cent, the price must be decreased to the next lower cent if the fractional cent is less than one-half cent or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. (a) A hand laundry subject to this supplementary regulation may not, after the effective date of this supplementary regulation, apply for an adjustment of any of its ceiling prices for hand laundry services under section 20 of Ceiling Price Regulation 34, as amended.

(b) The adjustment of ceiling prices granted by section 3 of this Supplementary Regulation shall be the maximum adjustment permitted any hand laundry in lieu of, and irrespective of, any adjustment heretofore granted any such hand laundry under the provisions of Ceiling Price Regulation 34, as amended. Any order adjusting the ceiling prices of any such hand laundry services under section 20 of Ceiling Price Regulation 34, as amended, is hereby revoked as of the effective date of this supplementary regulation.

SEC. 5. Definitions. (a) "Hand laundries" as used in this regulation are laundry establishments receiving and distributing laundry, generally finishing some wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery services.

Effective date. This Supplementary Regulation 34 to Ceiling Price Regulation 34 shall become effective January 19, 1953.

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

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 13, 1953.

**Handling and Storage of Peanuts
Under Commodity Credit Corporation
Warehouse Contracts, Etc.**

**Ceiling Price Regulation 34
Supplementary Regulation 35
JANUARY 15, 1953**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 35]

CPR 34—SERVICES

**SR 35—HANDLING AND STORAGE OF PEANUTS
UNDER COMMODITY CREDIT CORPORATION
WAREHOUSE CONTRACTS FOR THE UNITED
STATES DEPARTMENT OF AGRICULTURE**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 35 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to Ceiling Price Regulation 34 establishes dollars and cents ceiling prices for warehouse handling and storage of peanuts for the Commodity Credit Corporation.

The rates paid by the Commodity Credit Corporation for the storage and handling of peanuts have been constant since 1944. Between 1944 and the present time, the costs of operation of the warehouses providing these services have increased substantially. In addition, the 1952 contracts require that the warehousemen guarantee the maintenance of the grade and quality of the peanuts delivered to them by the Commodity Credit Corporation. This is a function, demanding increased responsibility and involving additional costs, which has never before been assumed by the warehousemen, and, if effective during the 1951 season, would have cost the warehousemen an additional \$4.00 per ton according to Department of Agriculture statistics. Officials of the Commodity Credit Corporation have spent many months negotiating these contracts and are of the opinion that these services cannot be obtained at rates less than those set forth herein. These officials have advised the Director of Price Stabilization that, unless the increased rates are made effective, the warehousemen will not be able to furnish the services required under the Commodity Credit Corporation warehouse contracts.

The Commodity Credit Corporation plans to use two separate contracts for the handling and storage of peanuts. These contracts are known as CCC Contract No. 28 and CCC Contract No. 29. CCC Contract 29 establishes two separate storage rates: a rate for commingled peanuts, and a rate for peanuts stored with identity preserved. The terms of CCC Contract 29 require fire insurance coverage where peanuts are stored on a commingled basis, thus accounting for the twenty (20) cents per ton per month differential between these rates and the other rates established under CCC Contract 29. For the same reason the identical rate differential exists between the storage rates for commingled peanuts under CCC Contract 29 and the rates established under CCC Contract 28. This regulation prescribes ceiling rates for the warehouse handling and storage of peanuts under each of these contracts.

In the formulation of this regulation there have been no consultations with representatives of industry. Such consultations have been deemed unnecessary since the matter has been fully discussed with representatives of the Commodity Credit Corporation. In the judgment of the Director of Price Stabilization, the ceiling prices established by 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.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Relationship to CPR 34.
3. Ceiling prices.

AUTHORITY: Sections 1 to 3 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 CPR, 1950 Supp.

SECTION 1. What this regulation does. This regulation establishes dollar and cents ceiling prices for the handling and storage of peanuts under Commodity Credit Corporation warehouse contracts.

SEC. 2. Relationship to CPR 34. All provisions of CPR 34, as amended, except as changed by the pricing provisions of

this supplementary regulation, shall remain in full force and effect.

SEC. 3. Ceiling prices. The ceiling prices which may be charged the Commodity Credit Corporation for the handling and storage of peanuts shall be as follows:

**UNDER PEANUT RECEIVING AND WAREHOUSE
CONTRACT, FORM CCC 28**

	For bulk peanuts	For peanuts in bags
	<i>Per ton</i>	<i>Per ton</i>
(a) Handling charges, in.....	\$2.00	\$2.25
(b) Handling charges, out.....	\$2.00	\$2.25
(c) Storage.....	\$0.25 per ton, whether in bulk or in bags, in the case of peanuts in storage 15 days or less; or \$0.45 per ton per month or any fraction thereof in the case of peanuts in storage for more than 15 days.	

UNDER PEANUT STORAGE CONTRACT, FORM CCC 29

	For bulk peanuts	For bagged peanuts
	<i>Per ton</i>	<i>Per ton</i>
(a) Handling charges, in.....	\$2.00	\$2.25
(b) Handling charges, out.....	\$2.00	\$2.25
(c) Storage (commingled).....	\$0.35 per ton, whether in bulk or in bags, in the case of peanuts in storage 15 days or less; or \$0.65 per ton per month or any fraction thereof in the case of peanuts in storage for more than 15 days.	

For peanuts stored identity preserved, the storage rate shall be \$0.25 per ton for storage of 15 days or less and \$0.45 per ton per month or any fraction thereof in the case of peanuts in storage for more than 15 days.

Effective date. This Supplementary Regulation 35 to Ceiling Price Regulation 34 shall become effective January 20, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 15, 1953.

Linen Supply Services
in the Pittsburgh, Pa., Area

Ceiling Price Regulation 34
Supplementary Regulation 36
JANUARY 21, 1953

OFFICE OF PRICE STABILIZATION WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 36]

CPR 34—SERVICES

SR 36—LINEN SUPPLY SERVICES IN THE PITTSBURGH, PENNSYLVANIA, AREA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 36 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 36 to Ceiling Price Regulation 34 permits an increase in the ceiling prices of linen supply services furnished by linen suppliers in the counties of Allegheny, Westmoreland, Fayette, and Cambria, Pennsylvania, hereafter called the Pittsburgh, Pennsylvania Area.

An analysis of the operating costs and profit margins of a representative number of sellers who provide 95 percent of the linen supply services in the area reveals that they are suffering an impairment of their pre-Korean earnings as a result of increased costs of operation resulting from wage increases, replacement of worn out, obsolete equipment, and higher costs of materials.

Under the provisions of this supplementary regulation, ceiling prices of linen suppliers in the Pittsburgh, Pennsylvania Area may be increased by 6 percent, such adjustment to be applied to the total amount of each invoice rendered to the customer and identified as the "OPS permitted price increase", or, at the option of the individual linen supplier, the established flat price for each article may be increased 6 percent. The adjusted flat price must, within ten days after determination, be filed with the appropriate Office of Price Stabilization District Office as required by section 18 of Ceiling Price Regulation 34, as amended.

The uniform increase has been determined in accordance with the standards for individual adjustments under section 20 of Ceiling Price Regulation 34, as amended.

Linen suppliers subject to this supplementary regulation may not, after the effective date of this supplementary regulation, obtain an adjustment of their ceiling prices under section 20 of Ceiling

Price Regulation 34, as amended. In addition, adjustments previously granted under that section are automatically revoked upon the effective date of this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5, issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR 1950 Supp.

SECTION 1. Purpose. This supplementary regulation permits linen suppliers located in the Pittsburgh, Pennsylvania Area to increase the ceiling prices of their linen supply services by 6 percent. This supplementary regulation shall not apply to any other services supplied by such linen suppliers.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, to the extent you furnish linen supply services from locations in the Pittsburgh, Pennsylvania Area, increase your ceiling prices by 6 percent for linen supply services thus supplied by either of the following methods:

(a) You may apply such adjustment to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp beside the adjustment on each invoice the words "OPS permitted price increase". If you use this method of applying your price increase you need not make the supplementary filing required by section 18 (c)

of Ceiling Price Regulation 34, as amended.

(b) You may in lieu of the method provided in paragraph (a) of this section, increase by 6 percent the flat price of each linen supply service article. Within ten days after your prices are established under this paragraph, you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required by section 18 of Ceiling Price Regulation 34. You may not establish prices under paragraph (a) of this section once you have elected to establish prices under this paragraph.

(c) If the increase calculated in paragraphs (a) and (b) of this section results in a fraction of a cent, the ceiling price must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. (a) No seller of linen supply services subject to this supplementary regulation, may, after the effective date of this regulation, apply for an adjustment of any of his ceiling prices for linen supply services under section 20 of Ceiling Price Regulation 34, as amended. All orders establishing ceiling prices of any seller of linen supply services subject to this supplementary regulation issued under either section 20 (a), (b) or (c) of Ceiling Price Regulation 34, as amended, are hereby revoked, upon the effective date of this regulation.

SEC. 5. Definitions. (a) As used in this supplementary regulation the term:

(1) "Pittsburgh, Pennsylvania Area" means the area comprising the Counties of Allegheny, Westmoreland, Fayette and Cambria, Pennsylvania.

(2) "Linen supply services" means the supplying to others, on a rental basis, of clean laundered linen or garments by the owner of these items. The term "linen", as used in this definition, is not confined to articles made of linen textiles, but includes articles consisting of any fabric which are commonly laundered as distinguished from being dry cleaned.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This supplementary regulation is effective January 26, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 21, 1953.

Computation of Price Increase

**Ceiling Price Regulation 34
Supplementary Regulation 36
Amendment 1
JANUARY 30, 1953**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Amdt. 1 to
Supplementary Regulation 36]

CPR 34—SERVICES

**SR 36—LINEN SUPPLY SERVICES IN THE
PITTSBURGH, PA., AREA**

COMPUTATION OF PRICE INCREASE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 36 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 1 to Supplementary Regulation 36 to Ceiling Price Regulation 34 modifies the computation of ceil-

ing price increases granted by this supplementary regulation. Supplementary Regulation 36 permits linen supply service sellers in the Pittsburgh, Pennsylvania, Area to increase their ceiling prices by 6 percent. In cases where the new ceiling price consists of a fraction of a cent, the regulation permits the price to be rounded to the nearer full cent. However, it has been customary in the linen supply business in this area to compute prices on the basis of the nearer one-half cent rather than the full cent. Accordingly, in order to conform the provisions of Supplementary Regulation 36 to established linen supply pricing practices in the affected area, section 3 (c) of Supplementary Regulation 36 is amended to set forth new instructions on how to determine the ceiling price in those cases where the rounding of fractions of a cent is required.

In view of the clarifying nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Subparagraph (c) of section 3 of Supplementary Regulation 36 to Ceiling Price Regulation 34 is amended to read as follows:

(c) If the increase calculated in paragraphs (a) and (b) of this section results in a fraction of a cent, the ceiling price must be decreased to the next lower one-half cent if the fractional cent is less than one-quarter cent, or may be increased to the next higher one-half cent if the fraction is one-quarter cent or more.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 to Supplementary Regulation 36 to Ceiling Price Regulation 34 shall be effective on January 30, 1953.

**JOSEPH H. FREEHILL,
Director of Price Stabilization.**

JANUARY 30, 1953.

1. [illegible]
2. [illegible]
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**Parking in Downtown
Dayton, Ohio**

**Ceiling Price Regulation 34
Supplementary Regulation 37**

JANUARY 27, 1953

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 37]

CPR 34—SERVICES

**SR 37—PARKING IN DOWNTOWN DAYTON,
OHIO**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 37 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to Ceiling Price Regulation 34 establishes ceiling prices for automobile parking services rendered in parking lots and garages in the downtown area of Dayton, Ohio.

Since 1940, the population of the metropolitan area of Dayton, Ohio has increased 50 percent, with the result that there is a critical shortage of short time parking facilities in the downtown commercial and business area of the city. Studies conducted for the city by the Dayton Plan Board show that many of the parking establishments located in the downtown area have established only daily parking rates under the provisions of Ceiling Price Regulation 34, and that these lots are filled at an early hour of the day. This results in a lack of available space for "transient", "errand" or "customer" parkers. In addition the study indicates that the non-availability of short time parking spaces has resulted in an increase in street parking violations which has necessitated increased enforcement action by police officials, thereby diverting police activities from other important work.

The resultant traffic congestion is causing widespread hardship to business located in the downtown area, which local authorities believe can be partially alleviated by the encouragement of a quick turn-over of automobiles in parking lots located in the critical area.

This supplementary regulation establishes hourly rates for parking operators located within the critical parking area and these rates are believed to be the minimum charges which will bring about the benefits to the community that should result from an increase in the turn-over of available space for parking purposes. In addition, provision is made to permit operators having parking rates established under Ceiling Price Regulation 34 which are higher than the rates established in this supplementary regu-

lation to elect to continue to charge their present ceiling prices for the services provided. In such event, however, those sellers may not use the rates established by this supplementary regulation for any other parking services.

In the judgment of the Director, the ceiling prices established by this supplementary regulation will permit parking lot operators and garages located in the "critical area" of downtown Dayton, Ohio, to provide the services necessary to the community inasmuch as representatives of that community have advised him that adequate all day parking facilities for employees and other all day parkers can be provided by parking lots and garages outside the "critical area".

Special circumstances made it impracticable to consult formally with representatives of the industry, including trade association representatives, in the formulation of this supplementary regulation. Consideration, however, has been given to the recommendations of affected persons who were informally consulted.

In the judgment of the Director the ceiling prices established by this supplementary regulation are generally fair and equitable and will effectuate the provisions of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Eligibility to adopt the ceiling prices established by this supplementary regulation; filing.
3. Ceiling prices for parking services.
4. Applicability of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 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. Purpose. This supplementary regulation establishes dollar and cent ceiling prices for automobile parking services provided by parking lot operators and garage operators in the "critical area" of Dayton, Ohio. (See definition in section 5 of this supplementary regulation.

SEC. 2. Eligibility to adopt ceiling prices established by this supplementary regulation; filing. (a) If you operate a parking lot or garage providing parking services in the "critical area" of Dayton, Ohio, you may adopt the ceiling prices set forth in section 3 of this supplementary regulation. If you adopt those ceiling prices you may not thereafter charge any higher ceiling prices which you previously established under the provisions of Ceiling Price Regulation 34, as amended, for any parking service you provide.

If you do not adopt the ceiling prices established by this supplementary regulation your ceiling prices for all of your parking services are those which you previously established under Ceiling Price Regulation 34, as amended. For example: If you have established a ceiling price for all day parking under Ceiling Price Regulation 34, as amended, which is higher than the ceiling price for all day parking established by this supplementary regulation, you may not charge the new hourly rates established under this supplementary regulation for less than all day parking and continue to charge your existing ceiling price for all day parking.

(b) If you adopt the ceiling prices for parking services established in this supplementary regulation you must, before you begin to make such charges, file with the OPS District Office, Cleveland, Ohio, a statement that you have adopted as your ceiling prices the prices established by this supplementary regulation in lieu of the supplementary statement required by section 18 (c) of Ceiling Price Regulation 34, as amended.

SEC. 3. Ceiling prices. If you use this supplementary regulation to establish ceiling prices for parking services rendered in a parking lot or garage located in the "critical area" in Dayton, Ohio, your ceiling prices for parking services shall be:

- 1 hour—25 cents.
- 2 hours—35 cents.
- 3 hours—50 cents.

Each additional hour—15 cents to a maximum charge of \$1.25 for any 12-hour period (all-day parking).

SEC. 4. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation shall remain in full force and effect.

SEC. 5. Definitions. (a) "Parking lots and garages located in the 'critical area' in Dayton, Ohio", means a lot or garage providing parking services located in downtown Dayton, Ohio in the area bounded as follows: On the north by Monument Avenue; on the east by Sinclair Street; on the south by 6th Street; and on the west by Wilkinson Avenue.

Effective date. This supplementary regulation to Ceiling Price Regulation 34 shall become effective January 31, 1953.

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

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 27, 1953.

**Processing Services of Frozen
Food Locker Plants**

**Ceiling Price Regulation 34
Supplementary Regulation 38**

FEBRUARY 2, 1953

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

CPR 34—SERVICES

**SR 38—PROCESSING SERVICES OF FROZEN
FOOD LOCKER PLANTS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 38 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 38 to Ceiling Price Regulation 34 authorizes operators of frozen food locker plants to increase complete processing service charges to ultimate consumers for the processing of meats. It permits these sellers to increase their ceiling prices, otherwise determined pursuant to Ceiling Price Regulation 34, by one cent per pound for the service of completely processing customer-owned carcasses and wholesale cuts of beef, veal, pork and lamb.

The action taken herein is necessary because of a substantial decline since the base period (December 19, 1950, to January 25, 1951, inclusive) in the prices received by locker plant operators from the sale of inedible meat by-products. The charges for processing meats owned by the customer have always been augmented by revenue derived from the sales of suet, fat, bones and other by-products left over from the cutting and trimming of meats. This additional revenue is considered by the industry as a part payment for the rendering of processing services.

Information available to the Office of Price Stabilization indicates that the present market prices received by locker plant operators for the sale of inedible meat by-products are in the average below the base period market prices resulting in a substantial decrease in income to the frozen food locker plant industry for processing services. The increase of one cent a pound permitted by this supplementary regulation, which is uniformly applicable to all locker plant processors, is determined to be the minimum increase necessary to assure the continued supply of essential processing services at prices which are fair and equitable to both the industry and the consumer.

The authorized price increase may be utilized by locker plant operators only where carcasses, including sides, quarters and wholesale cuts of meat are completely processed. The complete processing service must consist of such component services as chilling, cutting, wrapping, labelling and freezing. No increase in present ceiling prices may be obtained under this supplementary regu-

lation for these services singly. Further, no increases in prices are permitted for the processing of retail or fabricated cuts of meat, specialty products, lard rendering, curing or smoking, or the processing in any form of game, poultry, fish, fruits and vegetables.

This supplementary regulation does not permit frozen food locker plant operators to increase present wholesale and retail ceiling prices of meats established under other OPS regulations, nor does it apply to processing services rendered by commercial storage plants, meat packers, stockyards and slaughterers.

Since this supplementary regulation is designed to compensate locker plant operators for reduced overall processing service charges caused by a decline in the selling prices of meat by-products rather than the impairment of normal pre-Korean earnings, the affected sellers are not precluded from making use of the individual adjustment provisions of section 20 of Ceiling Price Regulation 34.

In the formulation of this supplementary regulation, the Director has consulted extensively insofar as practicable with representative suppliers of these services, including representatives of trade associations and the Department of Agriculture, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increase permitted by this supplementary regulation is necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Filing.
5. Definitions.

AUTHORITY: Sections 1 to 5 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. Purpose. The purpose of this regulation is to permit frozen food locker plants (see definition in section 5 (3)) to increase service charges by one cent per pound for the complete processing of meats.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of CPR 34, as amended, except as affected by the provisions of this supplementary regulation, shall remain in full force and effect.

SEC. 3. Ceiling prices. (a) If you operate a frozen food locker plant you may increase your ceiling prices established under sections 5, 6 or 7 of Ceiling Price Regulation 34, as amended, by one cent per pound for the service of completely processing customer owned carcasses, including sides, quarters, and wholesale cuts of beef veal, pork and lamb.

(b) This increase in ceiling prices of one cent per pound is in lieu of, and not in addition to, any other increase over the dollar and cent element of the ceiling price formula for your complete processing services to which you might otherwise be entitled under Ceiling Price Regulation 34 by reason of the decrease since the base period in the price you receive for any meat by-products as part of your compensation for the services you render. For example, if during the base period, your locker plant rendered a complete processing service at a price of 4 cents a pound to your customers plus all non-edible meat by-products with a base period resale value of 2 cents a pound, for a total of 6 cents, and currently you can realize an average resale value of by-products of only 1 cent a pound, you may under this regulation increase the price to your customers from 4 cents to 5 cents a pound plus the non-edible meat by-products for a similar total of 6 cents a pound. You may not, however, increase the price charged your customers for complete processing services by more than one cent a pound even though your realization for any meat by-products has declined since the base period.

Sec. 4. Filing. Within 10 days after establishing your ceiling prices under this regulation, you must prepare and file a statement with the appropriate district office of the Office of Price Stabilization, in accordance with section 18 (c) of Ceiling Price Regulation 34.

Sec. 5. Definitions. As used in this supplementary regulation to Ceiling Price Regulation 34:

(a) "Complete processing" is your complete custom processing service applied to beef, veal, pork, and lamb, and which includes such operations as chilling, cutting, wrapping, labelling, freezing, and in addition, any other operation as you customarily performed (ageing, grinding, boning, etc.).

(b) "Carcasses", "sides", "quarters", and "wholesale cuts" are defined and described in the following OPS commodity regulation: For beef see Appendix 2 of CPR 24, Collation 2; Appendix 3 of CPR 25, Revised; for pork see Appendix 2 of CPR 74; for lamb see Appendix 2 of CPR 92, Collation 1; and for veal see Appendix 2 of CPR 101.

(c) "Frozen food locker plants" include any establishments which primarily offer frozen food storage service in individual lockers, and provide complete custom processing services on meat owned by customers.

Effective date. This supplementary regulation shall become effective February 7, 1953.

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

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 2, 1953.

Hand Laundries in
Philadelphia, Pa.

Ceiling Price Regulation 34
Supplementary Regulation 39

FEBRUARY 4, 1953

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 39]

CPR 34—SERVICES

SR 39—HAND LAUNDRIES IN PHILADELPHIA,
PENNSYLVANIA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 39 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 39 to Ceiling Price Regulation 34 permits an increase in ceiling prices for hand laundries located in Philadelphia, Pennsylvania.

Hand laundries in Philadelphia do an estimated annual volume of business amounting to approximately \$750,000 annually. A study of operating costs and profit margins of a representative number of these hand laundries reveals that increased labor and material costs have impaired pre-Korean earnings of such hand laundries. In November 1952, new wage contracts were negotiated granting substantial wage increases. The wage increases are all within the formula of WSB regulations or have received WSB approval. In addition, OPS issued Supplementary Regulation 25 to Ceiling Price Regulation 34 in November 1952 granting power laundries in Philadelphia permission to increase their ceiling prices by 9 percent, thus increasing processing costs of the hand laundries. These cost increases have resulted in further impairment of the earnings of such hand laundries.

Under the provisions of this supplementary regulation, the charges of these hand laundries for their services may be increased by 10 percent. This uniform increase was determined in accordance with the standards for individual adjustment under section 20 of Ceiling Price Regulation 34. Such an adjustment may be applied to the total amount of each invoice rendered to the customer, and identified as the "OPS permitted price increase." If this method is used to apply the amount of the increase, the seller need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34. At the option of the individual hand laundry, however, the ceiling price for each item may be increased by not more than 10 percent. Adjusted flat prices must within ten days after their determination, be filed with the appropriate OPS District Office.

In the future, hand laundries subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for their hand laundry services under section 20 of Ceiling Price Regulation 34.

In addition, the ceiling prices established by this supplementary regulation apply to all such hand laundry services, irrespective of any adjustment of ceiling prices heretofore granted under the provisions of Ceiling Price Regulation 34. Consequently, any adjustments granted under that regulation are automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of Section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; to 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. Purpose. This Supplementary Regulation permits hand laundries in Philadelphia, Pennsylvania to increase the ceiling prices of their hand laundry services by 10 percent.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, unless changed by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, if you are a hand laundry located in Philadelphia, Pennsylvania, increase your ceiling prices for hand laundry services established under section 5 of Ceiling Price Regulation 34, by 10 percent by either of the following methods:

(a) You may apply such increase to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp on each such invoice beside the adjustment the words "OPS permitted price increase." If you use this method of applying your price

increase you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

(b) You may in lieu of the method provided in paragraph (a) of this section, increase by 10 percent the ceiling prices of each hand laundry service item you supply. Within ten days after your prices are established under this paragraph, you must prepare and file with your district office of the Office of Price Stabilization a supplementary statement as required under section 18 (c) of Ceiling Price Regulation 34. You must also change or prepare and post on an official OPS poster the adjusted ceiling prices determined under this section. You may not use paragraph (a) of this section once you have elected to adjust ceiling prices under this paragraph.

(c) If the increase computed in paragraph (a) or (b) of this section results in a fraction of a cent, the price must be decreased to the next lower cent if the fractional cent is less than one-half cent or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. (a) A hand laundry subject to this supplementary regulation may not, after the effective date of this supplementary regulation, apply for an adjustment of any of its ceiling prices for hand laundry services under section 20 of Ceiling Price Regulation 34, as amended.

(b) The adjustment of ceiling prices granted by section 3 of this supplementary regulation shall be the maximum adjustment permitted any hand laundry in lieu of, and irrespective of, any adjustment heretofore granted any such hand laundry under the provisions of Ceiling Price Regulation 34, as amended. Any order adjusting the ceiling prices of any such hand laundry services under section 20 of Ceiling Price Regulation 34, as amended, is hereby revoked as of the effective date of this supplementary regulation.

SEC. 5. Definitions. (a) "Hand laundries" as used in this regulation are laundry establishments receiving and distributing laundry, generally finishing some wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery services.

Effective date. This Supplementary Regulation 39 to Ceiling Price Regulation 34 shall become effective February 9, 1953.

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

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 4, 1953.

Diaper Supply Services in
Pittsburgh, Pennsylvania

Ceiling Price Regulation 34
Supplementary Regulation 40
FEBRUARY 12, 1953

OFFICE OF PRICE STABILIZATION
WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 40]

CPR 34—SERVICES

**SR 40—DIAPER SUPPLY SERVICES IN PITTS-
BURGH, PENNSYLVANIA**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 40 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 40 to Ceiling Price Regulation 34 permits an increase in the ceiling prices of the diaper supply services furnished by retail diaper suppliers in Pittsburgh, Pennsylvania.

Sharply increased costs of materials and supplies together with wage increases recently granted with Wage Stabilization Board approval have made repair and replacement of worn out and obsolete equipment virtually impossible. These factors have resulted in substantial financial hardship to these diaper service suppliers.

Under the provisions of this supplementary regulation, ceiling prices of diaper service suppliers in Pittsburgh, Pennsylvania, may be increased by 8 percent, such adjustment to be applied to the total amount of each invoice rendered to the customer and identified as the "OPS permitted price increase," or, at the option of the individual diaper service supplier, the established flat price for each article may be increased 8 percent. The adjusted flat price must, within ten days after determination, be filed with the appropriate Office of Price Stabilization District Office.

Provision is made to retain such services under Ceiling Price Regulation 34: *Provided, however,* That diaper service suppliers subject to this supplementary regulation may not, after the effective date of this supplementary regulation, obtain an adjustment of their ceiling prices under section 20 of Ceiling Price Regulation 34, as amended. In addition, adjustments previously granted under that section are automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5, issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR 1950 Supp.

SECTION 1. Purpose. This supplementary regulation permits diaper service suppliers located in Pittsburgh, Pennsylvania to increase the ceiling prices of their retail diaper supply services by 8 percent, in the manner provided in section 3. This supplementary regulation shall not apply to any other services supplied by such diaper service suppliers.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, to the extent you furnish diaper supply services at retail from locations in Pittsburgh, Pennsylvania, increase your ceiling prices by 8 percent for diaper supply services thus supplied by either of the following methods:

(a) You may apply such an adjustment to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp beside the adjustment on each invoice the words "OPS permitted price increase". If you use this method of applying your price increase you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

(b) You may, in lieu of the method provided in paragraph (a) of this section, increase by 8 percent the flat price of each diaper supply service article. Within ten days after your prices are established under this paragraph, you must prepare and file with your district office of Office of Price Stabilization a supplemental statement as required by section 18 of Ceiling Price Regulation 34. You may not establish prices under paragraph (a) of this section once you have elected to establish prices under this paragraph.

(c) If the increase calculated in paragraphs (a) and (b) of this section results in a fraction of a cent, the ceiling price must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. (a) No seller of diaper supply services at retail subject to this supplementary regulation may, after the effective date of this regulation, obtain an increase in his ceiling prices for such diaper supply services under section 20 of Ceiling Price Regulation 34, as amended. All orders establishing ceiling prices of any seller of diaper supply services subject to this supplementary regulation issued under either section 20 (a), (b) or (c) of Ceiling Price Regulation 34 are hereby revoked, upon the effective date of this regulation.

SEC. 5. Definitions. (a) As used in this supplementary regulation the term:

(1) "Diaper supply services" means the supplying to retail customers on a rental basis, of clean laundered diapers by the owner of these items.

(2) The term "Retail" refers to the sale of diaper supply services directly to the ultimate consumer, except commercial, industrial, and governmental users.

Effective date. This Supplementary Regulation 40 to Ceiling Price Regulation 34 shall become effective February 12, 1953.

NOTE: The reporting requirements of this supplementary regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1952.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 12, 1953.

10-10-1964

10-10-1964

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10-10-1964

**Window Washing Services
in Chicago, Illinois**

**Ceiling Price Regulation 34
Supplementary Regulation 41**

FEBRUARY 13, 1953

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 41]

CPR 34—SERVICES

**SR 41—WINDOW WASHING SERVICES IN
CHICAGO, ILLINOIS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 41 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 41 to Ceiling Price Regulation 34 permits a uniform increase in ceiling prices for window washing services supplied within the limits of the City of Chicago, Illinois, by sellers located there.

A study of the operating costs and profit margins of a representative number of such sellers reveals that increased labor and material costs have impaired their pre-Korean earnings. Effective November 1, 1952, these suppliers granted their employees a six cent per hour wage increase, and six paid holidays whereas there were no paid holidays before, with the result that the earnings of these suppliers will be further impaired. It has been well established that direct labor costs in this industry generally amount to from 60 to 80% of selling price. Very small wage increases, therefore, result in almost immediate financial hardship for these service businesses.

The amount granted herein has been determined to be the minimum necessary to maintain the financial stability of these suppliers of window washing services in order to assure a continued supply of these essential services.

Under the provisions of this supplementary regulation, the charges of these

suppliers of window washing services may be increased by 8 percent. This uniform increase was determined in accordance with the standards for individual adjustment under section 20 of Ceiling Price Regulation 34.

In the future, suppliers of window washing services subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for their window washing services under section 20 of Ceiling Price Regulation 34. In addition adjustments granted under that section are automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization, the increases permitted by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Applicability of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 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. Purpose. This supplementary regulation permits suppliers of window washing services located in the city of Chicago, Illinois, to increase their ceiling prices for window washing services, rendered within the limits of that city, by 8 percent.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. If you are located within, and supply window washing services within, the limits of the City of Chicago, Illinois, you may increase your ceiling prices for such services by 8 percent.

SEC. 4. Applicability of section 20 of Ceiling Price Regulation 34. (a) A seller subject to this supplementary regulation may not, after the effective date of this supplementary regulation, apply for an adjustment of any of his ceiling prices, covered by this supplementary regulation, under section 20 of Ceiling Price Regulation 34, as amended.

(b) The adjustment of ceiling prices granted by section 3 of this supplementary regulation shall be the maximum adjustment permitted any such supplier of such services in lieu of, and irrespective of, any adjustment heretofore granted any such supplier in respect of such services under the provisions of Ceiling Price Regulation 34, as amended. Any order adjusting the ceiling prices of any such supplier's window washing services, rendered in the City of Chicago, Illinois, under section 20 of Ceiling Price Regulation 34, as amended, is hereby revoked as of the effective date of this supplementary regulation.

SEC. 5. Definitions. (a) "Window washing services", as used in this supplementary regulation, means the washing and cleaning of sash, casement, and plate glass windows, glass partitions, and glass doors.

Effective date. This supplementary regulation is effective February 13, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 13, 1953.

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Linen and Diaper
Supply Services in
Wheeling, West Virginia

Ceiling Price Regulation 34
Supplementary Regulation 42
FEBRUARY 13, 1953

OFFICE OF PRICE STABILIZATION WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[Ceiling Price Regulation 34, Supplementary
Regulation 42]

CPR 34—SERVICES

SR 42—LINEN AND DIAPER SUPPLY SERVICES IN WHEELING, WEST VIRGINIA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 42 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 42 to Ceiling Price Regulation 34 permits an increase in the ceiling prices of linen and diaper supply services furnished by linen and diaper suppliers in Wheeling, West Virginia.

An analysis of the operating costs and profit margins of sellers who provide all of the linen and diaper supply services in the area reveals that they are suffering an impairment of their pre-Korean earnings as a result of increased costs of operation resulting from wage increases, replacement of worn out, and obsolete equipment, and higher costs of materials.

Under the provisions of this supplementary regulation, ceiling prices of linen and diaper suppliers in Wheeling, West Virginia, may be increased by 8 percent, such adjustment to be applied to the total amount of each invoice rendered to the customer and identified as the "OPS permitted price increase", or, at the option of the individual linen and diaper supplier, the established flat price for each article may be increased 8 percent. The adjusted flat price must, within ten days after determination, be filed with the appropriate Office of Price Stabilization District Office as required by section 18 of Ceiling Price Regulation 34, as amended.

The uniform increase has been determined in accordance with the standards for individual adjustments under section 20 of Ceiling Price Regulation 34, as amended.

Linen and diaper suppliers subject to this supplementary regulation may not, after the effective date of this supplementary regulation, obtain an adjustment of their ceiling prices under section 20 of Ceiling Price Regulation 34, as amended. In addition, adjustments pre-

viously granted under that section are automatically revoked upon the effective date of this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary 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.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5, issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR 1950 Supp.

SECTION 1. Purpose. This supplementary regulation permits linen and diaper suppliers located in Wheeling, West Virginia, to increase the ceiling prices of their linen and diaper supply services by 8 percent. This supplementary regulation shall not apply to any other services supplied by such linen and diaper suppliers.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, to the extent you furnish linen and diaper supply services from locations in Wheeling, West Virginia, increase your ceiling prices by 8 percent for linen and diaper supply services thus supplied by either of the following methods:

(a) You may apply such adjustment to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp beside the adjustment on each invoice the words "OPS permitted price increase". If you use this method of applying your price increase you need not make the supple-

mentary filing required by section 18 (c) of Ceiling Price Regulation 34, as amended.

(b) You may in lieu of the method provided in paragraph (a) of this section, increase by 8 percent the flat price of each linen and diaper supply service article. Within ten days after your prices are established under this paragraph you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required by section 18 of Ceiling Price Regulation 34. You may not establish prices under paragraph (a) of this section once you have elected to establish prices under this paragraph.

(c) If the increase calculated in paragraphs (a) and (b) of this section results in a fraction of a cent, the ceiling price must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. (a) No seller of linen and diaper supply services subject to this supplementary regulation, may, after the effective date of this regulation, apply for an adjustment of any of his ceiling prices for linen and diaper supply services under section 20 of Ceiling Price Regulation 34, as amended. All orders establishing ceiling prices of any seller of linen and diaper supply services subject to this supplementary regulation issued under either section 20 (a), (b) or (c) of Ceiling Price Regulation 34, as amended, are hereby revoked, upon the effective date of this regulation.

SEC. 5. Definitions. (a) As used in this supplementary regulation the term:

(1) "Linen supply services" means the supplying to others, on a rental basis, of clean laundered linen or garments by the owner of these items. The term "linen", as used in this definition, is not confined to articles made of linen textiles, but includes articles consisting of any fabric which are commonly laundered as distinguished from being dry cleaned.

(2) "Diaper supply services" means the supplying to retail customers on a rental basis, of clean laundered diapers by the owner of these items.

Effective date. This supplementary regulation is effective February 13, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 13, 1953.

Window Washing and
Building Janitorial
Services in the New York Area

Ceiling Price Regulation 34
Supplementary Regulation 43
FEBRUARY 16, 1953

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 43]

CPR 34—SERVICES

**SR 43—WINDOW WASHING AND BUILDING
JANITORIAL SERVICES IN THE NEW YORK
AREA**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2 this Supplementary Regulation 43 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 43 to Ceiling Price Regulation 34 conditionally authorizes sellers of window washing and building janitorial services in the Counties of New York, Kings, Queens, Bronx, Richmond, Westchester, Nassau and Suffolk, in the State of New York, hereinafter called the "New York Area", to charge their customers for such services rendered after certain dates, tentative increased ceiling prices based upon increased direct labor costs and fringe benefits actually incurred since March 12, 1952, and those which they probably will incur retroactively as a result of wage negotiations pending on December 1, 1952. Such increased tentative ceiling prices may be charged only on condition that the seller agree with the customers to whom he charges such increased tentative prices that he will repay to them the amount, if any, by which the tentative prices charged exceed the sellers lawful ceiling prices as finally computed by the seller, pursuant to this Supplementary Regulation, after the conclusion of the said negotiations, for the period during which the services were rendered, on the basis of the direct labor wage increases and direct labor fringe benefits he has granted retroactively.

The Director takes notice of and recognizes the practice in this industry of charging customers, after wage negotiations have been entered into, tentative prices which include a factor for probable retroactive wage increases, leaving the final prices to be determined on the basis of the wage increases which are actually granted retroactive to the time the services were performed. It appears that the direct labor costs of rendering these services range from 60 to 80 percent of sales price; that these suppliers normally operate on a very small earnings margin; that in general they do not have the financial capacity to absorb wage increases; and that increased labor

costs necessitate concurrent increases in their sales prices if undue interference with the effective operation of these service businesses is to be avoided.

In the formulation of this supplementary regulation there was consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this Supplementary Regulation to Ceiling Price Regulation 34 are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Relationship to Ceiling Price Regulation 34.
3. Tentative prices.
4. Ceiling prices.
5. Definitions.

AUTHORITY: Sections 1 to 5 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 supplementary regulation does. This supplementary regulation conditionally authorizes increased tentative prices for window washing and building janitorial services, rendered in the New York Area by suppliers located there, pending the termination of certain wage negotiations, and provides a means of calculating the final ceiling prices for such services upon termination of those negotiations.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as changed by the provisions of this supplementary regulation, shall remain in effect with respect to suppliers of services covered by this supplementary regulation. This supplementary regulation supersedes all letter authorizations heretofore issued under section 21 of Ceiling Price Regulation 34 to individual sellers of window washing and building janitorial services in the New York area.

SEC. 3. Tentative prices. If you are located in the New York area and supply window washing or building janitorial services, or both, in that area, you may increase your prices, tentatively, for such services rendered under each of your contracts on and after the dates specified below and until 21 days after the termination of all wage negotiations specified below, as follows:

(a) By the amount by which the direct labor wage increase of \$5.00 per week, and direct labor fringe benefits, you

granted to window cleaners who are members of Local 2 of the Building Service Employees International Union, A. F. of L., effective on or about October 18, 1952, increases your costs, reasonably allocable to that contract, of performing such services rendered on and after December 1, 1952;

(b) By the amount by which the direct labor wage increases, and direct labor fringe benefits, which could reasonably be expected to result from the wage negotiations pending December 1, 1952, on behalf of some of your employees with Local 32J, Building Service Employees International Union, A. F. of L., would, if granted retroactively, increase your costs, reasonably allocable to that contract, of performing such services rendered on and after December 1, 1952;

(c) By the amount by which the direct labor wage increases, and direct labor fringe benefits, which could reasonably be expected to result from the wage negotiations pending December 1, 1952, with Local 32B, Building Service Employees International Union, A. F. of L., on behalf of some of your employees, would, if granted retroactively, increase your costs, reasonably allocable to that contract, of performing such services rendered on and after January 1, 1953:

Provided, however, That you agree with the customers for whom you perform services at these increased prices that you will refund to them the amount, if any, by which these increased prices exceed your lawful ceiling prices for the period during which the services were rendered, as computed by you pursuant to section 4 of this supplementary regulation.

SEC. 4. Ceiling prices. If you are located in the New York area, and supply window washing or building janitorial services, or both in that area, upon termination of the wage negotiations referred to in section 3, you are authorized to increase your ceiling prices in effect immediately before the effective date of this supplementary regulation, for such services, rendered under each of your contracts on and after the dates specified below, as follows:

(a) By the amount by which the direct labor wage increase of \$5.00 per week, and direct labor fringe benefits you granted to window cleaners who are members of Local 2 of the Building Service Employees International Union, A. F. of L., effective on or about October 18, 1952, increase your costs, reasonably allocable to that contract, of performing such services rendered on and after December 1, 1952;

(b) By the amount by which the direct labor wage increases and direct labor fringe benefits which you granted to those of your employees who are

members of Local 32J, Building Service Employees International Union, A. F. of L., as a result of wage negotiations pending December 1, 1952, have increased your costs, reasonably allocable to that contract, of performing such services rendered on and after December 1, 1952.

(c) By the amount by which the direct labor wage increases and direct labor fringe benefits which you granted to those of your employees who are members of Local 32B, Building Service Employees International Union, A. F. of L., as a result of wage negotiations pending December 1, 1952, have increased your costs, reasonably allocable to that contract, of performing such services on and after January 1, 1953.

SEC. 5. Definitions. (a) When used in this supplementary regulation:

(1) "Building janitorial services" shall include cleaning, washing and waxing of floors; vacuum cleaning and shampooing carpets, rugs and hangings in buildings; low and high cleaning of furniture and fixtures; furniture polishing; wall and partition washing, interior

and exterior metal polishing; washing blinds, shaded and electrical fixtures; cleaning lavatories or rest rooms; and furnishing porters, matrons, elevator operators and similar types of operating personnel in all types of buildings. The term does not include pest control services, such as exterminating, fumigating or disinfecting services; any exterior cleaning other than metal polishing; or the performance of any construction or related services, such as alterations, painting, decorating or redecorating.

(2) "Window washing services" means the washing and cleaning of sash, casement and plate glass windows, glass partitions and glass doors.

(3) "Contracts" means written contracts or memoranda, data or records evidencing arrangements to supply or that you have supplied to your purchasers for a stated sum window washing or building janitorial services in the New York Area.

(4) "Direct labor" means the labor which is used physically to perform the window washing or building janitorial services in the New York Area and does not include the performance of services

in an executive, supervisory, general administrative or sales capacity. "Direct labor wage increases" means the wage increases for such direct labor and does not include direct labor fringe benefits as defined herein or any other labor costs.

(5) "Direct labor fringe benefits" means direct labor costs other than wages and includes Federal social security taxes, Federal and New York State unemployment insurance taxes, New York State health insurance taxes, vacation and holiday pay, workmen's compensation and public liability insurance premiums, and supervisory pay of foremen to the extent they are not direct labor employees.

(6) "New York Area" means the Counties of New York, Kings, Queens, Bronx, Richmond, Westchester, Nassau, and Suffolk.

Effective date. This Supplementary Regulation 43 shall become effective February 16, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 16, 1953.

**Dry Cleaning in the City
of Spokane, Washington**

**Ceiling Price Regulation 34
Supplementary Regulation 44**

FEBRUARY 24, 1953

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 34, Supplementary
Regulation 44]

CPR 34—SERVICES

**SR 44—DRY CLEANING IN THE CITY OF
SPOKANE, WASHINGTON**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 44 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 44 to Ceiling Price Regulation 34 permits an increase in ceiling prices for dry cleaning services furnished at wholesale and retail by sellers located in the City of Spokane, Washington. A previous ceiling price increase granted to power laundries in the City of Spokane did not include dry cleaning services.

An OPS study of operating costs and profit margins of a representative number of dry cleaning service sellers in the City of Spokane, Washington accounting for approximately 80% of the total volume of sales of these services, which amounted to \$1,500,000 in 1951, reveals that they are suffering an impairment of their pre-Korean earnings as a result of increased labor and material costs.

The action taken herein gives effect to the standards for individual price adjustment contained in section 20 (a) of Ceiling Price Regulation 34 and permits the minimum increase necessary to maintain the financial stability of these dry cleaning service sellers and assure continued supply of these essential services.

Under the provisions of this supplementary regulation, ceiling prices of sellers of dry cleaning services may be increased by 5 percent, such adjustment to be applied to the total amount of each invoice rendered to the customer and identified as the "OPS permitted price increase". If this method is used to apply the amount of the increase, the seller need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34. At the option of the dry cleaning service seller, however, the flat ceiling price for each article may be increased by 5 percent. Adjusted flat ceiling prices must, within 10 days after their determination, be filed with the appropriate OPS district office as re-

quired by section 18, as amended, of Ceiling Price Regulation 34. Express authority is granted to make necessary changes in OPS posters.

In the future, sellers subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for dry cleaning services at wholesale and retail under section 20 of Ceiling Price Regulation 34. Any adjustment of ceiling prices under section 20 of Ceiling Price Regulation 34 heretofore granted is automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary regulation are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 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 Sup.

SECTION 1. Purpose. This supplementary regulation permits sellers of dry cleaning services furnished at wholesale and retail located in the City of Spokane, Washington to increase their ceiling prices for wholesale and retail dry cleaning services by 5 percent.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34 except as affected by the provisions of this supplementary regulation shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, to the extent you supply dry cleaning services at wholesale or retail from locations in the City of Spokane, Washington increase your ceiling prices for the dry cleaning services thus supplied by 5 percent, by either of the following methods:

(a) You may apply such an adjustment to the total amount of each invoice

rendered to the customer provided you shall clearly write or stamp on each such invoice beside the adjustment the words "OPS permitted price increase". If you use this method of applying your price increase, you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

(b) You may, in lieu of the method provided in paragraph (a) of this section, increase by 5 percent the ceiling price of each dry cleaning service article. Within 10 days after your prices are established under this paragraph you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required under section 18, as amended, of Ceiling Price Regulation 34 and must change your OPS poster prices or prepare and display a new poster to reflect the price increase permitted by this supplementary regulation. You may not establish prices under paragraph (a) of this section once you have elected to establish prices under this paragraph.

(c) If the price increase computed in paragraph (a) or (b) of this section results in a fraction of a cent, the price increase must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. No seller of dry cleaning services at wholesale or retail subject to this supplementary regulation may, after the effective date of this regulation, obtain an increase in his ceiling prices for such dry cleaning services under either section 20 (a), (b) or (c) of Ceiling Price Regulation 34. All orders establishing ceiling prices of any seller of dry cleaning services subject to this supplementary regulation issued under either section 20 (a), (b) or (c) of Ceiling Price Regulation 34 are hereby revoked upon the effective date of this regulation.

SEC. 5. Definitions. (a) "Dry cleaning services" as used in this supplementary regulation means services rendered in the cleaning of garments and other items primarily with fluids other than water and includes pressing.

Effective date. This Supplementary Regulation 44 to Ceiling Price Regulation 34 shall become effective February 24, 1953.

JOSEPH H. FREEHILL,

Director of Price Stabilization.

FEBRUARY 24, 1953.

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FIELD PRICE INSTRUCTION NUMBER 13

May 23, 1951

Processing of Price Lists Filed Under Section 18,
CPR-34, the Services Regulation1. Nature and Scope

In order to insure the maintenance of adequate records and to have the prices of all sellers of services available to the Office of Price Stabilization, careful record keeping and filing with the District Office is required by Section 18. The filing of prices with the District Office within thirty days after the effective date of the regulation is necessary for the purpose of providing information on individual sellers prices for enforcement purposes, for price verification of new services and sellers, and as a valuable source of trade information. NOTE: Some District Offices will not have sufficient personnel to process these filings immediately. If this is the situation in your office, the filings should be kept in a safe and convenient place until they can be processed. It is important that these filings be handled properly. Accordingly, make certain that persons assigned to the task are fully acquainted with the instructions.

In addition to the requirement that all sellers file lists of services sold, Section 6 provides that new establishments file their proposed prices prior to offering services for sale. It also requires that the prices of all new services be filed after the competitor's price has been selected.

A separate set of instructions will be issued in the near future for processing filings of new sellers and new services.

2. Data to be Submitted

No standard form is provided. Sellers are permitted to file price lists on their own stationary or plain paper. These statements must contain the following:

- (a) A complete description and identification of the services supplied during the base period of December 19, 1950 - January 25, 1951.
- (b) The highest prices charged or the rate or pricing method used for these services during the base period. (The price must be stated in exact terms and no description such as "\$1.00 and up" is acceptable.) If a manual, manufacturer's list price or parts catalog is used, it should be clearly identified by name, edition, date, and the instances in which it was not followed during the base period.
- (c) All customary allowances, discounts, and other price differentials, which were customarily allowed or offered during the base period with a description of the classes of customers and the prices charged to each class.
- (d) The name and address of the firm, date prepared, and the signature of the owner or other responsible person.

3. Initial Processing

As soon as a price list is received, the following actions should be taken:

- (a) Stamp the date of receipt on the upper left margin.

- (b) Check the list to see that all of the required data (Section 2 above) are clearly stated.
- (c) If the list is complete it is ready for filing.
- (d) If the list is incomplete, the additional information necessary should be requested by letter. (See attached sample letter.)
- (e) The list and copies of any correspondence relative to it are then ready for filing.

4. Filing

Price list files should be maintained for each county covered by a District Office. Within each county, price lists together with appropriate correspondence should be filed alphabetically by the name of the establishment.

5. Maintenance of Filings

It shall be the responsibility of the District Office to maintain an up-to-date file of all sellers of services in the District who are covered by the Regulation. Since new establishments and sellers of new services are required by the Regulation to file price lists, the District Office can keep their lists up-to-date in respect to new sellers and services. The maximum value can be obtained from these records by filing them on a county-wide basis.

6. Utilization of Filings

The principal uses for sellers lists are:

- (a) To provide information for enforcement and compliance purposes.
- (b) To provide a mailing list for distribution of regulations, orders, trade bulletins, etc.
- (c) To provide information for price determination.
- (d) To provide information for sampling techniques, surveys, and compilations of price patterns, and of the number of sellers, by type of service, area, etc.
- (e) To provide a means for checking competitors' price lists in order to determine prices for new sellers and new services.

E. F. Phelps, Jr.
Assistant Director

FORM LETTERECONOMIC STABILIZATION AGENCY
OFFICE OF PRICE STABILIZATION(Address) _____
(City-State) __________
(Date)_____
(Name of seller)_____
(Address of Seller)_____
(City-State)

Dear Sir:

Your statement of prices, filed under Section 18 of CPR-34, the Services Regulation, has been received in this office.

A review of this statement indicates that certain information, required by the regulation, is lacking. In order to complete your statement of prices, please furnish the information check below.

- ☐ 1. A complete description and/or identification of the services supplied during the base period of December 19, 1950 - January 25, 1951.
- ☐ 2. (a) The highest prices charged or
- (b) The rate or pricing method used for these services during the base period.
- (1) If a manual, manufacturers list price, or parts catalog is used, give the name, edition, date, and the instances in which you did not follow it during the base period.
- ☐ 3. The name and address of the firm and the signature of the owner or other responsible person.
- ☐ 4. Thank you for your prompt attention.

John Doe
Acting Director



OPS PUBLIC FORM NO. 42
(8 1/2 X 14)UNITED STATES GOVERNMENT
OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D.C.FORM APPROVED
BUDGET BUREAU NO. 94-R161**APPLICATION FOR ADJUSTMENT OF A CEILING PRICE —
AUTOMOTIVE AND FARM EQUIPMENT REPAIR SERVICES OR
OTHER SERVICES PRICED BY A CUSTOMER'S HOURLY RATE**
(PURSUANT TO CEILING PRICE REGULATION 34, SECTION 20(a))

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.

File **TWO COPIES** of this application and **TWO COPIES** of all accompanying documents with the **OFFICE OF PRICE STABILIZATION, WASHINGTON 25, D.C.**

This application form may be used by the suppliers of all services covered by CPR 34 whose prices are determined by the use of a customers' hourly rate. An adjustment may be made only if there is "substantial financial hardship threatening your ability to continue to supply a service," and if it will neither "increase your ceiling price above the level necessary to permit you to continue the sale of your services," nor "create, or tend to create a need for increases in the price of other sellers."

NAME OF ESTABLISHMENT

(Address)

(City and State)

SECTION I

SERVICE FOR WHICH PRICE ADJUSTMENT IS REQUESTED (If price adjustment is requested for more than one customers' hourly rate, supply information required by this question for each rate)

BASE PERIOD DEC. 19, 1950 - JAN. 25, 1951 CEILING, CUSTOMERS' HOURLY RATE

PRESENT CEILING, CUSTOMERS' HOURLY RATE

REQUESTED CEILING CUSTOMERS' HOURLY RATE

"Labor Sales" column (1) below means the total income derived from sales of service labor only; revenue from the sale of parts or materials used in connection with the sale of service labor should not be included.

"Cost of Labor Sales" column (2) below means the amount paid to productive mechanics or servicemen to produce the "Labor Sales" reported above. "Cost of Labor Sales" does not include the amount paid to employees such as porters, stock-room men, and supervisors, or the amount paid to productive mechanics or servicemen or "internal" work, that is, work which was not sold.

SECTION II

PERIOD	LABOR SALES (1)	COST OF LABOR SALES (2)	(Applicant need not fill in spaces below)	
			GROSS PROFIT ON LABOR SALES (1 - 2) (3)	PERCENT GROSS PROFIT TO SALES (3 ÷ 1) (4)
A. 1949 TOTAL				
B. 1950 TOTAL				

(PAGE 1-- CONTINUED)

C. 1950 BY MONTHS

January				
February				
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				
D. PAST THREE MONTHS				
195				
195				
195				

(PAGE 2)

E. ARE ALL YOUR "LABOR SALES" PRICED BY THE CUSTOMERS' HOURLY RATE OR RATES.

☐ YES☐ NO

IF "NO" APPROXIMATELY WHAT IS THE PERCENTAGE OF SUCH SALES WHICH ARE PRICED BY THESE RATE OR RATES?

%

SECTION III

SALES AND PROFIT	CALENDAR YEAR 1949	CALENDAR YEAR 1950	THREE MONTHS SAME AS SEC. II ITEM D
A. TOTAL SALES OF SERVICE DEPARTMENT INCLUDING SALES OF BOTH PARTS AND LABOR (If available)			
B. NET PROFIT OR LOSS ON SERVICE DEPARTMENT (If available)			
C. TOTAL SALES OF ENTIRE BUSINESS			
D. NET PROFIT OR LOSS ON ENTIRE BUSINESS			
E. AMOUNT OF OWNERS', GENERAL MANAGERS' AND OFFICERS' SALARIES			

(PAGE 2--CONTINUED)

SECTION IV

PRODUCTIVE MECHANICS	JULY 1, 1949	JULY 1, 1950	AT PRESENT
A. TOTAL NUMBER OF FULL TIME PRODUCTIVE MECHANICS			
B. TOTAL NUMBER OF PART TIME PRODUCTIVE MECHANICS (Mechanics or servicemen paid to produce the "LABOR SALES" report above)			

SECTION V

To calculate the average straight time hourly wage, set down on work sheet the straight time hourly wage rate of each productive mechanic or serviceman. The sum of these wages divided by the number of mechanics or servicemen will give the average.

WAGE RATE	JAN. 15, 1950	JAN. 25, 1951	AT PRESENT
AVERAGE STRAIGHT TIME HOURLY WAGE RATE OF YOUR PRODUCTIVE MECHANICS			

SECTION VI

IS THIS APPLICATION BASED ON A REQUEST FOR WAGE INCREASE
SUBMITTED TO THE WAGE STABILIZATION BOARD

☐ YES☐ NO

IF "YES" WHAT WOULD BE THE AVERAGE STRAIGHT TIME HOURLY RATE OF THE PRODUC-
TIVE MECHANICS EMPLOYED AT THE PRESENT TIME IF YOUR APPLICATION IS GRANTED.

\$

The undersigned certifies that he is making this application pursuant to the provisions of CPR 34, SEC. 20 (a), and that the above statements are true and that the firm for whose benefit application has been made is in compliance with Wage Stabilization Board and Office of Price Stabilization Regulations, and that the firm's ceiling prices have been filed, as required by Sec. 18 of CPR 34 with the Office of Price Stabilization, and that the accounting practices employed in periods reported in this application are consistent with the practices required of the undersigned by the Bureau of Internal Review.

NOTICE - A willfully false statement or representation is a criminal offense.

SIGNATURE OF OWNER OR AUTHORIZED OFFICER

DATE

TITLE

DISTRICT OPS OFFICE ADDRESS - (Number and Street)

(City, Postal Zone, and State)

**APPLICATION FOR ADJUSTMENT OF
CEILING PRICES FOR SERVICES**

PURSUANT TO CEILING PRICE REGULATION 34, SEC. 20(a)

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.

This form may be reproduced without change.

Read all instructions before complying with this form. File two copies of this application and two copies of all accompanying documents with your Office of Price Stabilization District Office.

IMPORTANT: Incomplete data will either delay processing of your application or cause it to be denied.

An adjustment may be made only if "your ceiling prices impair your normal earnings, in a representative pre-Korean period, to such an extent that the effective operation of your service business is threatened."

In general, adjustments will be granted percentagewise for all your services. However, if you meet the qualifications for an adjustment and wish specific increases to be applied on certain services and have accurate records indicating the percentage volume each such service represents of your latest fiscal year's total income, you may request the adjustment to be placed on those services.

NAME OF ESTABLISHMENT	ADDRESS (Street and No.)	(City, Zone, State)
NATURE OF YOUR BUSINESS AND TYPE OF SERVICE RENDERED		

SECTION I

This Section and Section III are to be complied with if the total sales (gross income) of your entire business were \$15,000 or more during your latest fiscal year

GENERAL INSTRUCTIONS FOR SECTION I

A. In every instance where profit and loss statements are required they must be furnished in detail. You must, in every case, state separately the income from the sale of services. (Where the prices for any services include the price for parts (not billed separately) the total of such sales may be reported as service sales.)

B. If you had any price increases since the beginning of your latest fiscal year, state separately the amount your latest fiscal year's income would have increased if your present ceiling prices had been in effect for the entire year, and attach a sheet explaining how you arrived at this figure.

HOW TO USE THIS SECTION: If in your 1949 fiscal year (or in the first year of a new firm started after January 1, 1949), your service sales volume was: (a) more than 80% of your total sales you must comply with the requirements of the following Part 1, only; (b) from 10% to 80% you must comply with Part 1, and comply also with Part 2, if you believe the additional information would aid in more clearly presenting your position; (c) less than 10% you must comply with Part 2 (and Part 1, in addition, if you wish.)

Indicate here with which of the Parts below you are complying. ☐ 1 ☐ 2(a) ☐ 2(b)

PART 1: You must furnish the following:

(a) A detailed profit and loss statement for your most recent fiscal year.

(b) A detailed profit and loss statement for your 1949 fiscal year.

(c) A detailed profit and loss statement covering all completed quarters subsequent to the close of your latest fiscal year.

(d) A detailed profit and loss statement covering the quarters of your 1949 fiscal year corresponding to those submitted in 1(c) above.

(e) If the amount of any write-off, depreciation, rent, interest or similar CHARGE TO EXPENSE in the latest

fiscal year exceeds the amount charged for the same item in the 1949 fiscal year or if any such item in the reported subsequent periods exceeds the same item for the corresponding 1949 periods, explain fully.

(f) Where amounts CHARGED TO EXPENSE for withdrawals by, or payments to, or amounts set aside for owners, partners, officers, stockholders, and relatives of any of them in the latest fiscal year exceed the amounts charged in the 1949 fiscal year, submit a list showing the names of the recipients and the amounts received by each; also submit a list where the amounts charged in the reported subsequent periods exceed the amounts charged for the corresponding 1949 periods.

PART 2: (a) If you customarily keep separate detailed profit and loss records for the service portion of your business, furnish the information required in Part 1 above for only the service portion of your business; and, in addition, for your entire business furnish only the total sales and net profit before income taxes.

(b) If the immediately above Paragraph (a) applies but you cannot furnish the information required, you must, in order to obtain consideration for an adjustment for the services supplied, furnish the following information for your 1949 fiscal year and your most recent fiscal year:

(1) For your entire business; (i) your total sales; (ii) the net profit before income taxes.

(2) Total sales of the services for which you request price increases.

(3) Total productive labor cost incurred in the sale of the services reported in (2) above.

(4) Total direct material cost incurred in the sale of the services reported in (2) above. (This means material or parts, supplied in connection with the services sold that were not billed separately on your customers' invoices.)

(5) Also submit all of the above information for all completed 3-month, 6-month, or 9-month periods subsequent to the close of your latest fiscal year and for the corresponding period of your 1949 fiscal year.

(If applicable, complete the remainder of this Section at the top of Page 2)

A. ARE THE WAGE INCREASES AS SHOWN IN COLUMNS BELOW IN ACCORDANCE WITH THE WAGE OR SALARY STABILIZATION BOARD'S REGULATIONS?	(If "Yes," give the Wage Stabilization Board authority which permitted a specific wage increase by you. If "No," explain fully.)
---	---

TYPE OF WORK (Presser, Mechanic, Porter, etc.) (a)	WAGE RATE BEFORE INCREASES (b)	PER (Hour, Day, etc.) (c)	PRESENT WAGE RATE (d)	AMOUNT OF INCREASE (e)	PER- CENT OF IN- CREASE (f)	TOTALS (Opposite each Col. (f) entry show the total amount paid in the latest fiscal year for that labor) (g)	EFFECTIVE DATE OF WAGE INCREASE (h)

SECTION II

1. Submit the following information covering your entire business for the recent 6-month period and the corresponding 6 months of 1949. If the total sales of your entire business in the last 12 months exceeded \$15,000, you must use Section I.

ITEM	LATEST SIX MONTHS	CORRESPONDING SIX MONTHS OF 1949
TOTAL SALES		
EXPENSES:		
Wages and Salaries Paid (<i>Owners' salaries and withdrawals must not be included in this or any other item as an expense</i>)		
Cost of Materials Actually Used		
Rent		
Heat, Light and Power		
Depreciation		
Interest Paid		
Taxes, Other than Income Taxes		
All Other Expenses (<i>Itemize on separate sheet</i>).		
TOTAL EXPENSES		
BALANCE (<i>Total Sales minus Total Expenses</i>)		

SECTION II (Continued)

STATE HERE THE SIX-MONTH PERIOD FOR WHICH YOU ARE SUBMITTING THE REQUIRED INFORMATION

FROM _____ TO _____ INCLUSIVE

3. WHAT WERE YOUR TOTAL SALES OF THE SERVICES FOR WHICH YOU ARE REQUESTING PRICE INCREASES, FOR THE ABOVE SIX-MONTH PERIOD AND FOR THE CORRESPONDING SIX MONTHS OF 1949?

RECENT 6 MONTHS \$ _____ SAME 6 MONTHS OF 1949 \$ _____

4. Where any amounts were charged to expense for withdrawals by, or payments to, or amounts set aside for owners, partners, officers, stockholders, and relatives of any of them during each 6-month period reported under Paragraph 1 of this section, submit a list showing the names of the recipients and the amounts received by each. Also show how much, if any, of these amounts were included in the "Wages and Salaries Paid" item under Paragraph 1 of this Section II.

Place opposite each name listed the average number of hours of work performed weekly and the type of work performed by each for each six-month period.

5. IF MEMBERS OF YOUR FAMILY ARE REGULARLY EMPLOYED IN THE FIRM BUT RECEIVE NO COMPENSATION, LIST ON A SEPARATE SHEET THEIR NAMES, THE DUTIES THAT EACH OF THEM PERFORMS, AND THE NUMBER OF HOURS PER WEEK THAT EACH OF THEM IS EMPLOYED IN THE FIRM.

Have you attached such a list? ☐ YES ☐ NO

6. If wage increases were placed in effect during the last six months, fill in the information required in Section I, Parts 3A and 3B. (Show in Column (g), Part 3B, the amounts paid during the last SIX months.)

SECTION III

(All applicants must supply the information requested in this Section)

1. If you are requesting a specific across-the-board percentage increase on the selling prices for all the services you supply, state the across-the-board percentage increase requested and furnish a list of the services you supply representing more than fifty percent of your volume of service sales and their present ceiling prices. If you are not requesting an across-the-board percentage increase for all services, furnish, instead, the data requested in Paragraph 2.

2. If you are requesting price increases for particular services, list their present ceiling prices and the prices you request and show the percentage of your total service sales accounted for by each service in the latest fiscal year. Unless these volume percentages are submitted, increases for one or more particular services cannot be considered.

3. If the requested ceiling price or prices had been in effect for the entire latest fiscal year, show the amount your income would have been increased for that year and explain fully how you arrive at that amount.

AMOUNT \$ _____

4. HAVE PRICES FOR ANY OF THE SERVICES YOU SELL BEEN ADJUSTED BY OPS SINCE JANUARY 25, 1951?

☐ YES ☐ NO

If "yes," cite orders or regulations granting authority for such adjustments:

The undersigned certifies that to the best of his knowledge he is making this application pursuant to the provisions of CPR 34, Sec. 20(a) and that the above statements are true and that the firm for whose benefit application has been made is in compliance with Wage and Salary Stabilization Boards and Office of Price Stabilization Regulations, and that the firm's ceiling prices have been filed, as required by Sec. 18 of CPR 34, with the Office of Price Stabilization, and that the accounting practices employed in periods reported in this application are in accord with generally accepted accounting principles consistently applied.

NOTICE: A willfully false statement or representation is a criminal offense.

GIVE LOCATION OF OPS DISTRICT OFFICE WHERE YOU FILED YOUR STATEMENT OF CEILING PRICES FOR SERVICES

SIGNATURE OF OWNER OR AUTHORIZED AGENT	TITLE	DATE OF THIS APPLICATION

Exports

Ceiling Price Regulation 61
Collation 1
Including Amendments 1-4
DECEMBER 9, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 61, Collation 1]

CPR 61—EXPORTS

COLLATION 1—INCLUDING AMENDMENTS 1-4

Ceiling Price Regulation 61 is repub-
lished to incorporate the texts of
Amendments 1 through 4, inclusive.
Ceiling Price Regulation 61 was issued
July 30, 1951 (16 F. R. 7597). State-
ments of Consideration for Ceiling Price
Regulation 61, and for Amendments 1-4,
inclusive, as previously published, are
applicable to this republication. The ef-
fective dates of this regulation, and of
the amendments, are shown in a note
preceding the first section of the regula-
tion.

REGULATORY PROVISIONS

ARTICLE I—SCOPE OF REGULATION

Sec.

1. What this regulation does.
2. Applicability and prohibitions.

ARTICLE II—PRICING METHOD

3. Formula for export sales.
4. Formula for sales for export.
5. Calculation of base period percentage
export markup.
6. Formula where no sales of the type being
priced were made during the base
period.
7. Restrictions on multiple handling.
8. Transfer of business or stock in trade.
9. Duties and taxes.
10. Records.
11. Exemptions and suspensions.
12. Evasion.
13. Enforcement.
14. Petitions for amendment.
15. Definitions.
16. Reports.

AUTHORITY: Sections 1 to 16 issued under
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.

DERIVATION: Sections 1 to 16 contained in
Ceiling Price Regulation 61, July 30, 1951 (16
F. R. 7597), except as otherwise noted in
brackets following text affected.

EFFECTIVE DATES: CPR 61, August 6, 1951,
"or any earlier date at which you file infor-
mation in accordance with section 5 (d)"
(16 F. R. 7597).

Amendment 1, August 28, 1951, 16 F. R.
8798.

Amendment 2, January 16, 1952, 17 F. R.
390, 721.

Amendment 3, November 22, 1952, 17 F. R.
10509.

Amendment 4, November 22, 1952, 17 F. R.
10545.

ARTICLE I—SCOPE OF REGULATION

SECTION 1. What this regulation does.
This regulation provides a formula for
computing ceiling prices for commodi-
ties which are exported or sold for ex-
port from the continental United States.

[Section 1 amended by Amdt. 2]

**SEC. 2. Applicability and prohibi-
tions—(a) Applicability.** This regula-
tion is applicable to the exportation of
commodities from the continental United
States. Exports from a territory or
possession of the United States are not
covered by this regulation, as amended.
Such exports from a territory or pos-
session are subject to the General Ceil-
ing Price Regulation unless they are now,
or until they are hereafter, covered by a
numbered ceiling price regulation.

This regulation applies to all export
sales and sales for export except those
sales specifically exempt from price con-
trol under any regulation issued by the
Director of Price Stabilization. How-
ever, the provisions of the following
enumerated regulations and of all subse-
quent regulations will continue in effect
insofar as they expressly may apply to
export sales or sales for export:

Section 14 of the General Ceiling Price
Regulation; Supplementary Regulation
8 to the General Ceiling Price Regula-
tion, dealing with coal exporters; Sup-
plementary Regulation 9 to the General
Ceiling Price Regulation, dealing with
export commitments entered into before
February 2, 1951; Supplementary Regu-
lation 34 to the General Ceiling Price
Regulation, dealing with beef sausage;
Ceiling Price Regulation 5 on iron and
steel scrap; Ceiling Price Regulation 8
on upland cotton; Ceiling Price Regula-
tion 19 on tungsten concentrates; Ceil-
ing Price Regulation 24 on wholesale
beef; Ceiling Price Regulation 28 on new
cotton, linen and underwear cuttings;
Ceiling Price Regulation 29 on scrap ma-
terials containing nickel; Ceiling Price
Regulation 33 on tungsten products;
Ceiling Price Regulation 36 on used steel
drums; Ceiling Price Regulation 43 on
zinc scrap; Ceiling Price Regulation 46
on copper and copper alloy scrap; Ceil-
ing Price Regulation 47 on brass mill
scrap; Ceiling Price Regulation 49 on
wood pulp; Ceiling Price Regulation 53
on lead scrap; Ceiling Price Regulation
54 on aluminum scrap; Ceiling Price
Regulation 59 on scrap rubber; and
Ceiling Price Regulation 74 on pork sold
at wholesale.

(b) Prohibitions. On and after the
effective date of this regulation, (1) you
shall not export or sell for export any
commodities covered by this regulation

at prices higher than the ceiling prices
fixed by this regulation; (2) you shall
not buy or receive for export in the
course of trade or business any com-
modity covered by this regulation at
prices higher than the ceiling prices fixed
by this regulation; and (3) you shall not
agree, offer, solicit or attempt to do any-
thing prohibited in this regulation.
Nothing in this regulation shall prohibit
your use of any customary and reason-
able invoicing practice: *Provided*, That
(i) you do not retain for your own ac-
count, directly or indirectly, any amount
in excess of the ceiling price allowed
under this regulation and (ii) you first
obtain written approval from the OPS
National Office for the invoicing to your
foreign buyer's customer or anyone else
of a price which exceeds your ceiling
price under this regulation.

**(c) Sales between companies under
common control.** Except in respect to
companies integrated or related solely
for the purposes of the Webb-Pomerene
Act (Act of April 10, 1918, c. 50, 40 Stat.
516; 15 U. S. C. sec. 61-65) this regula-
tion permits integrated or related com-
panies, which are domiciled in the conti-
nental United States, when the com-
panies are either directly or indirectly
under common control, or when their
relationship is that of parent and sub-
sidiary to: (1) Notify the OPS National
Office in writing that they choose to con-
sider all of such integrated or related
companies as a unit so that inter-com-
pany transactions will not be subject to
the provisions of this regulation; or (2)
continue such inter-company transac-
tions on the same basis as though each
company in the group were independent
and in all respects subject to the provi-
sions of this regulation. If integrated or
related companies choose option (1) un-
der this section then this regulation ap-
plies to the sale or shipment by such
integrated or related companies to the
first subsidiary, related or independent
company or buyer, domiciled outside the
continental United States.

[Paragraph (c) added by Amdt. 2, as cor-
rected]

[Section 2 amended by Amdt. 2]

ARTICLE II—PRICING METHOD

**SEC. 3. Formula for export sales—(a)
Merchant Exporters.** If you are a mer-
chant exporter, your ceiling price on the
export sale of any commodity covered by
this regulation to any class of buyer shall
be either (1) the domestic ceiling price
of your supplier applicable to you at
point of delivery, plus a percentage
markup used in the base period, January
1, 1949-June 30, 1950, calculated in ac-

cordance with section 5 of this regulation, or (2), your domestic ceiling price to a buyer of the same class. You may add to either of these prices, the costs of exportation incurred by you in connection with such sale.

If you made no base period sales of the commodity or product line you are pricing to buyers of the class for which you are pricing, your base period percentage markup, when allowed under this section, shall be calculated in accordance with, and otherwise be subject to, section 6 of this regulation.

[Paragraph (a) amended by Amdt. 2]

(b) *Producer exporters.* (1) If you are a producer exporter, your ceiling price for the export sale of any commodity covered by this regulation to any class of foreign buyer, shall be either your domestic ceiling price, at point of delivery, applicable to a sale of the commodity for domestic consumption to a buyer of the same class as the buyer for which you are pricing, or your domestic ceiling price, at point of delivery, to your largest buying class of domestic purchaser. To the domestic ceiling price chosen by you, add a percentage markup used in the base period January 1, 1949, to June 30, 1950, inclusive, calculated in accordance with section 5 of this regulation, plus costs of exportation actually incurred by you in connection with such sale. If you made no base period sales of the commodity or product line you are pricing to foreign buyers of the class for which you are pricing, your markup shall be calculated in accordance with section 5 of this regulation but shall be based on other base period sales as provided for in section 6 of this regulation.

[Subparagraph (1) amended by Amdt. 1]

(2) If you are a producer exporter who sells the commodity you are pricing exclusively in the export trade, and you have no domestic ceiling price for it, you shall determine your export ceiling price in one of the following ways:

(i) You may use your export ceiling price under the General Ceiling Price Regulation as part of your export ceiling price under Ceiling Price Regulation 61; or

(ii) You may use a substitute price in lieu of a domestic ceiling price for the purpose of calculating your export ceiling price under CPR 61. This substitute domestic price shall be determined in accordance with the General Ceiling Price Regulation, or any other price regulation applicable to producers of the commodity you are selling, even though you are not pricing, and do not intend pricing any commodity for domestic sales under that regulation. To this substitute domestic price you may add a markup established in accordance with section 6, as well as the costs of exportation incurred by you in connection with such a sale.

Before you sell at the export ceiling price determined above under this section, you must apply in writing to the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C., setting forth fully the price (including GCPR or substitute domestic) and the method and regulation used to establish it. Unless your proposed export ceiling

price is rejected by the Office of Price Stabilization within ten days of the post-marked date of your letter, you may proceed with sales until advised to the contrary. If you have, on January 16, 1952, an export ceiling price approved under this regulation for a commodity sold by you exclusively in the export trade, you may continue to use that ceiling price until you establish another price under this section.

[Subparagraph (2) amended by Amdt. 2]

SEC. 4. Formula for sales for export—

(a) *Merchant exporters.* If you are a merchant exporter (seller) your ceiling price on the sale for export of any commodity covered by this regulation and sold by you also in the domestic market shall be your domestic ceiling price at point of delivery to a buyer of the same class as the merchant exporter (buyer) for which you are pricing. If the commodity is sold by you exclusively in the export trade, your ceiling price may include either (1) your cost of acquisition plus a markup computed under section 5, or (2) your domestic ceiling price at point of delivery if you were to make a domestic sale to a buyer of the same class as the merchant exporter for which you are pricing. You may add to any of the above prices, the costs of exportation incurred by you in connection with such sale. This paragraph is strictly limited by the provisions of section 7 (*Restrictions on multiple handling*) which you should read together with this paragraph.

(b) *Producer exporters.* (1) If you are a producer exporter, your ceiling price for the sale for export of any commodity covered by this regulation may include your domestic ceiling price at point of delivery to a buyer of the same class as the merchant exporter for which you are pricing, plus a percentage markup used in the base period and calculated under section 5. You may add to this price the costs of exportation incurred by you in connection with such sale.

(2) If you are a producer exporter who sells the commodity you are pricing exclusively in the export trade, and you have no domestic ceiling price for it, you shall determine your ceiling price on a sale for export in one of the following ways:

(i) You may use your ceiling price on sales for export under the General Ceiling Price Regulation as part of your ceiling price on sales for export under Ceiling Price Regulation 61; or

(ii) You may use a substitute price in lieu of a domestic ceiling price for the purpose of calculating your ceiling price on sales for export of the commodity. This substitute domestic ceiling price shall be determined under the General Ceiling Price Regulation or any other price regulation applicable to producers of the commodity you are selling, even though you are not pricing, and do not intend pricing any commodity for domestic sales under that regulation. To this substitute price you may add a markup established in accordance with section 6, as well as the costs of exportation incurred by you in connection with such sale.

Before you sell at the export price determined above under this section, you

must apply in writing to the Office of Price Stabilization, Export - Import Branch, Washington 25, D. C., setting forth fully the price (including GCPR or substitute domestic) and the method and regulation used to establish it. Unless your proposed price on a sale for export is rejected by the Office of Price Stabilization within ten days of the post-marked date of your letter, you may proceed with sales until advised to the contrary. If you have, on January 16, 1952, a ceiling price on your sales for export approved under this regulation for a commodity sold by you exclusively in the export trade, you may continue to use that price until you establish another ceiling price under this section.

[Section 4 amended by Amdt. 2]

SEC. 5. Calculation of base period percentage export markup. (a) If you are a merchant exporter or a producer exporter and are entitled to a base period percentage markup under the provisions of section 3 or 4 of this regulation for the sale of a commodity covered by this regulation, such markup shall be calculated as set forth below. The markup derived for any product line shall be applied to each commodity falling within such product line (as defined in section 15 (b) (14)).

(1) You shall choose from the base period any representative calendar quarter you wish for each of the groups of commodities set forth in Schedule B of the Department of Commerce,—A Statistical Classification of Domestic and Foreign Commodities exported from the United States,—dated January 1, 1949, as supplemented. These groups are: Group 00—Animals and Animal Products, edible; Group 0—Animals and Animal Products, inedible; Group 1—Vegetable Food Products and Beverages; Group 2—Vegetable Products, inedible except Fibers and Wood; Group 3—Textile Fibers and Manufactures; Group 4—Wood and Paper; Group 5—Non-metallic Minerals; Group 6—Metals and Manufactures, except Machinery and Vehicles; Group 7—Machinery and Vehicles; Group 8—Chemicals and Related Products; and Group 9—Miscellaneous. However, you may use the same representative quarter for all, or any number of these groups. If you had no sales of the commodity or product line being priced during the representative quarter chosen by you for the group to which the commodity belongs, you shall take your sales for that commodity or product line in a quarter of the base period nearest in time to that representative quarter.

If you have, on January 16, 1952, a markup calculated in accordance with section 5 of this regulation, you may continue to use that markup. You may, however, re-calculate your markup, using the different quarters as authorized under this section.

If you recalculate or determine for the first time your markup under this section, your report to the Office of Price Stabilization under this regulation must identify the grouping as enumerated and described in this section.

[Subparagraph (1) amended by Amdt. 2]

(2) You determine from your records for a representative calendar quarter of

the base period all of your sales of the type upon which your base period markup is to be calculated, i. e., either sales of the commodity or product line you are pricing to the class of buyer for which you are pricing, or sales of a kind you are permitted to use under the provisions of section 6 of this regulation.

(3) You then determine the total dollar sales value of all such sales for each commodity or product line.

(4) You then select, from such sales, any sale or sales which accounted for at least 25 percent of your total dollar sales value of all such sales, and calculate the weighted average percentage markup reflected in such sales over your base

period cost of acquisition if you are a merchant exporter, or over your base period domestic selling price if you are a producer exporter, as illustrated in the example below. The result is your percentage markup for sales of the commodity or product line you are pricing to the class of buyer involved. (If you selected a single sale, which accounts for 25 percent or more of your total dollar sales value of such sales, you may use the percentage markup yielded by that single sale.)

(i) *Example:* Suppose the base period sales upon which you are calculating your markup under the provisions of this section were as follows:

Sale	Cost of acquisition or domestic selling price	Costs of exportation ¹	Markup	Export sales price	Percentage markup over cost of acquisition or domestic selling price	Percentage of total sales
No. 1.....	\$200	\$26.00	\$24.00	\$250	12	5
No. 2.....	325	39.25	35.75	400	11	8
No. 3.....	950	55.00	95.00	1,100	10	22
No. 4.....	1,090	61.90	98.10	1,250	9	25
No. 5.....	1,750	92.50	157.50	2,000	9	40
Total.....				5,000		

¹ Not to be included in determining the markup.

(ii) You may select sales # 1 and # 3 in order to determine the markup. You may not select either sale # 1 or sale # 3 alone, since neither sale alone accounts for twenty-five percent of the total dollar sales value of base period sales. Taking a weighted average of the percentage markups yielded by the two sales (sale # 1 yielding 12% or \$24.00 and sale # 3 yielding 10% or \$95.00), you obtain a base period percentage markup of 10.34% ($\$24.00 + \$95.00 \div \$1,150.00$).

(b) In every case where you, whether merchant exporter or producer exporter, calculate for the first time the percentage markup you are going to use or do use in the export sale or sale for export of a commodity or product line covered by this regulation, you shall furnish the Office of Price Stabilization District Office in your area by registered letter with the following information in duplicate:

(1) The commodity or product line, including a list of the commodities in the product line;

(2) Whether you are a merchant exporter, or a producer exporter, or both, in respect to each commodity or product line listed;

(3) The class of buyer;

(4) Whether an export sale or sale for export;

(5) Your representative calendar quarter; and

(6) The percentage markup you are permitted to use under this regulation.

(7) If you are not permitted to take a markup, or it is not your present sales policy to take a permissible markup on your export sales or sales for export, you are nevertheless required to report this fact.

This information shall be reported within fifteen days after your first sale of the commodity or product line under this regulation, and may be provided on OPS Public Form No. 72 available at any office of the Office of Price Stabilization. Once you have furnished such information for

the sale of a particular commodity or product line to a particular class of buyer, you need not again advise the Office of Price Stabilization with respect to your pricing of that type of sale.

[Paragraphs (b) and (c) deleted by Amdt. 2; Paragraph (d) redesignated (b) by Amdt. 2, amended by Amdt. 3]

SEC. 6. *Formula where no sales of the type being priced were made during the base period.* (a) If you, either merchant exporter or producer exporter, did not sell during the base period the commodity or product line you are pricing to the class of buyer for which you are pricing, and if you are entitled under the provisions of section 3 or 4 of this regulation to a markup on such sale, such markup shall be calculated in accordance with section 5 of this regulation but shall be based on base period sales of the type set forth below in the following order of preference:

(1) Base period sales of the commodity or product line you are pricing to buyers of the class most closely related to the class for which you are pricing.

(2) Base period sales of a "comparison commodity" or comparison product line to buyers of the class for which you are pricing.

(3) Base period sales of a comparison commodity or comparison product line to buyers of the class most closely related to the class for which you are pricing.

If you calculate your base period percentage markup by reference to one of the types of base period sales set forth above, you shall, before making sales of the commodity or product line you are pricing, advise the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C., by registered letter, and in duplicate, of the markup you propose to use, showing in detail how it was computed and naming the comparison commodity or comparison product line and/or class of buyer with respect to which your markup was calculated. The infor-

mation may be provided on a form available at Office of Price Stabilization offices. Unless this proposed markup is rejected by the Office of Price Stabilization within ten days of the postmarked date of your letter, you may proceed with sales until advised to the contrary.

(b) If you are unable to compute a markup for the commodity or product line you are pricing, under paragraph (a) of this section, or under any provisions of this regulation, you may apply in writing to the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C., for the establishment of a markup which is in line with the markup currently prevailing in the trade. Your application shall contain (1) an explanation of why you are unable to compute a markup under this regulation; (2) a complete description of the commodity or product line; (3) the type of sale being priced (i. e., export sale or sale for export) including the class of buyer involved; (4) the nature of your business; (5) the markup, if any, currently prevailing in the trade for the commodity or product line and how you determined this markup to be the one prevailing; and (6) your proposed markup for the commodity or product line, together with an explanation of the method by which it was computed. The information may be provided on a form available at Office of Price Stabilization offices. Unless this proposed markup is rejected by the Office of Price Stabilization within ten days of the postmarked date of your letter, you may proceed with sales until advised to the contrary.

ARTICLE III—GENERAL PROVISIONS

SEC. 7. *Restrictions on multiple handling.* If you are a merchant exporter making a sale for export of a commodity purchased by you from another merchant exporter, you may not sell at a markup over your domestic ceiling price or your cost of acquisition, whichever is higher, except upon approval of your application for such a markup by the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C. This application shall set out your proposed new ceiling price (including a separate statement of your cost of acquisition, your domestic ceiling price and your proposed markup) and a full justification for your proposed new ceiling price. The Office of Price Stabilization will not allow such markups in the absence of a very clear showing of necessity which is also supported by the customary and reasonable past practice of the applicant.

[Section 7 amended by Amdt. 2]

SEC. 8. *Transfer of business or stock in trade.* If the business, assets, or stock in trade of any business are sold or otherwise transferred after June 30, 1950, and the transferee carries on the business in whole or in part, or continues to deal in the same type of commodities, the markups of the transferee shall be the same as those to which the transferor would have been entitled if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee

all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 9. Refunds of duties and taxes. If you are a producer exporter or a merchant exporter, and are computing a ceiling price under section 3 or 4 of this regulation for export sales or sales for export of any commodity covered by this regulation, to the extent provided herein you shall in the case of the producer exporter, subtract from your applicable domestic ceiling price f. o. b. your plant, and in the case of the merchant exporter subtract from the domestic ceiling price of your supplier or from your domestic ceiling price:

(a) The amount of any estimated drawback or refund of import duties or excise taxes less the cost incurred in obtaining such amount;

(b) The amount of any excise tax not paid upon a commodity to be exported or sold for export but included in your applicable domestic ceiling price, if you are a producer exporter, or in the domestic ceiling price of your supplier if you are a merchant exporter;

(c) *Provided, however,* That if it was your established and uniform practice during the base period to receive any of the above refunds or taxes for your own account without reducing your export prices accordingly, you may continue to receive them in accordance with such established and uniform practice.

[Section 9 amended by Amdt. 2]

SEC. 10. Records. (a) You shall preserve and keep available for examination by the Office of Price Stabilization for so long as the Defense Production Act is in effect and for two years thereafter those records showing how you determined the export markup you charged during the base period, and those records in your possession showing customary price differentials, and the conditions of sale, which you had in effect during the base period.

(b) You shall prepare and keep available for examination by the Office of Price Stabilization for a period of two years records showing for each sale or contract the commodity, the date, the names of the parties thereto, and the prices charged, together with any other records you customarily keep. If you are a merchant exporter, you must also maintain records showing the cost of the commodity or product line to you and the costs of exportation.

SEC. 11. Exemptions and suspensions. (a) This regulation does not apply:

(1) To sales of commodities for which export ceiling prices will hereafter be specifically established under other regulations or supplements; or

(2) To sales of commodities which are suspended or exempted from price control by regulation of the Office of Price Stabilization irrespective of whether such regulation is by its terms applicable or inapplicable to export transactions. Such suspension or exemption shall be applicable to the same extent to similar sales covered by CPR 61 as though the suspension or exemption in such other

regulation were specifically applicable to export sales and sales for export. For example, if price controls are suspended under another regulation for domestic sales of a commodity by manufacturers, then export sales and sales for export of such commodity by manufacturers or producer-exporters are suspended from price control under CPR 61; if such suspension is applicable to domestic sales by wholesalers, then export sales and sales for export by wholesalers or merchant exporters are suspended from price control under CPR 61. In exclusion of a seller or commodity from the coverage of a regulation because that seller or commodity is covered by another regulation does not constitute a suspension or exemption from price control within the meaning of this section.

[Paragraph (a) amended by Amdt. 4]

(b) Nothing in this regulation shall operate to prevent the performance of a written contract for the export sale of a commodity entered into prior to July 30, 1951, and executed in compliance with the provisions of any validly existing regulation or order of the Office of Price Stabilization, provided that delivery is made on or before December 31, 1951.

(c) This regulation does not apply to export sales of any commodity by the United States Government or any agency thereof.

(d) This regulation does not apply to export sales of commodities which have been transported into the United States for transshipment abroad and which do not enter into the domestic commerce of the United States and which are either:

(1) Entered at Customs in transit on a "Transportation and Exportation (TE) entry" or on an "Exportation (Exp.) entry", or

(2) Stored in transit in a Customs bonded warehouse or stored in a foreign trade zone.

(e) This regulation does not apply to export sales of a commodity which has been processed or manufactured in bond under Customs supervision exclusively from imported materials, which is not withdrawn from bond for domestic consumption in the United States, and which is subsequently exported.

(f) This regulation does not apply to export sales of a commodity manufactured or produced from imported textiles or imported metals: *Provided,* (1) That the constituent imported components thereof make up not less than 90 percent by weight or unit of the exported commodity, and (2) that the Customs Drawback Regulations (Part 22, Customs Regulations of 1943) are complied with in all respects.

(g) The provisions of this section referring to export sales also apply to sales for export.

[Paragraph (g) added by Amdt. 2]

SEC. 12. Evasion. Any practice which results in obtaining indirectly a higher price than is permitted by this regulation is a violation of this regulation. Such practices include, but are not limited to, devices making use of commission, services, cross sales, transportation arrange-

ments, premiums, discounts, special privileges, tie-in agreements or combination sales, and trade understandings.

SEC. 13. Enforcement. If you violate any provision of this Ceiling Price Regulation you are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Defense Production Act of 1950.

SEC. 14. Petitions 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. 15. Definitions. The terms used in this Ceiling Price Regulation shall be construed in the following manner:

(a) *Sellers and buyers*—(1) "Producer exporter." This term means a person who manufactures, or produces the commodity he exports or sells for export. A person shall, moreover, be considered a producer exporter if the commodity he sells is manufactured either: (i) By another for his account and to his specification, or (ii) by a parent company, by a controlled producer subsidiary, or by any producer company, controlled directly or indirectly by a common parent.

(2) "Merchant exporter." This term means a person who is not a producer exporter but who in the normal course of business exports commodities purchased by him for his own account.

(3) "Exporter." This term means any person selling a commodity, either directly or through an agent, for delivery or shipment to any place outside the continental United States.

(4) "Class of buyer." This term means that group of persons to which you sell commodities covered by this regulation and which you distinguish from other groups of buyers with respect to quantity purchased or trade function. In the case of an export sale, the only permissible groupings according to trade function shall be: the United States Government or its agencies; foreign governments or their agents, including foreign government purchasing missions; industrial end users; distributors; wholesalers; retailers; individual consumers; and American firms purchasing for use in foreign field operations. In the case of a sale for export, the only permissible grouping according to function in the trade shall be merchant exporters.

[Paragraph (a) amended by Amdt. 2]

(b) *Pricing*—(1) "Domestic ceiling price of your supplier at point of delivery." This phrase means the highest price at the point of delivery which a merchant exporter may, under applicable ceiling price regulations governing domestic sales, pay his supplier for a commodity which the merchant exporter subsequently exports or sells for export.

(2) "Base period percentage markup." This term means a percentage markup calculated in accordance with section 5 of this regulation based on sales during the base period, and representing, in the case of a producer exporter, the differential between base period domestic and export selling prices exclusive of costs of exportation for a commodity or product line, and in the

case of a merchant exporter, the base period margin between his costs of acquiring a commodity or product line for exportation purposes and his export selling price therefor exclusive of costs of exportation.

(3) "*Commodity.*" This term means materials, articles, products, supplies, and their components.

(4) "*Product line.*" This term means all goods of the same general character and use which are normally classed together in your business for purposes of accounting or sales. You may, for example, have your product line, under this regulation, include a line of goods such as one of the following: Cups selling at \$0.10-\$0.50, all cups, all cups and saucers, all chinaware. You shall list, in your report to the Office of Price Stabilization, all the commodities included in the product line.

[Subparagraph (4) amended by Amdt. 2]

(5) "*Comparison commodity.*" This term means a commodity exported or sold for export by you during the base period, which has general characteristics and use similar to those of the commodity you are pricing. Of the commodities having these same general characteristics and use, choose the commodity having a current unit direct cost closest to that of the commodity you are pricing.

(6) "*Base period domestic selling price.*" This term means your (producer exporter's) domestic selling price during the base period (to the same class of buyer of the commodity). This domestic selling price must be the one you were using at the time of each export sale or sale for export on the basis of which you calculate your markup under section 5 of this regulation.

[Subparagraph (6) amended by Amdt. 2]

(7) "*Base period cost of acquisition.*" This term means the actual cost to you, a merchant exporter, during the base period, of the commodity for which you are calculating your markup under section 5 of this regulation.

(8) "*Costs of exportation.*" This term includes costs other than sales commissions actually incurred in or in connection with the export sale or sale for export of a commodity, over and above those incurred and included in the applicable domestic ceiling price if the commodity were sold for domestic consumption, including but not limited to

the following: (i) Export packaging, (ii) local drayage, including waiting time at the dock, loading and unloading, tollage, switching, dumping, and trimming, lighterage and wharfage, (iii) inland freight in the continental United States and in the country of delivery (at the export rate where applicable), (iv) ocean freight, (v) insurance, (vi) consular fees, blanks and certification, (vii) demurrage, (viii) costs incurred for storage at the port of exit while awaiting shipment, provided the goods remain packed in the same form as they are to be exported, and have been stored in a warehouse or other storage facilities not owned or controlled by the exporter, (ix) fees paid to a freight forwarder not owned or controlled by the exporter, (x) bank collection charges, (xi) servicing, installing, inspection fees or special engineering costs either before or after exportation, and (xii) foreign taxes.

(9) "*Buyers of the class most closely related to the class for which you are pricing.*" This phrase means the class of buyer to which you sold, during the base period, the commodity or product line you are pricing or a comparison commodity, and which is most similar to the class of buyer for which you are pricing, considering trade function, the terms of purchase and the quantity of the order.

(10) "*Your domestic ceiling price at point of delivery.*" This phrase means the highest price at which you, a producer exporter, may, under applicable ceiling price regulations governing domestic sales of the commodity you are pricing for export, sell such commodity for domestic consumption at the point of delivery.

(c) *General*—(1) "*Base period.*" This term means the period from January 1, 1949, to June 30, 1950, inclusive.

(2) "*Ceiling price.*" This term means the highest price at which an export sale or sale for export of a commodity covered by this regulation may be made.

(3) "*General Ceiling Price Regulation.*" This term means the General Ceiling Price Regulation issued on January 26, 1951, by the Office of Price Stabilization, as amended and supplemented.

(4) "*You or person.*" This term includes any individual, corporation, partnership, cooperative association, or any other organized group of persons, or

legal successors or representatives of the foregoing, and the United States or any government or their political subdivisions or agencies. The term corporation includes the parent company, any controlled subsidiary or any company controlled, directly or indirectly, by a common parent. Control (in respect to affiliated companies or business operations) means the ownership, directly or indirectly, of 50 percent or more of the voting rights or beneficial interest in two or more of such companies or business operations.

[Subparagraph (4) amended by Amdt. 2]

(5) "*Records.*" This term includes but is not limited to books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(6) "*Exportation.*" This term means the delivery or shipment of a commodity, either directly or through an agent, from the United States or a territory or possession of the United States to any place outside the continental United States or a territory or possession of the United States.

(7) "*Export sale.*" This term means a sale of a commodity for direct shipment to a buyer outside the continental United States without resale in the continental United States. Sales to a foreign government purchasing mission, or to an American firm purchasing for use in its foreign field operations shall be considered to be export sales.

[Subparagraph (7) amended by Amdt. 2]

(8) "*Sale for export.*" This term means a sale of a commodity to a buyer located in the continental United States if the commodity is destined for export sale by the buyer.

[Subparagraph (8) amended by Amdt. 2]

SEC. 16. *Reports.* Copies of forms that may be used in filing under this regulation may be obtained from any Regional or District Office of the Office of Price Stabilization.

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.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.
BY: JOSEPH L. DWYER,
Recording Secretary.

INTERPRETATIONS
CPR 61, Sec. 2

EXPORTED DISTILLED SPIRITS AND WINES

Suspended from controls (see Interps. following GOR 7, Rev. 1, Section 10, page 51 Food 91:210.1)

INTERPRETATIONS
CPR 61, Sec. 2

COVERAGE

Sales f.o.b. seaport dock to foreign dealers, included

Sales to foreign dealers, f.o.b. the dock, New York, are export sales and are subject to CPR 61.

(1-23-53 No. 11)

INTERPRETATIONS
CPR 61, Sec. 2(b)

OVERCEILING INVOICES
Scope of OPS permissive order

An order issued under Section 2(b) of Ceiling Price Regulation 61 permitted an exporter to over-invoice a shipment of air conditioner parts to a customer of his distributor in Teheran, Iran. Some of the parts for which such permission was obtained were not available for shipment and were therefore not included when the actual shipment of parts was made. These parts are now available and the exporter inquired whether permission in the order is sufficient to enable him to over-invoice the supplementary shipment.

The order was intended to grant permission with respect to all the parts referred to in the application for which he had received specific purchase orders, limited to the type and quantity of parts covered by such order and intended to constitute a single shipment.

The unavailability of some parts for inclusion in a single shipment would not operate to limit the permission of the order only to those parts actually included in the first shipment. A supplementary shipment of such parts, when available, would still be deemed to constitute a part of that shipment for which the order was issued.

This does not extend the order nor increase its applicability beyond the specific types and quantities of parts referred to in the application. It is understood, of course, that further shipments of similar parts to fill additional purchase orders would not be covered by this order.
(10-2-52 No. 11)

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INTERPRETATIONS
CPR 61, Sec.3

BASE PERIOD MARKUP

Cannot be increased (see Interps. following CPR 61, Sec. 13,
page 85 Serv 33:213.1)

10-10-10

10-10-10

INTERPRETATIONS
CPR 61, Sec. 3(a)

EXPORTS BY RETAILERS**Applicability of domestic ceiling prices**

An interpretation has been requested of the applicability of Ceiling Price Regulation 61 to the following types of retail operations:

- (1) Sales where a resident of a foreign country visits the store, makes a purchase, and then has the store deliver it either in its own truck, or by mail or public carrier;
- (2) Sales in response to mail orders received from residents of foreign countries, whether by regular charge account customer or consumer in response to an ad;
- (3) Sales made to residents of the United States for delivery to relatives in the foreign country.

It is stated that it has been the practices of retail stores to consider these sales as normal retail transactions.

The types of sales referred to in (1) and (2) above are governed by CPR 61. However, Section 3(a) of CPR 61 permits the retailer to continue to treat the above operations as normal domestic retail sales. These sales may be made at prices not exceeding the domestic ceiling price established by the applicable retail regulation, other than CPR 61. To this may be added cost of exportations. The retailer should, however, report to this Agency under Section 5 of CPR 61 the fact that he is selling to persons outside the United States at prices not in excess of his domestic ceiling prices.

The sales referred to in operation (3) above are not governed by CPR 61. They are domestic sales and are to be priced and reported under the applicable domestic retail regulation.

(5/27/52 No. 3)

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INTERPRETATIONS
CPR 61, Sec 6

MARKUPS APPROVED UNDER SECTION 6

Cannot be increased (see Interps. following CPR 61, Sec. 13,
page 85 Serv 33:213.1)

100-100000

100-100000

INTERPRETATIONS
CPR 61, Sec. 13

VIOLATION

Increase in base period or section 6 markup

There is no provision in CPR 61 that permits an exporter who has a base period markup to change this markup. Nor is there any provision that permits an exporter who has applied for and proposed a markup under Section 6 of CPR 61 to change this markup after this markup becomes effective.

It is, therefore, improper for an exporter to increase his export markups.. Sales made on the basis of an increased markup may be considered a violation of the provisions of Ceiling Price Regulation 61.
(10-1-52 No. 5)

Exporters to
Territories and Possessions

Ceiling Price Regulation 61
Supplementary Regulation 1

JAN. 11, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 61, Supplementary
Regulation 1]

CPR 61—EXPORTS

SR 1—CEILING PRICES FOR EXPORTERS TO
TERRITORIES AND POSSESSIONS

Pursuant to the Defense Production Act of 1950 as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this supplementary regulation to Ceiling Price Regulation 61 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to Ceiling Price Regulation 61 is designed to permit persons making sales or shipments from the continental United States to purchasers in a territory or possession of the United States to receive the percentage markup which they received during the base period, January 1, 1949 to June 30, 1950, on their sales of each commodity or product line to each such territory or possession.

Technically and in the dictionary sense shipments to territories and possessions may not be "exports." Some exporters, however, ship both to foreign markets and to the territories and possessions. Many of them handle both types of shipments in their "export departments". For convenience only, shipments to territories and possessions are being designated "exports" although territories and possessions are more widely regarded as part of the domestic market than otherwise.

Producer and merchant exporters shipping to territorial purchasers or receivers are permitted to calculate their markups pursuant to the provisions of section 5 of CPR 61, except that the markup is to be calculated separately for each territory and possession. A markup may be received on sales of a commodity or product line to a particular territory or possession only if such a markup was received by the producer or merchant exporter during the base period. If he had no markup in the base period, the producer or merchant exporter may apply to the Office of Price Stabilization for a markup but he may not take it unless he first obtains the approval of OPS.

Those who ship a commodity customarily to a territory or possession without

special markup must continue to do so. Such shippers, however, have the choice of determining their applicable ceiling prices and related obligations either exclusively under this supplementary regulation or exclusively under the applicable domestic ceiling price regulation, if any.

Formal consultation with representatives of industry has not been practicable but many individual views expressed informally to this Office requested action in the nature of this supplementary regulation.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Sales to territorial purchasers.
3. Exporters who apply under section 6 of CPR 61.
4. Shippers to territories and possessions whose prices are customarily the same as their domestic prices.
5. Definitions.
6. Miscellaneous.

AUTHORITY: Sections 1 to 6 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.

SECTION 1. What this supplementary regulation does. This supplementary regulation provides a method for determining ceiling prices on sales or shipments made by a seller or shipper of a commodity shipped or to be shipped from the continental United States to a purchaser or receiver in a territory or possession of the United States when the commodity sold is not physically located in a territory or possession at the time of sale.

SEC. 2. Sales to territorial purchasers. If you sell or ship a commodity, shipped or to be shipped from the continental United States and not physically located in the territory or possession at the time of such sale or shipment, to a buyer or receiver in a territory or possession of the United States, you may take on that sale or shipment a markup not in excess of the percentage markup taken by you during the base period on sales of that commodity or product line to that particular territory or possession. The markup is to be calculated under section 5 of Ceiling Price Regulation 61 as modified by this supplementary regulation. The markup on sales of a commodity or product line shall be calculated separately for each territory or possession. You may include in your export ceiling price on such sales the costs of transportation incurred by you in connection with the sales.

SEC. 3. Shippers who apply under section 6 of CPR 61. A shipper to a territory or possession who made no shipments of a particular commodity or product line during the base period may apply for a markup under section 6 of CPR 61. The applicant shall also state the commodities or product lines previously shipped to the territories and possessions and the customary markups if any on such commodities or product lines shipped to each territory and possession. Until the application has been specifically approved by order of the Office of Price Stabilization, no markup may be taken by the applicant.

SEC. 4. Shippers to territories and possessions whose prices are customarily the same as their domestic prices. If you customarily shipped a commodity to a particular territory or possession without markup above your domestic price you must continue to do so. If under those circumstances you wish to determine your ceiling prices for a commodity, shipped to a territory or possession, and related obligations under an applicable domestic ceiling price regulation you may do so without regard to this supplement or CPR 61.

SEC. 5. Definitions. The terms used in this Supplementary Regulation to CPR 61 shall be construed in the following manner:

(a) "Territory or possession" or "territory or possession of the United States" means Alaska, Guam, Hawaii, Puerto Rico, Samoa, and the Virgin Islands.

(b) "Time of sale" means the time at which the parties make a legally binding agreement to buy and sell or to ship and receive.

(c) "Applicable domestic ceiling price" means ceiling price established by the Office of Price Stabilization for shipment to the territories and possessions.

SEC. 6. Miscellaneous. Except as herein modified, all the provisions of CPR 61 remain in effect with reference to sales made under this supplementary regulation.

Effective date. This supplementary regulation to CPR 61 shall become effective on January 16, 1952.

NOTE: The record-keeping and reporting requirements of this supplementary 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.

JANUARY 11, 1952.

Export Sales of
GR-S Type
Synthetic Rubber

Ceiling Price Regulation 61
Supplementary Regulation 2

MARCH 11, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 61, Supplementary
Regulation 2]

CPR 61—EXPORTS

**SR 2—EXPORT SALES OF GR-S TYPE
SYNTHETIC RUBBER**

Pursuant to the Defense Production Act of 1950 as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this Supplementary Regulation 2 to Ceiling Price Regulation 61 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 2 to Ceiling Price Regulation 61 establishes ceiling prices on export sales of GR-S type synthetic rubber (butadiene-styrene copolymer).

The sole source of this rubber today in the United States is the Reconstruction Finance Corporation. The RFC intends to allocate a substantial tonnage quarterly of GR-S type synthetic rubber for export from the United States. Hitherto, GR-S was exported from the United States in very insignificant quantities. Consequently, exporters have little base period experience from which they can compute a base period markup. It is necessary, therefore, that OPS establish such markup.

The world price of natural rubber is quoted currently at about \$0.38. The GR-S rubber to be allocated by the RFC for export is a satisfactory substitute for natural rubber. However, the cost price at which the RFC will sell the GR-S rubber to the exporters is much lower than the world market price for natural rubber.

In view of the high world price of rubber, relatively little selling effort and

financial risk are required on the part of the American exporter who is selling GR-S rubber. This supplementary regulation limits, therefore, the markup that can be taken by these exporters to 3 percent over their cost of acquisition on sales by the exporters in quantities equivalent to carload lots and 3½ percent on sales in quantities less than carload lots. These markups are considered to be equitable and customary in the export trade for export sales of a commodity when the world demand for the commodity renders relatively insignificant the selling effort and risk required to accomplish the sales.

To the export ceiling price established by this supplementary regulation may be added the actual costs of exportation. These costs are defined in section 3 so that the exporter may only take actual packaging, freight, lighterage and insurance costs experienced by him.

In the formulation of this regulation there has been consultation with representatives of industry, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Ceiling prices for export sales of GR-S type of synthetic rubber.
3. Costs of exportation.
4. Miscellaneous.

AUTHORITY: Sections 1 to 4 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.

SECTION 1. What this supplementary regulation does. This Supplementary Regulation 2 to Ceiling Price Regulation 61 establishes ceiling prices on export sales of GR-S type of synthetic rubber (butadiene-styrene copolymer).

SEC. 2. Ceiling prices on export sales of GR-S type of synthetic rubber. The

ceiling price on an export sale of a GR-S type of synthetic rubber shall be your cost of acquisition, plus a markup over your cost of acquisition, of 3 percent for shipments by you in quantities equivalent to carload lots and 3½ percent for shipments in quantities less than carload lots. The cost of acquisition used in this computation must not exceed the ceiling price for sales of the GR-S type of synthetic rubber by the Office of Rubber Reserve, Reconstruction Finance Corporation, f. o. b. point of production, as established by Supplementary Regulation 57, as amended, to the General Ceiling Price Regulation.

SEC. 3. Costs of exportation. To the export ceiling price established in section 2 of this supplementary regulation, you may add the following actual costs: (a) Actual special packaging charges which may be made by the Reconstruction Finance Corporation, (b) actual inland freight charges made by the Reconstruction Finance Corporation, but not more than \$1.00 per cwt. for carload lots, and not more than \$1.60 per cwt. for less than carload lots, (c) actual lighterage charges to the vessel, and (d) actual costs of ocean freight and insurance.

SEC. 4. Definitions. The terms used in this Supplementary Regulation 2 to CPR 61 shall be construed in the following manner:

(a) "Carload lot" means a shipment in the minimum amount of 60,000 pounds (avdp.).

SEC. 5. Miscellaneous. Except as herein modified, all the provisions of CPR 61 remain in effect with reference to sales made under this supplementary regulation.

Effective date. This supplementary regulation to CPR 61 shall become effective on March 17, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 11, 1952.

**Sulfur Mined by
Non-Frasch Methods**

**Ceiling Price Regulation 61
Supplementary Regulation 3**

JULY 1, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 61, Supplementary
Regulation 3]

CPR 61—EXPORTS

**SR 3—CEILING PRICES FOR SULFUR MINED BY
NON-FRASCH METHODS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 3 to Ceiling Price Regulation 61 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to Ceiling Price Regulation 61 provides for the establishment or adjustment of ceiling prices for export sales and sales for export of sulfur, produced and mined from sulfur deposits, by methods other than the Frasch method, to reflect the greater costs involved in the production of sulfur by non-Frasch methods and the greater costs resulting from the more impure deposits which are involved. The production of sulfur by the Frasch process is at capacity level. Increased domestic production is necessitated by the greatly increased demand in both domestic and foreign markets. The United States is the prime supplier of sulfur in world markets and sulfur at present is in critical short supply for defense and civilian requirements. These requirements have resulted in the domestic allocation of sulfur to production and use on the basis of 90 percent of the 1950 consumption. The inadequacy of the total current supply of sulfur is recognized by the National Production Authority which is encouraging the production of sulfur from all available sources.

Sulfur is produced today by the Frasch process or is recovered from sour gases or crude oil in the petroleum industry. There is at present only limited production of mined sulfur by non-Frasch methods, primarily because of the substantially greater costs involved in this method of production which necessitates much higher selling prices than existing ceiling prices. These deposits are considerably less pure than the deposits which lend themselves to the Frasch method of extraction and thus involve greater extraction costs.

Expansion of the present sources of supply of sulfur cannot be achieved without this incremental production at significantly greater unit costs.

There are existing sulfur deposits in several areas of the United States. These deposits contain a relatively low percent-

age of sulfur and the ore must be, when mined, beneficiated to increase the sulfur content to an economic level in order to be sold in existing markets. The cost of production, therefore, is generally much higher than existing ceiling prices for sales of elemental sulfur produced by the Frasch process or recovered from sour natural gas or waste refinery gases in the petroleum industry. It can be expected that all of the incremental mined sulfur produced by non-Frasch methods will be sold in the export markets where world prices for sulfur are substantially higher than the prevailing ceiling prices for sulfur in the United States. This supplementary regulation will, therefore, permit increased production of elemental sulfur for the export trade with a minimum effect on the prevailing price level in the United States.

This supplementary regulation provides, upon application, for the establishment or adjustment of ceiling prices for export sales and sales for export of sulfur so produced.

Since the estimated increases in unit costs will be based on anticipated expenditures, the producer receiving an authorized ceiling price or an adjustment of his ceiling price will be required, in all cases, to file a detailed report of the actual cost experience for the sixth full month of production and a report of the average production costs for the first six full months of production.

In the judgment of the Director of Price Stabilization the provisions of this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

In view of the remedial nature of this supplementary regulation, special circumstances have rendered consultations with industry representatives, including trade association representatives, impractical.

REGULATORY PROVISIONS

- Sec.**
1. What this supplementary regulation does.
 2. How to apply for establishment or adjustment of ceiling price.
 3. Contents of application.
 4. Action by the Director.
 5. Sales to merchant exporters.
 6. Applicability of other regulations.
 7. Definitions.

AUTHORITY: Sections 1 to 7 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 supplementary regulation does. This supplementary regulation applies to producers of elemental sulfur mined in the United States by other than the Frasch method and provides for the establishment of ceiling prices or the adjustment of ceiling prices

for all their export sales and sales for export of such sulfur. The General Ceiling Price Regulation continues to be applicable to all other sales of such sulfur.

SEC. 2. How to apply for establishment or adjustment of ceiling price. If you are a producer of sulfur mined from deposits in the United States by other than the Frasch method, and do not have a ceiling price established for export sales or sales for export of that sulfur, you may apply for the establishment of a ceiling price under this supplementary regulation instead of establishing a ceiling price under Ceiling Price Regulation 61. If you already have a ceiling price established for export sales or sales for export of such sulfur, you may apply for an adjustment of that ceiling price under this supplementary regulation. Your signed application should be filed with the Office of Price Stabilization, Rubber, Chemicals and Drugs Division, Washington 25, D. C.

SEC. 3. Contents of application. Your application shall set forth the following:

(a) Name and address of applicant and location of the sulfur deposit; the nature of applicant's interest therein, e. g., fee simple, leasehold, rental agreement, etc., accompanied by a copy of the instrument by which the interest was acquired; and a statement of the acquisition cost of the property or rental terms if under lease, with dates of acquisition and, in the case of a lease, of its expiration.

(b) Your present ceiling price, if any, for domestic sales, sales for export and export sales.

(c) A description of your present and proposed operations including a statement of

(1) the quantity of sulfur (99.5 percent basis) produced annually from your mine or if you cannot furnish figures of actual production, an estimate of your annual production, giving the basis for your estimate.

(2) The total amount of recoverable sulfur in the deposit to be mined, including the actual or estimated amount at the time of acquisition and at the beginning of the fiscal period used in paragraph (f), below.

(3) The physical description and grade of the ore, including the percentage of contained sulfur in the ore.

(d) A breakdown of the actual capital investment in plant and equipment required to achieve the sulfur production stated in paragraph (c) above. This investment should be valued at acquisition cost. Where the equipment has been used, deduct from the acquisition cost the normal depreciation resulting from the use of the equipment. Where the plant and equipment have not yet been purchased, submit a breakdown of

estimated acquisition cost erected at plant site.

(e) The estimated book value of the recoverable provable sulfur.

(f) A breakdown of the unit cost of producing the sulphur on the basis of a long ton of 99.5 percent basis sulphur, presented in the same detail as you carry your figures on your books of account. The suggested detailed items of cost for which separate figures are to be submitted are covered in the outline below. If you have been in production for three months or more, submit your actual unit costs of production for the most recent three month period with estimated costs of production for the subsequent three month period. If you are not yet in production or if you have been in production less than three months, submit your estimated unit costs for the first six months of production.

(1) Total mining and plant cost.

(i) mining costs: E. g. cutting, blasting, loading, ventilation, drainage, mucking, nipping, stripping, direct supervision, power and light.

Mine haulage: E. g. hoisting, trucking to mill, waste disposal, etc.

Mine maintenance: E. g. cutting and drilling machines, loading equipment, pumps, ventilation, etc.

(ii) Milling and refining expense: E. g. supervision, operation, processing materials, utilities, tailings disposal, maintenance and repair, etc.

(iii) Mine and plant overhead: E. g. supervisory, shop, laboratory, powerhouse, general, etc.

(iv) Warehouse and loading.

(v) Taxes: E. g. production, use, severance, franchise, and personal property taxes, and social security taxes, but not including income and excess profit taxes.

(vi) Depreciation.

(vii) Depletion.

(viii) Royalty and lease rentals.

(2) Administrative, general, selling expense.

(3) Exploration and development costs.

(4) Total operating cost.

(g) Any other information deemed pertinent by the applicant which will

assist the Director in establishing or adjusting your ceiling price.

SEC. 4. Action by the Director. (a) If the Director finds that you cannot reasonably be expected to produce or to continue to produce sulfur from your deposit for export sales or sales for export at ceiling prices which would have been provided by regulations otherwise applicable and that the sulfur which you produce is required by the world market, he may establish a ceiling price or adjust your ceiling prices for your export sales or sales for export of such sulfur, taking into consideration the cost of producing and selling the sulfur. The Director's order may also establish ceiling prices for export sales of your sulfur by merchant exporters. Your ceiling prices for sales of such sulfur in the United States are established by the General Ceiling Price Regulation and will not be changed by the Director's order.

(b) The Director may request such further information as he may deem necessary to a proper determination of your application.

(c) Producers of sulfur whose ceiling prices have been established or adjusted under the provisions of this section shall be required, after six full months of operation, to file a report showing the following:

(1) Your cost for the sixth full month of operation, showing the same items of cost required by section 3 (f).

(2) Your cost for the entire six month period, showing the same items of costs required by section 3 (f).

(3) Total tons of sulfur produced (on a 99.5 percent basis) during your sixth month of operation and for the entire six month period.

(d) Any order issued by the Director under this supplementary regulation may be modified or revoked at any time.

SEC. 5. Sales to merchant exporters. A producer who has his ceiling prices for sulfur established or adjusted under this

supplementary regulation, and who makes a sale or sales of such sulfur to a merchant exporter shall furnish the merchant exporter an invoice or an accompanying statement, for each sale, showing his ceiling prices which have been established or adjusted for export sales and sales for export under this supplementary regulation, and a statement that his ceiling prices were established or adjusted under this supplementary regulation.

SEC. 6. Applicability of other regulations. A producer of sulfur whose ceiling price has been established or adjusted in accordance with this supplementary regulation shall be subject to all provisions of Ceiling Price Regulation 61 which are not inconsistent with the provisions hereof, including, but not limited to, the enforcement and penalty provisions thereof, and the requirements of keeping on file for inspection a statement of his records.

SEC. 7. Definitions. Where used in this supplementary regulation the term:

(a) "Producer" means any person engaged in the business of producing sulfur as defined in paragraph (b) below.

(b) "Sulfur" means sulfur obtained by mining deposits containing elemental sulfur and does not include sulfur produced by the Frasch process or sulfur obtained from petroleum or natural gases.

(c) "Export sales" and "Sales for Export" are defined in Sec. 15 (c) of Ceiling Price Regulation 61.

Effective date. This supplementary regulation 3 to the Ceiling Price Regulation 61 is effective July 1, 1952.

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.

ELLIS ARNALL,

Director of Price Stabilization.

JULY 1, 1952.

OPS PUBLIC FORM NO. PUB. 72

UNITED STATES GOVERNMENT
OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D.C.FORM APPROVED
BUDGET BUREAU NO. 94-R261REPORT BY EXPORTERS UNDER CPR 61
OF BASE PERIOD MARKUPS

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.

This form may be reproduced without change.

See instructions on reverse side before filling out this form

NAME OF FIRM		ADDRESS (Street and No.)		(City, Zone, State)
1 - YOUR ROLE IN PROPOSED TRANSACTION		2 - CLASS OF BUYER		
☐ PRODUCER EXPORTER	☐ MERCHANT EXPORTER			
3 - TYPE OF SALE				
☐ EXPORT SALE	☐ SALE FOR EXPORT			
4 - REPRESENTATIVE QUARTER CHOSEN BY YOU IN COMPUTING MARKUP				
☐ 1ST QUARTER 1949	☐ 2ND QUARTER 1949	☐ 3RD QUARTER 1949		
☐ 4TH QUARTER 1949	☐ 1ST QUARTER 1950	☐ 2ND QUARTER 1950		
5 - DESCRIPTION OF COMMODITY OR PRODUCT LINE FOR WHICH YOU ARE DEPOSITING A MARKUP				
6 - YOUR BASE PERIOD PERCENTAGE MARKUP				
7 - IF YOUR CLASS OF BUYER IN (2) ABOVE IS A MERCHANT EXPORTER AND IF YOUR TYPE OF SALE IN (3) ABOVE IS A SALE FOR EXPORT, WAS IT YOUR PRACTICE DURING THE BASE PERIOD TO SELL TO MERCHANT EXPORTERS AT THE MARKUP INDICATED IN (6) ABOVE?				
☐ YES	☐ NO			
IF YOU SOLD TO MERCHANT EXPORTERS AT A MARKUP DIFFERENT FROM THAT INDICATED IN (6) ABOVE, EXPLAIN THE DIFFERENCE				
I certify that the information given above is true and correct to the best of my knowledge and belief.				
NOTICE - A willfully false statement is a criminal offense.				
SIGNATURE OF OWNER OR AUTHORIZED AGENT		TITLE		DATE

INSTRUCTIONS AND DEFINITIONS

This Reporting Form is to be used by those exporters **only** who had a base period markup on their base period sales of the commodity or product line whose markup is being reported herein.

This Reporting Form may be used to report the markup for different commodities and product lines if the other Items on the Form have identical answers.

If your class of buyer is a merchant exporter, you may use this Form in applying under Section 7 of CPR 61 for approval of your markup. You may not take this markup until you receive this approval.

This Report is to be filed within 15 days after first sale of commodity. To be filed in duplicate and mailed by registered letter to the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C.

Base period percentage markup. This term means a percentage markup, calculated in accordance with Section 5 of this regulation. This markup is based on sales during the base period. It represents, in the case of a producer exporter, the differential between base period domestic and export selling prices for a commodity or product line, exclusive of costs of exportation. In the case of a merchant exporter, it represents the base period margin between his costs of acquiring a commodity or product line for exportation purposes and his export selling price therefor, exclusive of costs of exportation.

Your base period percentage markup must be a weighted average percentage markup. In computing this markup employ the following procedure: Determine 25% of total sales for the commodity during the representative base period quarter. Total the dollars and cents markups of these sales so selected and divide this total by your total costs of acquisition or by the total of your applicable domestic selling prices for the commodities in this 25% sales group. The resulting figure will constitute your weighted average percentage markup.

Class of Buyer. This term refers to the following: foreign governments or their agents; industrial end users; distributors; wholesalers; retailers; individual consumers; and American firms purchasing for use in foreign field operations.

Commodity. This term means materials, articles, products, supplies and their components. Any group of these items may be considered to be a commodity if the items were customarily referred to and treated during the base period as a single commodity and were sold under one markup.

Export Sale. This term means the sale of a commodity to a person located outside the continental United States or a territory or possession of the United States, and which is shipped to the purchaser outside the continental United States or a territory or possession of the United States, regardless of where the invoicing is done.

Merchant Exporter. This term means a person who is not a producer exporter but who exports commodities purchased by him for his own account.

Producer Exporter. This term means a person who manufactures or produces the commodities he exports.

Product line. This term means all goods of the same general character and use which are normally classed together in your business for purposes of accounting or sales, and to which the same markup was applied in determining selling prices during the base period. You may, for example, have your product line under this regulation include a line of goods such as one of the following: Cups selling at \$.10-\$.50, all cups, all cups and saucers, all chinaware. The product line should be adequately described to indicate to the ordinary purchaser that a particular product line as reported to the Office of Price Stabilization includes a definite commodity being sold by you.

Sale for Export. This term means a sale to a buyer located in the continental United States or a territory or possession of the United States of a commodity destined for export and subsequent shipment, without resale, to any place outside the continental United States or a territory or possession of the United States.

OPS PUBLIC FORM NO. 73 (REV. 10-52)

UNITED STATES GOVERNMENT
OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D. C.

BUDGET BUREAU NO. 94-R262.1
APPROVAL EXPIRES MARCH 31, 1953

**APPLICATION BY EXPORTERS HAVING NO SALES
DURING BASE PERIOD OF THE TYPE BEING PRICED**

PURSUANT TO SEC. 6 OF CPR 61, AS AMENDED OR
SEC. 3 OF SR-1 TO CPR 61, AS AMENDED.

The individual company information reported on
this form is for use in connection with the De-
fense Mobilization Program. Persons who have
access to individual company information are
subject to penalties for unauthorized disclosure.

1. Read instructions on reverse side before filling out this form.
2. This form may be reproduced without change.
3. Submit in duplicate in accordance with instructions on reverse side.

1. NAME OF FIRM		2. ADDRESS (No. and Street) (City, Zone and State)	
3. YOUR ROLE IN PROPOSED TRANSACTION		4. IF SEC. 2(c) OF CPR 61, AS AMENDED APPLIES TO YOU, ARE YOU EXERCISING OPTION (1) THEREUNDER?	
☐ PRODUCER EXPORTER	☐ MERCHANT EXPORTER	☐ YES	☐ NO
5. TYPE OF SALE		6. CLASS OR CLASSES OF BUYERS (As defined in Sec. 15(a)(4) of CPR 61, as amended)	
☐ EXPORT SALE	☐ SALE FOR EXPORT		
7. IF YOU ARE A MERCHANT EXPORTER MAKING EXPORT SALES, STATE IF YOUR SUPPLIER IS A		8. IF YOU ARE A MERCHANT EXPORTER MAKING SALES FOR EXPORT, STATE IF YOUR SUPPLIER IS A	
☐ PRODUCER EXPORTER	☐ MERCHANT EXPORTER	☐ PRODUCER EXPORTER	☐ MERCHANT EXPORTER
9. DESCRIPTION OF COMMODITY(IES) OR PRODUCT LINE(S) (and the commodities included therein) FOR WHICH YOU ARE APPLYING FOR A MARKUP. STATE IF YOU SELL THIS COMMODITY IN THE DOMESTIC MARKET (Continue on separate sheet if necessary)			

10. CHECK THE FIRST ONE OF THE FOLLOWING TYPES OF SALES ON WHICH YOU ARE ABLE TO COMPUTE A BASE PERIOD PERCENTAGE MARKUP
- ☐ BASE PERIOD SALES OF THE COMMODITY OR PRODUCT LINE YOU ARE PRICING TO BUYERS OF THE CLASS MOST CLOSELY RELATED TO THE CLASS FOR WHICH YOU ARE PRICING. DESCRIBE THIS MOST CLOSELY RELATED CLASS OF BUYER.
- ☐ BASE PERIOD SALES OF A COMPARISON COMMODITY TO BUYERS OF THE CLASS FOR WHICH YOU ARE PRICING. DESCRIBE THE COMPARISON COMMODITY.
- ☐ BASE PERIOD SALES OF A COMPARISON COMMODITY TO BUYERS OF THE CLASS MOST CLOSELY RELATED TO THE CLASS FOR WHICH YOU ARE PRICING. DESCRIBE THE COMPARISON COMMODITY AND MOST CLOSELY RELATED CLASS OF BUYER.

10A. STATE THE BASE PERIOD QUARTER USED BY YOU IN COMPUTING YOUR MARKUP FOR THE COMPARISON USED ABOVE	STATE THIS PERCENTAGE MARKUP
10B. DID YOU TAKE THIS MARKUP AS A	10C. IF YOU PREVIOUSLY REPORTED A MARKUP FOR THIS COMPARISON UNDER CPR 61, STATE DATE OF YOUR REPORT
☐ PRODUCER EXPORTER ☐ MERCHANT EXPORTER	

11. If you are unable to compute a markup under Section 5 of CPR 61 and are unable to check any of the types of sales in Item 10 above, then answer the following:

11A. WHY ARE YOU UNABLE TO COMPUTE A MARKUP UNDER CPR 61?

11B. WHAT MARKUP, IF ANY, CURRENTLY PREVAILS IN THE TRADE FOR THE COMMODITY OR PRODUCT LINE DESCRIBED IN ITEM 9 ABOVE?

11C. HOW DID YOU DETERMINE THE MARKUP IN 11B TO BE THE ONE CURRENTLY PREVAILING?

12. WHAT IS YOUR PROPOSED PERCENTAGE MARKUP? (Note that sales commissions are a part of the markup)

AS A PRODUCER EXPORTER FOR EXPORT SALES _____ %	AS A MERCHANT EXPORTER FOR EXPORT SALES _____ %
AS A PRODUCER EXPORTER FOR SALES FOR EXPORT _____ %	AS A MERCHANT EXPORTER FOR SALES FOR EXPORT _____ %

12A. TO WHAT ALLOWABLE PRICE BASE DO YOU INTEND TO APPLY THIS PROPOSED MARKUP?

☐ YOUR DOMESTIC CEILING PRICE ☐ YOUR SUPPLIER'S DOMESTIC CEILING PRICE TO YOU ☐ YOUR COST OF ACQUISITION

12B. JUSTIFY THIS MARKUP

13. IS THIS MARKUP DETERMINED PURSUANT TO THE PROVISIONS OF SEC. 3 OF SR-1 TO CPR 61? IF SO, STATE APPLICABLE TERRITORY OR POSSESSION

☐ YES ☐ NO

I certify that the information given above is true and correct to the best of my knowledge and belief.

NOTICE: A willfully false statement is a criminal offense.

SIGNATURE OF OWNER OR AUTHORIZED AGENT

TITLE

DATE

INSTRUCTIONS AND DEFINITIONS

This revised application Form 73 is to be used by an exporter only who had no base period sales to the class of buyer he is selling of the commodity or product line described in Item 9 of the application, and who is entitled to apply for a markup under Section 6 of CPR 61. Copies of this form are available at all Office of Price Stabilization field offices.

This application is to be sent in duplicate, by registered letter to the National Office of the Office of Price Stabilization, Foreign Trade Branch, Washington 25, D. C. With the exception of applications for markups to the territories and possessions of the United States, unless your proposed markup is rejected by this Office within ten days of the postmarked date of your letter, you may proceed with sales until advised to the contrary. Sales to the territories and possessions of the United States may not be effected at the proposed markup until written approval by the National Office of the Office of Price Stabilization is received by the applicant.

SPECIFIC INSTRUCTIONS:

ITEMS 1 and 2. Your name, street address, City and State should be inserted here.

ITEM 3. Your role in proposed transaction:

Producer Exporter. This term means a person who manufactures or produces the commodities he exports, or who has a commodity (a) made by another for his account and to his specifications, or (b) if option (1) in Section 2(c) is exercised, made by a parent company, by a controlled producer subsidiary, or by any producer company, controlled directly or indirectly by a common parent.

Merchant Exporter. This term means a person who is not a Producer Exporter but who in the normal course of business exports commodities purchased by him for his own account. As to a specific commodity, a Merchant Exporter will be regarded as a Producer Exporter if he qualifies as such under the preceding definition of Producer Exporter.

If you are both a Producer Exporter and a Merchant Exporter of the commodity herein reported, check both boxes.

ITEM 5. Type of Sale

Export Sale. This term means the sale of a commodity for direct shipment to a buyer located outside the continental United States without resale in the continental United States. Sales to a foreign government purchasing mission, or to an American firm purchasing for use in its foreign field operations shall be considered to be export sales.

Sale for Export. This term means a sale to a buyer located in the continental United States of a commodity destined for export sale by the buyer.

If you handle both types of sales check both boxes.

ITEM 6. Class or Classes of Buyer

This term means that group of persons to which you sell commodities covered by CPR 61 and which you distinguish from other groups of buyers with respect to quantity purchased or trade function. In the case of an export sale, the only permissible groupings according to trade function shall be: the United States Government or its agencies; foreign governments or their agents, including foreign government purchasing missions; industrial endusers; distributors; wholesalers; retailers; individual

consumers; and American firms purchasing for use in foreign field operations. In the case of a sale for export, the only permissible grouping according to function in the trade shall be Merchant Exporters.

ITEMS 7 and 8. This request to check if your supplier is a Producer Exporter or a Merchant Exporter is partly because of the provisions of Section 7, as amended, "Restrictions on multiple handling". Please note carefully the restrictions and information which must be furnished under Section 7, if you are a Merchant Exporter making sales for export of a commodity purchased from another Merchant Exporter. In such cases, if you wish to take a markup, it will be necessary to apply for it by separate letter, to the Office of Price Stabilization, Foreign Trade Branch, Washington 25, D. C. Such markup may not be used until written approval is received from the Office of Price Stabilization.

ITEM 9. Description of Commodity(ies) or Product Line(s):

Commodity: This term means materials, articles, products, supplies, and their components.

Product Line: This term means all goods of the same general character and use and which are normally classed together in your business for accounting and sales. You may, for example, have your product line under this regulation include a line of goods such as one of the following: Cups selling at \$.10-.50, all cups, all cups and saucers, all chinaware. All commodities included in a product line must be listed. However, commodities in a product line may be described generally, if this general description will indicate clearly what commodities are included.

ITEM 10. Note the three comparisons hereunder, the base period sales of which determine your proposed markup (Item 12).

ITEM 11B. In reply to this question attempt to ascertain through trade channels, trade journals or other sources the prevailing markup for your commodity or product line as described in Item 9.

ITEM 11C. Your reply to this question should indicate the source of your information on the currently prevailing markup.

ITEM 12. In reply to this question take into consideration your answers to all previous questions. This proposed percentage markup should be a fixed percentage, and not approximations or minimum-maximum ranges. You may take a different markup on account of unit or dollar volume sold, or on account of the function performed in the trade by your buyer, or both.

ITEM 12A. Producer Exporters may apply the proposed markup, when effective, to their domestic ceiling price under the conditions prescribed in Section 3(b)(1) and 4(b)(1), as amended.

Producer Exporters pricing a commodity being sold exclusively in the export trade, for which they have no domestic ceiling price, shall determine their export ceiling price for export sales and sales for export, as outlined in Sections 3(b)(2) and 4(b)(2), as amended. Applications under these sections for such commodities should be made by letter, in duplicate, to the National Office of the Office of Price Stabilization, Foreign Trade Branch, Washington 25, D. C. This form should not be used for that purpose.

Merchant Exporters may price export sales and sales for export as follows: In the event that the commodity is sold in the domestic market the domestic ceiling price must be used as the export ceiling price on sales for export (made to Merchant Exporters). The use of such domestic ceiling prices as export ceiling prices must be reported as provided in Section 3. Merchant Exporters may apply their proposed markup, when effective, to their sales, only as follows: (1) On export sales, to the domestic ceiling price of their supplier to them; (2) On sales for export of a commodity sold exclusively in the export trade, to their cost of acquisition.

Tire Mileage

Ceiling Price Regulation 64

JULY 30, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

[Reprinted from the Federal Register of August 4, 1951]

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 64]

CPR 64—TIRE MILEAGE

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 64 is hereby issued.

STATEMENT OF CONSIDERATIONS

Many bus and taxicab operators rent the tires and tubes used by them from suppliers who usually manufacture the tires and tubes as well as service them for the users. This relationship is referred to as the tire mileage business. This is strictly a service business as title to the tires and tubes never leaves the manufacturer. In most cases all phases of service are involved, such as inspection, mounting, repairing, etc.

The usual industry practice for pricing this service is to negotiate a contract between the manufacturer and the mileage operator for relatively long periods of time, never less than a year, and often running two to five years. Various base rates are established taking into consideration the individual operating conditions, the size of the tire to be used, the type of equipment which the operator has in service, and the type of roads travelled. In addition to these base rates, an adjustment clause generally applies to each contract permitting increases or decreases of the base rate for changes in these two primary factors:

(1) The cost of rubber.

(2) The cost of rayon and/or cotton.

Furthermore, should the average mileage delivered exceed the pre-determined expectations, there are usually provisions which allow bonuses to the operator; and there is usually a provision relating to disposal of the tires at termination of the contract.

A tire mileage contract therefore does not permit any adjustment for labor increases, general overhead and administrative increases, advertising, transportation or any other cost increases except increases in the cost of the major raw materials, rubber, rayon and cotton.

This regulation freezes the particular supplier's base rates at the general level of the base period, December 19, 1950, to January 25, 1951, the same base period used under the General Ceiling Price Regulation and Ceiling Price Regulation 34, but allows for adjustments to reflect changes in the cost of the raw materials, rubber, rayon and cotton, from their

cost at the time of the execution of the contract to their cost during subsequent accounting periods stated in the contract. It provides for new suppliers and new accounts by keeping the new contracts in line with the rest of the industry. Each operator is considered a separate class of purchaser because of the many differences in rating elements and their costs involved in each contract. In so doing, normal and established pricing methods for this service industry are maintained.

As a result of this regulation, there will be no immediate change in the cost of this service since the base rates of existing contracts are frozen and costs of the major raw materials, which are the bases for adjustments of the base rates for the immediate future, have not changed significantly since the freeze date. Cost changes are expected in these raw materials, however, and these will be passed on to the operator accordingly.

When the rates in the tire mileage industry were frozen by the General Ceiling Price Regulation and Ceiling Price Regulation 34, there was no provision for changes in the costs of the two major raw materials which represent more than half the cost of the tire. Therefore, if the costs of these raw materials increased, suppliers would have their profit margins cut substantially or eliminated entirely since this industry operates on a comparatively small profit margin. This would be undesirable since most large bus and taxicab operators use this service and the automotive transportation industry would be seriously disrupted. Under these contracts operators pay for their tires as they use them, in a more or less direct ratio, with no large capital outlay, such as would be required if they were compelled to buy their tires outright.

On the other hand, if the costs of these raw materials decreased, this decrease would not be passed on to the operator. This would be undesirable since most bus and taxicab rates are set by some public official or body and most petitions by operators for an increase or decrease in rate are based upon a rise or fall in the cost of operation. Thus a decrease in the cost of tire mileage might be reflected in a reduction in operators' charges or would offset other cost increases of the operator.

The Director of Price Stabilization considers both existing alternatives undesirable. Accordingly, in order to pass on certain decreases in costs to the operator and permit the supplier to continue this service by compensating him for increases in the costs of the major raw materials only, this regulation permits increases and requires decreases in costs to be passed on to the operator and

all other cost increases or decreases to be absorbed by the supplier by the inclusion of an escalator clause in all tire mileage contracts, which is the normal industry practice.

In the judgment of the Director of Price Stabilization, this regulation is generally fair and equitable and will effectuate the purposes of the Defense Production Act of 1950.

In formulating this regulation, the Director has consulted with representatives of industry to the extent practicable under the circumstances and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.

1. Coverage.
2. How to determine your ceiling rate.
3. Ceiling rates for new suppliers and new operator accounts.
4. Records.
5. Adjustments.
6. Adjustable rating.
7. Prohibitions.
8. Evasion.
9. Petitions for Amendment.
10. Penalties.

AUTHORITY: Sections 1 to 10 issued under sec. 704, Pub. Law 774, 81st Cong., as amended. Interpret or apply Title IV, Pub. Law 774, 81st Cong., as amended; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. Coverage. This regulation applies to transactions between you, if you supply tire mileage, and the person who buys such tire mileage from you, hereinafter referred to as the "operator". "Tire mileage" as used in this regulation means the supplying and servicing of tires for an operator at a rate per mile. "Tires" as used in this regulation refers to pneumatic rubber tires and tubes and any flaps that are used therewith. Each individual operator is to be considered a separate class of purchaser. This regulation does not apply to the renting of vehicles where a charge for the tires or tubes is included in the rental charge for the vehicle. This regulation applies in the 48 States and the District of Columbia, but not in the territories and possessions of the United States.

SEC. 2. How to determine your ceiling rate. The ceiling rate for tire mileage as defined in section 1 above is determined as follows:

(a) If at any time during the base period, which is December 19, 1950, to January 25, 1951, you had in effect a tire mileage contract with an operator, your ceiling rate for tire mileage to that operator is the rate computed pursuant to the provisions of such contract so long as you supply tire mileage to that operator.

(b) Notwithstanding the provisions of section 2 (a) above, on and after September 1, 1951, no payments shall be made on any tire mileage contract unless it includes adjustments pursuant

to a clause which passes on to the operator increases or decreases in the cost of rubber, rayon and cotton and was either in effect during the base period or approved by the Director of Price Stabilization.

If you had no such clause in a tire mileage contract in effect during the base period you may apply in writing to the Rubber Branch, Office of Price Stabilization, Washington 25, D. C., proposing such a clause for inclusion in your ceiling rate computations for such contract. This application shall contain a proposed adjustment clause and an explanation of your methods of computation contained therein. You should submit comparative data if available, on your other such adjustment clauses, if any, and competitive supplier's adjustment clauses in effect during the base period to similar operators.

You may not use the proposed clause until 15 days after mailing your application; thereafter, unless and until notified by the Director of Price Stabilization that your proposed clause has been disapproved or that more information is required your proposed clause shall be deemed approved. In the event that more information is required you may not use the proposed clause until 15 days after mailing the additional information.

SEC. 3. Ceiling rates for new suppliers and new operator accounts. (a) If you cannot calculate your ceiling rate under section 2 of this regulation:

(1) Because you are a new supplier; determine your base rates as well as your total ceiling rate for your service on an inline basis with the rest of the suppliers in the industry, taking into account the same factors, escalation clauses, bonus provisions, etc. as was used by suppliers of similar service to similar operators during the base period.

(2) Because you have a new operator account; determine your base rates as well as your total ceiling rate for your service on an inline basis with your other accounts if similar, which were being serviced during the base period, considering the same factors, where applicable, and using the same terms and conditions. Where you had no accounts similar to a new one, during the base period, compute your base and ceiling rates as well as terms and conditions in a manner and at costs in line with those used by other suppliers of the tire mileage industry. "New Operator Account," as

used in this regulation, is an account which entered into a tire mileage contract with a supplier subsequent to the base period.

(b) Within 10 days after execution of a contract, or 10 days after the effective date of this regulation whichever is later, a copy of any such contract involving a new supplier or a new operator account shall be filed by the supplier with the Rubber Branch, Office of Price Stabilization, Washington 25, D. C., together with a letter justifying the base rates contained therein by showing compliance in detail with paragraph (a) of this section. Your ceiling rates for supplying tire mileage to that operator will be determined pursuant to your proposed contract, unless and until the Director of Price Stabilization, disapproves or modifies the rates stated in the contract.

SEC. 4. Records. (a) You must prepare and preserve for examination by the Office of Price Stabilization all records regarding your rates and rating methods for tire mileage contracts in effect during the base period, so long as the Defense Production Act of 1950 remains in effect and for two (2) years thereafter.

(b) You must prepare and preserve for examination by the Office of Price Stabilization all records regarding the rates and rating methods for tire mileage contracts executed after the base period for the life of the contract or two years, whichever is longer.

SEC. 5. Adjustments. (a) You may apply for an upward adjustment of your ceiling rates established by this regulation if as a result of these ceiling rates you would operate at rates which are lower than those utilized by the tire mileage industry generally for a similar set of rating factors.

(b) If you believe one or more of your ceiling rates are not in line with those of the industry, you may apply by letter to the Director of Price Stabilization for permission to raise such rates. Your letter should contain detailed justification for the new rates by showing them to be in line with the rates charged by other tire mileage suppliers for a similar set of rating factors. Unless and until the Director of Price Stabilization approves in writing your proposed higher ceiling rates, you will continue using your ceiling rate established under section 2 or 3 of this regulation.

SEC. 6. Adjustable rating. Nothing in this regulation shall be construed to prohibit your making a tire mileage service contract at the ceiling rate in effect at the start of the contract or the lower of a fixed rate or a ceiling rate in effect at the start of the contract. You may not, however, unless specifically authorized by the Office of Price Stabilization, deliver or agree to deliver the tire mileage service at a rate to be adjusted upward in accordance with any increase in the ceiling rate after the start of the contract.

SEC. 7. Prohibitions. (a) On or after the effective date of this regulation, regardless of any contract or other obligation, you may not sell tire mileage and no person shall buy tire mileage at a rate higher than the ceiling rate. Of course, you may charge and the operator may pay lower rates than your ceiling rates at any time.

(b) Once you have reported your base ceiling rate or proposed base ceiling rate as required by this regulation, you may not thereafter redetermine it. A purely arithmetical error may, however, be corrected, but the correction must be reported to the Rubber Branch, Office of Price Stabilization, Washington 25, D. C.

SEC. 8. Evasion. Any practice which results in obtaining indirectly a higher rate than is permitted by this regulation is a violation of this regulation. Such practices include, but are not limited to changes in the usual industry practices and charges regarding abused tire penalties and termination rates.

SEC. 9. Petitions 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.

SEC. 10. Penalties. Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Defense Production Act of 1950.

Effective date. The effective date of this regulation is August 6, 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.

JULY 30, 1951.

Correction of Terminology

Ceiling Price Regulation 93
Amendment 1

DEC. 18, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[Ceiling Price Regulation 93, Amdt. 1]

CPR 93—CONSTRUCTION AND RELATED
SERVICES AND SALES OF INSTALLED
MATERIALS

CORRECTION OF TERMINOLOGY

Pursuant to the Defense Production Act of 1950, as amended (Public Law 774, 81st Congress, Public Law 96, 82d Congress), Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 93 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment corrects the terminology used in section 1 (b) by deleting

the words "a person" on lines 4 and 5 and again on lines 7 and 8 and substituting therefor the words "an individual man or woman." This substitution will restrict and distinguish the class exempted from the broader category included by the definition of "person" in section 1 (a). An additional change is made by the insertion of the words "or uses the construction services of" after the word "employs" on lines 5, 6 and 9, section 1 (b). This amplification excludes from the exemption granted by the section, partnerships and other co-operative relationships not definitely included by the word "employ."

AMENDATORY PROVISIONS

Ceiling Price Regulation 93, section 1 (b) is amended to read as follows:

(b) *Exemption.* Neither this regulation nor any other regulation heretofore or hereafter issued by OPS shall apply to

the sale of construction services by an individual man or woman who neither employs or uses the construction services of one or more persons nor employs or uses the construction services of one or more subcontractors. If at any time, however, an individual man or woman who is exempted by this provision employs or uses the construction services of one or more persons or one or more subcontractors he or she is subject to this regulation and must comply with all of its provisions including the record-keeping and reporting requirements.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective December 24, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

DECEMBER 18, 1951.

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FORM APPROVED
BUDGET BUREAU NO. 94-R383

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.

This form may be reproduced without change.

Submit Original only to the OPS District Office located nearest your principal place of business.

(City, Zone, State)

1 - CEILING CHARGE FOR LABOR (HOURLY RATE) - *Section 21(a)*

[illegible]

2 - CEILING CHARGE FOR MATERIALS - Section 21(b)

TYPE OF MATERIALS (a)	BASE PERIOD PERCENTAGE MARKUP		CPR 93	
	PROFIT (b)	OVERHEAD (c)	PROFIT MARKUP 90% OF (b) (d)	TOTAL MARKUP (e)

3 - CEILING CHARGE FOR USE OF CONSTRUCTION EQUIPMENT WHICH YOU DO NOT OWN - Section 21(d)

TYPE OF EQUIPMENT (a)	COST BASE (b)	BASE PERIOD PER- CENTAGE MARKUP		CPR 93	
		PROFIT (c)	OVERHEAD (d)	PROFIT MARKUP 90% OF (c) (e)	TOTAL MARKUP (f)

4 - CEILING CHARGE FOR USE OF CONSTRUCTION EQUIPMENT OWNED BY YOU - *Section 21(c)*

TYPE OF EQUIPMENT (a)	BASE PERIOD CHARGE (b)	REPLACEMENT COST		RATIO (d) ÷ (c) (e)	CEILING CHARGE (b) x (e) (f)
		BASE PERIOD (c)	CURRENT (d)		

I certify that the information given in this form is true and correct to the best of my knowledge and belief.

NOTICE: A willfully false statement is a criminal offense.

SIGNATURE OF OWNER OR AUTHORIZED AGENT	TITLE	DATE
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INSTRUCTIONS

This report must be filed with the appropriate OPS District office if you charged for construction services on the basis of hourly rates for labor, plus additional separate charges for materials and equipment service during the base period (July 1, 1949 to June 24, 1950).

Type of Service: Indicate the kind of service you offer, for example:

- a. Plumbing, heating, air conditioning, and refrigeration
- b. Painting and paper hanging
- c. Electrical work
- d. Masonry, tile setting, and/or plastering
- e. Carpentry and wood flooring
- f. Roofing and insulation
- g. Sheet metal work
- h. Concrete work
- i. Water well drilling
- j. Miscellaneous special trade contractors (specify)

1 - CEILING CHARGE FOR LABOR - SEC. 21(a)

Col. (a) Classification of Labor Used: List under this heading the labor classifications which you used during the base period (July 1, 1949 to June 24, 1950). "Classification of labor" means an hourly rated job identified by the kind of work performed and according to the customary skill required. (For Example: journeyman plumber, carpenter, steamfitter, apprentice, senior apprentice, helper, laborer).

Col. (b) Wage Rate Paid (per hour): In this column list for each classification of labor the highest straight time hourly wage rate you paid during the base period July 1, 1949 through June 24, 1950.

Col. (c) Wage Rate Paid (per hour)--Current: In this column list the straight time hourly wage rate which you pay each classification of labor as of the date of this report.

Col. (d) and Col. (e) Payroll Costs (per hour): Payroll costs include payroll taxes; cost of pension and insurance plans; premiums for compensation, liability and other required insurance which is based upon your payroll (but do not include trade association and union dues).

Col. (f) Total Labor Cost--Base Period: Base period hourly cost to you of each classification of labor established for a payroll period which was concurrent with your hourly charge shown in (h). This amount for the base period is (b) plus (d).

(Instructions continued on page 4)

Col. (g) Total Labor Cost--Current: Current hourly cost to you of each classification of labor, including applicable payroll costs, as defined under (d) and (e) above. This amount equals (c) plus (e).

Col. (h) Ceiling Charge to Buyer--Base Period: Determine the highest charge per hour which you made to a purchaser of the same class for each classification of labor during the base period.

Col. (j) Ceiling Charge to Buyer--Current: This column equals the amount shown in (h) plus the difference between (f) and (g). This is your hourly charge for labor.

2 - CEILING CHARGE FOR MATERIALS - SEC. 21(b)

Col. (a) Type of Materials: If during the base period, it was your practice to apply markups which varied in accordance with the general type or category of material used, you must list each such type or category having a different percentage markup. If, during the base period, you used only one percentage markup applied to all materials regardless of type or category, it will be sufficient for you to show "all materials" under column (a), and to carry a single line of percentage figures across columns (b), (c), (d) and (e). If during the base period, your total markup over the cost to you of lumber (of all grades) was 25%, total markup over building hardware (of all kinds) was 39%, and your markup over all other materials (regardless of type) was 10%, you list only the three terms, "Lumber" "Building Hardware", and "All Others" in column (a).

Col. (b) and Col. (c) Base Period Percentage Markup--Profit - Overhead: Find the highest percentage markup over the cost to you for each general type or category of material listed in column (a) which you had in effect during the base period for a purchaser of the same class. Separate each of these percentage markups into the applicable percentage representing profit, column (b), and the applicable percentage representing overhead, column (c). For example: If the total markup over the cost to you of lumber (of all grades) was 25%, 15% may have represented your profit and 10% would have remained to represent your recovery of overhead expenses. Enter the 15% in column (b) and 10% in column (c).

Col. (d) CPR 93--Profit Markup: Diminish your profit markup shown in column (b) by 10% and enter this reduced profit markup in column (d). For example: If your profit markup was 20% during the base period your diminished profit markup is 18%.

Col. (e) CPR 93--Total Markup: Add that portion of your base period markup which represented your recovery of overhead expenses, column (c), to your diminished profit markup, column (d). *This is your revised total markup*, column (e), and may be applied to the current cost to you of materials in the category which you have shown.

If you find that separation of your base period markup into an applicable percentage for recovery of overhead expenses and applicable percentage representing profit cannot be made, or imposes undue hardship, you may omit this separation and diminish your total base period percentage markup by 10%. If you choose this method, enter your total base period percentage markup in column (b); do not make any entries in either columns (c) or (d); in column (e) enter 9/10 of the percentage you have shown in column (b) -- this will give you your revised total percentage markup.

3 - CEILING CHARGE FOR USE OF CONSTRUCTION EQUIPMENT WHICH YOU DO NOT OWN - SEC. 21(d)

Col. (a) Type of Equipment: List here by type or category the construction equipment not owned by you which you used in the completion of your construction service. For example: Power saws, cranes, ditchers, and bulldozers.

Col. (b) Cost Base: Specify the elements of cost to which your markup for profit and overhead was applied in accordance with your base period practice. For example: Your markup may have been applied to your rental cost alone, to your operating costs alone, or to your combined rental and operating costs.

Col. (c) and Col. (d) Base Period Percentage Markup--Profit - Overhead: Find the highest percentage markup over your cost base which you had in effect during the base period for an item of construction equipment of the same kind for a purchaser of the same class. Separate that percentage markup into the applicable percentage representing profit, column (c), and the applicable percentage representing your recovery of overhead or other expense, column (d). For example: If the total markup over the cost base used by you was 40%, 15% may have represented your profit and 25% represented your recovery of overhead expenses. Enter 15% in column (c) and 25% in column (d).

Col. (e) CPR 93--Profit Markup: Diminish the profit markup shown in column (c) by 10% and enter this diminished profit markup in column (e). For example: If your profit markup shown in column (c) is 15% during your base period, your diminished profit markup is 13.5%.

Col. (f) CPR 93--Total Markup: Add the diminished profit markup found in column (e) to that portion of your base period markup representing your recovery of overhead expense (or overhead expense plus your estimated operating expense) as found in column (d). *This is your revised total markup*.

If you find that separation of your base period markup into an applicable percentage for recovery of overhead expenses and an applicable percentage representing profit cannot be made, or imposes undue hardship, you may omit this separation and diminish your total base period percentage markup by 10%. If you choose this method, enter your total base period percentage markup in column (c); do not make any entries in either columns (d) or (e); in column (f) enter 9/10 of the percentage you have shown in column (c) -- this will give you your revised total percentage markup.

4 - CEILING CHARGE FOR THE USE OF CONSTRUCTION EQUIPMENT OWNED BY YOU - SEC. 21(c)

Col. (a) Type of Equipment: List here by type or category the construction equipment owned by you which you used in the completion of the construction service. For example: Power saws, cranes, ditchers, and bulldozers.

Col. (b) Base Period Charge: Find the highest charge (by the hour, day, job, or other unit) which you had in effect during the base period (July 1, 1949 to June 24, 1950) for an item of construction equipment of the same kind for a purchaser of the same class.

Col. (c) and Col. (d) Replacement Cost--Base Period--Current: List in column (c) the base period replacement cost to you of the items of construction equipment. List in column (d) the current cost to you for replacement of these items of construction equipment.

Col. (e) Ratio: Divide the current cost of replacement, column (d), by base period replacement cost, column (c), and enter this figure in column (e).

Col. (f) Ceiling Charge: Multiply the base period charges, column (b) by the ratio, column (e). *This is your ceiling charge*. For example: If your base period charge was \$5.00 a day for the use of an item of construction equipment having a base period replacement cost of \$1000 and a current replacement cost of \$1100, your ceiling charge for the use of that item of construction equipment, under this regulation, would be $\$5 \times \frac{1100}{1000}$ or \$5.50 per day. (Section 21(c)(6) provides for your recovery of operating costs.)

(See Section 32 of CPR 93 for more details concerning filing of reports.)

OPS PUBLIC FORM NO. 102

UNITED STATES GOVERNMENT
OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D. C.

FORM APPROVED
BUDGET BUREAU NO. 94-R384

**CEILING CHARGE FOR LABOR (HOURLY RATE)
CONSTRUCTION AND RELATED SERVICES**

SUPPLEMENTAL REPORT

PURSUANT TO CPR 93, SECTION 32

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure.

This form may be reproduced without change

See Instructions on reverse of this form

Submit Original only to the OPS District Office located nearest your principal place of business

NAME OF COMPANY

ADDRESS OF COMPANY (Street and No.)

(City, Zone, State)

PUBLIC FORM NO. 101 WAS FILED IN OPS DISTRICT OFFICE (City and State)

(Date of filing)

1--CEILING CHARGE FOR LABOR (HOURLY RATE)

[illegible]

I certify that the information shown on this form is true and correct to the best of my knowledge and belief.

NOTICE - A willfully false statement is a criminal offense.

SIGNATURE OF OWNER OR AUTHORIZED AGENT

TITLE

DATE _____

**INSTRUCTIONS FOR COMPLETING OPS PUBLIC FORM NO. 102,
CEILING CHARGE FOR LABOR (HOURLY RATE)--CONSTRUCTION AND RELATED SERVICES**

You should not file this OPS Public Form No. 102 unless you have already filed OPS Public Form No. 101, Basic Report, "Sales of Construction Services on a Time and Materials or Hourly Rate Basis", and you are quoting or charging a higher ceiling charge than the ceiling charge reported on OPS Public Form No. 101. This report should be sent to the same OPS District office with which you filed OPS Public Form No. 101.

OPS Public Form No. 101 Was Filed

Indicate the District office of OPS with which OPS Public Form No. 101 (Basic Report) was filed and the date it was filed.

Col. (a) Classification of Labor Used

Repeat the labor classifications listed on OPS Public Form No. 101 for which you are changing your labor charge per hour based on changes in hourly wage rates paid by you.

Col. (b) Previously Reported--Total Labor Cost (per hour)

Repeat the amount previously reported as "Current Total Labor Cost (per hour)", column (g) of OPS Public Form No. 101.

Col. (c) Previously Reported--Ceiling Charge to Buyer (per hour)

Repeat the amount previously reported as "Current Ceiling Charge to Buyer (per hour)", column (j) on OPS Public Form No. 101.

Col. (d) Current Data--Total Labor Cost (per hour)

To determine this amount, for each classification of labor add your current wage rate per hour to your current payroll costs per hour. Payroll costs include payroll taxes, cost of pension and insurance plans, premiums for compensation, liability and other required insurance which is based upon the hourly labor rate (but do not include trade association and union dues).

Col. (e) Current Data--Increase in Total Labor Cost (per hour)

To determine this amount for each labor classification, subtract your previously reported total labor cost (per hour), column (b), from your current total labor cost (per hour), column (d).

Col. (f) Current Data--Ceiling Charge to Buyer (per hour)

This charge is derived by adding your current increase in total labor cost per hour, column (e), and your previously reported ceiling charge to buyer (per hour), column (c).

(See Section 32 of CPR 93 for more details concerning filing of reports.)

UNITED STATES GOVERNMENT
OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D.C.

FORM APPROVED
BUREAU BUDGET NO. 94-R452

CONSTRUCTION AND RELATED SERVICES -
BASIC REPORT OF INSTALLED SALES
PURSUANT TO CPR 93, SECTIONS 22 AND 32

The individual company information reported on this form is for use in connection with the Defense Mobilization Program. Persons who have access to individual company information are subject to penalties for unauthorized disclosure. This form may be reproduced without change

See instructions on reverse side of this form.
Submit original only to the OPS District Office nearest your principal place of business

NAME OF COMPANY		ADDRESS (No. & Street)		CITY & STATE		TYPE OF ESTABLISHMENT		
ITEM OF MATERIAL OR EQUIPMENT INSTALLED (a)	COST OF ITEM (b)	BASE PERIOD		CPR 93		CURRENT COST OF ITEM (g)	CPR 93	
		PERCENTAGE MARKUP		PERCENTAGE MARKUP			TOTAL DOLLAR MARKUP (f x g) (h)	CEILING PRICE (g + h) (i)
		PROFIT (c)	OVERHEAD & EST. INST. COST (d)	PROFIT (90 % of c) (e)	TOTAL (e + d) (f)			
	\$	%	%	%	%	\$	\$	\$
I certify that the information given above is true and correct to the best of my knowledge and belief. NOTICE - A willfully false statement is a criminal offense. SIGNATURE OF OWNER OR AUTHORIZED AGENT TITLE DATE								

**INSTRUCTIONS FOR COMPLETING OPS PUBLIC FORM NO. 103,
CONSTRUCTION AND RELATED SERVICES--BASIC REPORT OF INSTALLED SALES**

OPS Public Form No. 103 must be filed with the appropriate OPS District office if, during the base period, you charged for installed sales on the basis of a single charge which included the cost of the item and a markup over that cost wherein your markup was calculated to recover estimated installation cost under average conditions, to recover your overhead and to leave you a margin of profit. This type of installed sale transaction is covered by Section 22(c) of CPR 93.

Type of Establishment

This refers to the nature of your business. Indicate whether you operate a plumbing, heating or electrical shop, or other specific type of establishment.

Col. (a) Item of Material or Equipment Installed

Insert here the name of the item (including minimum identification) installed. This refers to entire item or assembly, inclusive of all the component parts necessary to complete the installation. For instance, if you install a kitchen sink, you specify in Column (a) "kitchen sink" and the type and size of that sink; this item would be considered as including all the component parts such as faucets, drains, pipes, and all appurtenances.

Col. (b) Base Period Cost of Item

Show here the total cost to you during the base period of the entire item to be installed, including component parts, as defined under (a) above.

Col. (c) and Col. (d) Base Period Percentage Markup for Profit--Percentage Markup for Combined Overhead Expenses and Estimated Installation Cost

These two percentages are derived by separating your highest base period markup over the cost to you of the item to be installed into the applicable percentage representing profit and the applicable percentage representing your recovery of combined overhead expenses and your recovery of estimated installation cost.

Col. (e) CPR 93--Percentage Markup for Profit

Insert 90% of the base period percentage markup for profit noted in Column (c).

Col. (f) CPR 93--Total Percentage Markup

The data here is derived from adding the percentages in Columns (d) and (e).

Col. (g) Current Cost of Item

Show here the current total cost to you of the entire item to be installed, including component parts, as defined in (a) above.

Col. (h) CPR 93--Total Dollar Markup

This dollar amount is derived from multiplying the percentage in Column (f) by the current cost of item, Column (g).

Col. (j) CPR 93--Ceiling Price

This figure is derived by totaling the data appearing in Columns (g) and (h).

If you find that separation of your base period markup into an applicable percentage for recovery of overhead and estimated installation cost expenses and an applicable percentage representing profit cannot be made, or imposes undue hardship, you may omit this separation and diminish your total base period percentage markup by 10%. If you choose this method, enter your total base period percentage markup in Column (c); do not make any entries in either Columns (d) or (e); in Column (f) enter 9/10 of the percentage you have shown in Column (c)-- this will give you your CPR 93 total percentage markup.

(See Section 32 of CPR 93 for more details concerning filing of reports)

UNITED STATES GOVERNMENT
OFFICE OF PRICE STABILIZATION
WASHINGTON 25, D. C.FORM APPROVED
BUDGET BUREAU NO. 94-R453CONSTRUCTION AND RELATED SERVICES-
SUPPLEMENTAL REPORT OF INSTALLED SALES

PURSUANT TO CPR 93, SECTION 32

See instructions on reverse side of this form.

Submit original only to the OPS District Office nearest your principal place of business.

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NAME OF COMPANY

ADDRESS (Street and No.)

(City, Zone and State)

PUBLIC FORM NO. 103 WAS FILED IN OPS DISTRICT OFFICE (City and State)

(Date of filing)

ITEM OF MATERIAL OR EQUIPMENT INSTALLED (a)	PREVIOUSLY REPORTED			CURRENT DATA	
	COST OF ITEM (b)	CPR 93		NEW COST OF ITEM (e)	REVISED CEILING PRICE (f)
		TOTAL PER- CENTAGE MARKUP (c)	CEILING PRICE (d)		
	\$	%	\$	\$	\$

I certify that the information given above is true and correct to the best of my knowledge and belief.

NOTICE: A willfully false statement is a criminal offense.

SIGNATURE OF OWNER OR AUTHORIZED AGENT

TITLE

DATE

**INSTRUCTIONS FOR COMPLETING OPS PUBLIC FORM NO. 104
CONSTRUCTION AND RELATED SERVICES--SUPPLEMENTAL REPORT OF INSTALLED SALES**

You should not file this Public Form No. 104 unless you have already filed OPS Public Form No. 103, "Construction and Related Services--Basic Report of Installed Sales," and you are quoting or charging a higher ceiling price than the ceiling price reported on OPS Public Form No. 103. This report should be sent to the appropriate OPS District Office with which you filed OPS Public Form No. 103.

OPS Public Form No. 103 Was Filed

Indicate the District office of OPS with which OPS Public Form No. 103 was filed and the date it was filed.

Col. (a) Item of Material or Equipment Installed

Insert here the name (including minimum identification) of the item installed. This refers to entire item or assembly, inclusive of all the component parts necessary to complete the installation. For instance, if you install a kitchen sink, you specify in column (a) "kitchen sink" and the type and size of that sink; this item would be considered as including all the component parts such as faucets, drains, pipes, and all appurtenances.

Col. (b) Previously Reported Cost of Item

Repeat here the amount reported as "Current Cost of Item" in Column (g), OPS Public Form No. 103.

Col. (c) Previously Reported--CPR 93--Total Percentage Markup

Repeat the percentage reported in Column (f), OPS Public Form No. 103.

Col. (d) Previously Reported--CPR 93--Ceiling Prices

Repeat the ceiling price reported in Column (j), OPS Public Form No. 103.

Col. (e) Current Data--New Cost of Item

Show here the total cost to you, as of the date of this supplemental report, of the entire item to be installed, including component parts, as defined under (a) above.

Col. (f) Current Data--Revised Ceiling Price

This figure is derived by multiplying the CPR total percentage markup, Column (c), by the new cost of the item, Column (e), and adding the resulting dollar amount to the new cost of item, Column (e).

(See Section 32 of CPR 93 for more details concerning filing of reports.)

Excepted Services

General Overriding Regulation 14

Excepted Services

JULY 9, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabilization,
Economic Stabilization Agency

[General Overriding Regulation 14]

GOR 14—EXCEPTED SERVICES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this General Overriding Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This General Overriding Regulation is an across-the-board regulation which exempts certain services from price control. All services now or hereafter totally exempted from price control will be listed in this General Overriding Regulation.

Some of the listed services have already been exempted under the provisions of Supplementary Regulation 15 to the General Ceiling Price Regulation. This supplementary regulation is simultaneously being revoked insofar as it deals with total exemptions. After this date, it will deal only with temporary suspensions and adjustable pricing authority as to sellers of certain services. The services which are now temporarily suspended are services furnished by hospitals and summer camps and certain services related to harvesting and packing of fresh fruits, vegetables, berries and nuts. The adjustable pricing authority is now applicable to contract carriers by motor vehicle and lessors of trucks and passenger cars.

Those services already exempted under such Supplementary Regulation 15 and which are merely incorporated into this General Overriding Regulation for convenience are services rendered by schools, printing and binding services pursuant to contract with the United States Government Printing Office, drilling of oil and gas wells and certain other services related to oil and gas wells, and certain rates regulated by the Department of Agriculture under the Packers and Stockyards Act. The statement of considerations for such Supplementary Regulation 15 discusses the reasons for these exemptions.

A number of services are exempted from price control for the first time by this General Overriding Regulation. They fall within three groups: (1) services over which the Office of Price Stabilization has no control by virtue of the provisions of section 402 (e) of the Defense Production Act of 1950; (2) services which have minor significance and slight effect upon the cost of living; and (3) services which cannot practicably be controlled.

In the first category are a number of exemptions for professional services as well as exemptions relating to publishing, broadcasting, motion picture and insurance fields. These groups are dealt with by section 402 (e) of the Defense Production Act of 1950.

In the second category are services such as the repair and maintenance of antiques, shoe shining by shoe shine boys, taxidermy, etc.

The third group includes stevedoring and watchman and guard services. These services involve such a narrow margin over labor cost and often involve such an individualized pattern of charging that the administrative difficulties of control out-weigh the benefits.

The use of parking space on streets and thoroughfares when regulated by governmentally operated parking meters is exempted from price control. Parking fees usually partake more of the nature of a tax or the exercise of a municipal police power in the regulation of the use of public streets than a charge for a service. This exemption from parking does not apply to parking charges in lots operated by governmental agencies or private persons.

A number of services are exempted by an occupational designation. It is made clear in the regulation that the exemption extends to services which fall within the scope of the particular occupation and which are not performed as an incident to a non-exempt service.

All services rendered by employees are exempted since the control of wages and salaries is not within the scope of Office of Price Stabilization activities. Services rendered by way of employment are under Wage Stabilization Board jurisdiction.

This additional list was prepared after the Director of Price Stabilization had consulted with numerous representatives from various service fields and had given consideration to their recommendations. Subjecting the charges for these services to price control would have no appreciable effect on the program of price stabilization and would impose an unnecessary administrative and enforcement burden. In the judgment of the Director of Price Stabilization, in view of the nature of the additional services exempted, no ceilings are required to be applied to prices for such services.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Applicability.
3. Exceptions.

AUTHORITY: Sections 1 to 3 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. What this regulation does. This regulation excepts from any ceiling price restrictions imposed by the Office of Price Stabilization the rates, fees and charges for supplying the services enumerated.

SEC. 2. Applicability. The provisions of this General Overriding Regulation are applicable to services supplied in the 48 States of the United States, the District of Columbia, and Alaska, Guam, Hawaii, Puerto Rico, Samoa and the Virgin Islands.

SEC. 3. Exceptions. (a) No ceiling price regulation now or hereafter issued by the Office of Price Stabilization shall apply to the rates, fees and charges for the supply of the services listed below and the services which fall within the scope of the occupations listed below:

- (1) Accountants and auditors.
- (2) Actors and actresses.
- (3) Actuaries.
- (4) Architects.
- (5) Artists.
- (6) Athletes.
- (7) Authors.
- (8) Cartoonists.
- (9) Chemists.
- (10) Chiropodists.
- (11) Chiropractors.
- (12) Clergymen.
- (13) Consuls and consulates of foreign governments.
- (14) Correspondents and news commentators.
- (15) Dentists.
- (16) Detective agencies.
- (17) Discounting, purchasing or advancing monies upon the security of accounts receivable, promissory notes, bills of exchange and other like commercial paper.
- (18) Drilling of oil and gas wells, including necessary operations in connection therewith, such as electrical logging services, preparation of locations, shot hole and diamond core drilling, fishing jobs, pulling, salvaging and plugging operations.
- (19) Economists.
- (20) Editors.
- (21) Educational services rendered in the educational facilities of schools and educational institutions which provide a systematic and supervised course of instruction in a branch of knowledge, art, craft, or skill.
- (22) Engineers—(aeronautical, chemical, civil, electrical, industrial, mechanical, metallurgical, mining, marine, etc.) other than engineering firms engaged in the sale of equipment or in contract construction.
- (23) Entertainers.
- (24) Fire fighting services in connection with oil and gas wells.
- (25) Foresters.
- (26) Geologists.
- (27) Trimming of hedges and cutting and maintenance of lawns.
- (28) Services performed in any calendar or fiscal year by any individual in his own home, but only if the total amount of the rates, fees and charges received therefor in the next preceding calendar or fiscal year did not exceed the sum of \$5,000.
- (29) Hunting, fishing, and trapping privileges on preserves.
- (30) Interest for the use of money.

(31) Investment counselling.
 (32) Repair and engraving of jewelry and articles of gold, silver or plated ware and the cutting, polishing and setting of precious or semi-precious stones and pearls. (Storage of such materials in safe deposit facilities is subject to Ceiling Price Regulation 34 as well as storage otherwise than in safe deposit facilities.)
 (33) Lawyers.
 (34) Lecturers.
 (35) Marketing forecasting.
 (36) Mathematicians.
 (37) Metallurgists.
 (38) Meteorologists.
 (39) Musicians.
 (40) Naturopaths.
 (41) Nurserymen rendering landscaping services in connection with a sale of an exempted commodity.
 (42) Nurses.
 (43) Repair and maintenance of objects of art and commodities made prior to 1850.
 (44) Occult sciences practitioners—spiritualists, mediums, fortune-tellers, astrologers.
 (45) Osteopaths.
 (46) Use of parking space on public streets and thoroughfares when regulated by governmentally operated parking meters. This exemption does not apply to motor vehicle parking rates, fees and charges in parking lots operated by governmental agencies.
 (47) Pharmacists—registered, for filling prescriptions which require the services of a registered pharmacist, and which contain a physician's, dentist's, veterinarian's, or any other licensed practitioner's written directions as to use, and is signed by him; provided, however, that where a registered pharmacist sells a product without transposing the written directions from the prescription to the label, that is the sale of a commodity and is not exempt under this regulation.

(48) Physicians and surgeons.
 (49) Physicists.
 (50) Printing and binding services rendered by printers and binders pursuant to "Standard Rate Contracts" entered into with the United States Government Printing Office.
 (51) Program elements (package productions) furnished by independent contractors (package producers) for use in radio or television broadcasting or in a motion picture, theater or night club.
 (52) Psychologists.
 (53) Shoe shining services supplied otherwise than in the operation of a business establishment.
 (54) Sports officials.
 (55) Statisticians.
 (56) Stevedoring (the loading or unloading of waterborne freight, the taking of goods from a place of rest on land or on a dock, pier, barge or lighter and stowing them in the hold or other cargo space of a ship or transferring goods similarly from the ship to a place of rest on land dock, pier, barge or lighter including the customary sorting and piling) and carloading and unloading services in connection with stevedoring (the loading or unloading of freight cars performed in connection with a "stevedoring" operation at the same general location on goods or merchandise that have been or are about to be subject to such "stevedoring" operation) when performed for any carrier by water, foreign or domestic.
 (57) Surveyors.
 (58) Syndicates which sell commodities or supply services the primary value of which depends upon editorial content, expression of ideas or dissemination of information.
 (59) Taxidermy.
 (60) Teachers.
 (61) Transportation of United States mail and parcel post.

(62) Trust, estate, escrow and corporate fiscal agency services—executorships, administratorships, guardianships, conservators and committeehips of minors and incompetents, trustee services rendered with respect to personal, corporate and pension trusts, and agency, custody and investment advisory actions), escrow services, coupon and dividend paying agency services, stock transfer agency and registrarship services.

(63) Veterinarians—registered or licensed under State or Municipal law.

(64) (i) Services, the rates for which are regulated by the United States Department of Agriculture under the Packers and Stockyards Act, as amended.

(ii) Grading, inspecting, classing, testing, weighing, analyzing, or licensing the fees or charges for which are fixed, approved or collected by the United States Department of Agriculture; and fees collected or charges made by the United States Department of Agriculture under its programs.

(iii) Financing operations paid directly by the United States Department of Agriculture under its programs.

(65) Services supplied by the United States Post Office Department.

(66) Snow removal services and rental equipment used in connection with snow removal, when performed for or rented to, the United States or any agency thereof, or to any State or Territorial government, or any agency or political subdivision thereof.

(67) Watchman and guard services.

Effective date. This General Overriding Regulation is effective July 9, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

JULY 9, 1951.

Certain Railroad
Car Repair Services

General Overriding Regulation 14
Amendment 1
JULY 25, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14,
Amendment 1]

GOR 14—EXCEPTED SERVICES

CERTAIN RAILROAD CAR REPAIR SERVICES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

Each year the Association of American Railroads issues a Code of Rules governing the condition of, and charges for repairs to, freight and passenger cars used in interchange service when made by one participant in the Code on cars owned by another participant. Under the Code of Rules, cars interchanged by subscribers thereto must be

inspected at railroad junction points, and repairs necessary to insure safe operation must be made before the cars may proceed. The charges set forth in the Code are based on the average current labor rates and material costs of all the subscribers to the Code, without profit, and practically all owners of railroad cars used in interchange service subscribe to the Code.

While in any particular month some car owners will perform more than their normal quota of repair work, for the most part there will be leveling off over a period of time as to the amount of repair work performed by the respective car owners. By utilizing the repair service provided for in the Code of Rules, the cost to the car owners is either the same as, or less than, the cost would be if they performed their own repair work. Since the repair services referred to are performed, without profit, exclusively among participants in the Code of Rules, the exemption from price control will in no way defeat or impair the price stabilization program, nor will such exemption have any material effect upon the cost of living or upon the general level of prices.

AMENDATORY PROVISIONS

General Overriding Regulation 14 is amended by adding a new section 4 to read as follows:

SEC. 4. Railroad car repair services performed by a railroad or other railroad car owner which is a party to the freight and passenger car interchange rules agreement of the Association of American Railroads in effect at the time of performance, when the charges for such services (including the furnishing of repair parts incidental thereto) are prescribed by the Code of Rules of the Association of American Railroads governing the condition of, and repairs to, freight and passenger cars for the interchange of traffic.

(Sec. 704, Publ. Law 774, 81st Cong.)

Effective date. This amendment to General Overriding Regulation 14 shall become effective July 30, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 25, 1951.

**CORRECTION - RAILROAD
CAR REPAIR SERVICES**

**GENERAL OVERRIDING REGULATION 14
AMENDMENT 1
CORRECTION
AUGUST 18, 1951**

**OFFICE OF PRICE STABILIZATION
WASHINGTON, D. C.**

[General Overriding Regulation 14,
Amendment 1]

GOR 14—EXCEPTED SERVICES

CERTAIN RAILROAD CAR REPAIR SERVICES

Correction

The following corrections are made to
General Overriding Regulation 14,
Amendment 1 (16 F. R. 7328).

1. Under the heading "Amendatory
Provisions," the statement reading
"General" Overriding Regulation 14 is
amended by adding a new section 4 to
read as follows: "is corrected to read as
follows: General Overriding Regulation
14 is amended by adding to section 3 the
following:".

2. The title "Sec. 4." is corrected to
read as follows: "(68)".

Additional Excepted
ServicesGeneral Overriding Regulation 14
Amendment 2
SEPT. 19, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[General Overriding Regulation 14, Amdt. 2]

GOR 14—EXCEPTED SERVICES

ADDITIONAL EXCEPTED SERVICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from all ceiling price regulations imposed by the Office of Price Stabilization, certain services which have minor significance and slight effect upon the cost of living, or services which cannot be practicably controlled.

Among such services are custom house brokers and foreign freight forwarders. The diversified nature of these non-retail services and the fact that payments therefor are often made outside the United States are such as to make impracticable their control under ceiling price regulations.

Also exempt are services supplied directly by any Federal, State or municipal government or any of their agencies, or political subdivisions, except services supplied in connection with terminals, docks, or warehousing facilities. Services performed by these governmental units usually involve an exercise of governmental powers on behalf of the public or powers which are essential to or inherent in governmental stability. The exemption, however, is limited to services rendered solely and directly by a government or by its governmental agencies, and does not extend to services rendered on behalf thereof by non-governmental agencies, such as subcontractors, lessees, licensees or concessionaires. Nor does the exemption apply to sales of commodities or services incidental or related to sales of commodities, even though such services are rendered directly by any such government or governmental agency.

Advertising agency services and services rendered by managers for actors, actresses, and athletes and by labor relations counsellors involve the interaction of many factors, such as varying marketing conditions and demands, time element, individual fee negotiations and with respect to advertising agencies special talent and subject matter incident thereto, which render such services not practicably amenable to regulation.

Claims adjusters, regardless of whether they do or do not work upon claims related to insurance as such, are performing services which are quasi-professional in nature and which have slight effect upon the cost of living. For these reasons an exception for services rendered by claims adjusters is deemed to be appropriate.

Rates and fees charged by real estate brokers, agents and appraisers, and those charged by mortgage brokers and mortgagees in connection with the negotiation, placement and securing of mortgages, are being exempt from price stabilization principally because the services rendered are varied and complex in nature and continuance of control would impose an administrative burden out of proportion to the benefits to be gained.

Consideration has been given to the exemption of the royalties and other charges for all patents, trademarks and copyrights because of their individuality and the diversified and complex nature of the agreements to which their use is subject. There is, however, despite the difficulties inherent in subjecting patents, trademarks and copyrights to price stabilization, the danger that royalties and other charges which are a part of the charge for the use or sale of a product if left uncontrolled would cause a rise in prices of such a product. As a consequence, the exemption from price control of royalties and other charges for the use or sale of patents, trademarks and copyrights does not apply to those royalties and other charges which are incidental to the sale or lease of a commodity by the grantor or an affiliate of the grantor of the patent right.

This amendment also exempts club dues and assessments of clubs, organized and operated exclusively for social, recreation and other non-profit purposes (unless such non-profit purposes are combined with a business or trade purpose), where no part of the earnings inures to the benefit of any private shareholder and where such dues and assessments do not constitute a payment for specific services rendered. However, dues and assessments of clubs organized for business or trade purposes or of clubs which combine such business or trade purposes with non-profit purposes, or for which specific services are rendered, are and will continue to be subject to regulation.

Maritime pilotage services supplied to ships and vessels and services rendered by justices of the peace, newsboys, notaries public and process servers, together with those rendered in connection with the detection of flaws in rails by detector cars, fall into the category of services which have minor significance and slight effect upon the cost of living. Into this category also fall ticker and tree surgery services.

This amendment adds wrecking services to the list of services exempt from price control. The services affected are those in which a "wrecker" undertakes to remove a building or other structure on behalf of the owner in return for the possession of the materials or equipment salvaged in the operation and, in some cases, for an additional monetary consideration. A "wrecker" is engaged in a highly specialized trade distinguished from demolition and razing where the sole object of the services is to clear a site and no consideration is given to any salvable materials. Wrecking services may involve payment to the owner when the value of the salvaged materials and equipment is in excess of the cost of the services rendered. Site clearance preparatory to and a part of a new construction project is not exempted by this amendment; nor is the sale of the materials or equipment recovered by the wrecker, his agent, or any other person.

Wrecking falls within the third group of services mentioned in the Statement of Considerations for General Overriding Regulation 14—Excepted Services—as one of those services which cannot practically be controlled. The considerations expressed in General Overriding Regulation 14 with respect to this third group are equally applicable to wrecking services.

Due to increased costs of doing business many consignee distributors of petroleum products have petitioned their principals for an increase in commissions. Distance of hauling the product seems to be a serious item of complaint on the part of the consignee distributors in that the cost of delivering the product in many cases exceeds the amount of the commission. Under the applicable petroleum regulations, prices for sales to consumers are established and are unaffected by changes in commission rates which may be negotiated between suppliers and their consignee distributors. In conferences with representatives of the industry, the Director of Price Stabilization has been advised that any increase in the commission rates negotiated by consignee distributors of petroleum products and their suppliers will not necessitate any increase in ceiling prices to consumers.

There is added by this amendment an exemption for services performed by barbers and beauticians. This has been done in order to conform ceiling price regulations to section 104 (g) of the Defense Production Act Amendments of 1951 which adds to subsection (e) of section 402 of the Defense Production Act of 1950 a new paragraph "(vii)" which reads in part "Prices charged * * * for services performed by barbers and beauticians."

This amendment also clarifies section 3 (a) (32) by expressly stating that watch

and clock repair services are not exempt from price control.

This amendment to the original list of exemptions provided in General Overriding Regulation 14 was prepared after the Director of Price Stabilization had further consulted with industry representatives in various fields, including trade association representatives, and had given consideration to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14 is amended in the following respects:

1. Paragraph (a) of section 3 is amended by adding after "occupations" the words "or categories."

2. Subparagraph (32) of paragraph (a) of section 3 is amended by adding at the end thereof the following: "This exemption does not extend to the repair of watches and clocks."

3. Paragraph (a) of section 3 is amended by adding subparagraphs (69) to (90) so that ceiling price regulations shall not apply to the services which fall within the scope of the occupations or categories listed below:

(69) Advertising agencies.

(70) Barbers and beauticians.

(71) Claims adjusters.

(72) Dues and assessments of clubs and associations, organized and operated exclusively for social, recreation and other non-profit purposes (unless such purposes are combined with a business or trade purpose) no part of the earnings of which inures to the benefit of any private shareholder, except when such dues and assessments are in whole or in part charged for the rendering of a specific service or services. Dues and assessments of clubs and associations having a business or trade purpose (as for example, automobile clubs) even though they could otherwise qualify for an exemption

under this paragraph are not included within this exemption.

(73) Custom house brokers and foreign freight forwarders.

(74) Detection of flaws in rails by detector cars.

(75) Justices of the peace.

(76) Labor relations counsellors.

(77) Managers of actors, actresses and athletes.

(78) Maritime pilotage services supplied to ships and vessels.

(79) Services rendered by mortgage brokers or mortgagees in connection with the negotiation, placement and securing of mortgages.

(80) Newspaper carrier hand delivery services.

(81) Notaries public.

(82) Process servers.

(83) Public relations counsellors.

(84) Real estate brokers, agents and appraisers.

(85) The grant of any right under a patent, trademark or copyright. This exception does not apply to a rate, fee or charge expressly paid or made for such a grant if that grant is incident to or an integral part of a sale or lease by the grantor or an affiliate of the grantor of any material subject to ceiling price regulation.

(86) Commissions paid by sellers of petroleum products delivered on consignment to distributors compensated on a commission basis.

(87) Ticker services.

(88) Tree surgery services.

(89) Services supplied directly by the United States, the States, Territories and possessions of the United States, and their political subdivisions and municipalities, the District of Columbia, and any agency of any of the foregoing. This exemption does not extend to the rates, fees or charges, for services which are incidental or related to or connected with

the sale of any commodity by any such government or governmental agency, or to the rates, fees or charges of subcontractors, lessees, licensees, concessionaires or other persons supplying such services in a private capacity for any such government or governmental agency. This exemption also does not apply to services supplied in connection with terminals, docks or warehousing facilities by any such government or governmental agency.

(90) Wrecking, as a separate transaction, whereby a building or other structure is torn down in such a manner as to salvage materials or equipment or both contained therein or forming part thereof; whereby the services are rendered by a person who is known in the trade as a "wrecker", who may receive in addition to the salvage a cash payment for his services or who may pay the owner of the building or other structure for the excess of the value of the salvage over the value of his services; and wherein the estimated value of the salvable material or equipment forms a substantial portion of the consideration for which the services are rendered. The exemption of wrecking, as herein defined, does not extend to site clearance performed as part of a construction project, nor does the exemption extend to the resale of the salvaged materials by the wrecker, his agent, or any other person.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This Amendment 2 to General Overriding Regulation 14 shall be effective September 19, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

SEPTEMBER 19, 1951.

Additional Excepted Services

General Overriding Regulation 14
Amendment 3

NOV. 5, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTONTITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[General Overriding Regulation 14, Amdt. 3]

GOR 14—EXCEPTED SERVICES

ADDITIONAL EXCEPTED SERVICES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 3 to General Overriding Regulation 14 extends the list of exemptions contained in that regulation to include certain others which are deemed to have slight effect upon the cost of living or which cannot be practicably controlled.

Falling into the first named category are cemetery rates, fees and charges of religious or charitable organizations or of cemetery companies exempt from Federal income taxes under section 101 (5) and (6) of the Internal Revenue Code. Interment and cremation services in such cemeteries are performed at cost and in many instances at an actual loss. The average number of employees of non-profit cemeteries is small and they are hard to replace. Recognizing a lag in cemetery wage rates, the Wage Stabilization Board has by its general Regulation No. 7 exempted these organizations and companies from wage controls under certain circumstances. It is now deemed advisable to exempt their cemetery activities from price stabilization.

Section 3 (a) (72) of General Overriding Regulation 14, as established by amendment 2 thereto, provides for the exemption of dues and assessments of non-profit clubs and associations which do not have a business or trade purpose. When these clubs and associations combine non-profit purposes with general or trade purposes, their dues and assessments for these purposes are too general in their application and consequently difficult to control. When, however, such organizations have a specific as well as a general business or trade purpose and their dues and assessments are used for such a specific as well as a general business or trade purpose, then such dues and assessments are and will continue to remain subject to price stabilization. However, automobile clubs and associations, while they do have a specific business purpose, are because of their minor effect upon the cost of living by this amendment specifically excepted from the bar of that subparagraph.

Street lighting systems dependent on gas are not only few in number but are

gradually giving way to the competition provided by other lighting systems. The servicing of a gas lighting system has, therefore, become a specialty performed almost exclusively by municipalities and public utilities or by a limited number of private companies. Because of these factors such services are exempted by this regulation.

Section 3 (a) (89) of General Overriding Regulation 14, as established by amendment 2 thereto, provides for the exemption of services supplied directly by the States and their political subdivisions and municipalities, among others, but does not extend to the rates, fees or charges of persons supplying such services in a private capacity for any such government or governmental agency. A new section is added to General Overriding Regulation 14, as amended, which provides that where the seller of an article must by law collect taxes for a State or municipality and the law permits such seller to retain a portion of such tax money for his own use, the amount of tax money retained by the seller is exempt from ceiling price regulation.

Section 3 (a) (21) of this General Overriding Regulation exempts educational services rendered in the educational facilities of schools and educational institutions which provide a systematic and supervised course of instruction in a branch of knowledge, art, craft or skill. This exemption was not intended to extend to the rates, fees or charges for other than educational services rendered in schools and educational institutions. Thus, their sports and entertainment activities, such as school fairs, or field and athletic events were not exempt. These sports and entertainment activities are, however, in general a necessary adjunct to the educational services supplied by such schools and institutions. Section 3 (a) (21) is, therefore, hereby amended to provide for an exemption for these activities.

Subparagraph (84) of paragraph (a) of section 3 to this General Overriding Regulation is amended to clarify its application. This provision is intended to exempt real estate appraisers and the sales and rentals of real property by real property brokers and agents. These services are not only varied and complex but in addition the prices or rentals of real property enjoy statutory exemption from price stabilization. Transactions otherwise affecting real estate, however, are not so exempt. Likewise, it is intended that services other than the selling or rental of real property by real property brokers and agents are and continue to be subject to ceiling price regulation. In particular, real estate management services by whomsoever rendered fall without the exemption provided by this regulation.

This amendment to the amended list of exemptions provided in General Over-

riding Regulation 14 was prepared after the Director of Price Stabilization had further consulted with industry representatives in various fields including trade association representatives, and had given consideration to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

1. Subparagraph (21) of paragraph (a) of section 3 is amended to read as follows:

(21) Educational, sports and entertainment services rendered by, and in the facilities of, schools and educational institutions which provide a systematic and supervised course of instruction in a branch of knowledge, art, craft or skill.

2. Subparagraph (72) of paragraph (a) of section 3 is amended to read as follows:

(72) Dues and assessments of clubs and associations, organized and operated exclusively for social, recreation and other non-profit purposes (unless such purposes are combined with a specific business or trade purpose) no part of the earnings of which inures to the benefit of any private shareholder, except when such dues and assessments are in whole or in part charged for the rendering of a specific service or services. Dues and assessments of clubs and associations having a specific business or trade purpose, except automobile clubs, even though they could otherwise qualify for an exemption under this paragraph are not included within this exemption.

3. Subparagraph (84) of paragraph (a) of section 3 is amended to read as follows:

(84) Real property appraisers; and the rates, fees and charges for the sale or rental of real property by real property brokers and agents, other than management agents for real property.

4. Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(91) Cemeteries which are operated by religious or charitable organizations or by cemetery companies, exempt from Federal income taxes under section 101 (5) and (6) of the Internal Revenue Code.

(92) Services rendered in connection with the repair, rental and maintenance of public street gas lighting equipment.

(93) State or municipal tax monies collected from purchasers to the extent such monies are retained pursuant to law by sellers of commodities and services.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154.)

Effective date. This amendment 3 to General Overriding Regulation 14 shall be effective November 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

NOVEMBER 5, 1951.

Additional Excepted Services

General Overriding Regulation 14

Amendment 4

DEC. 6, 1951

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[General Overriding Regulation 14, Amdt. 4]

GOR 14—ADDITIONAL EXCEPTED
SERVICES

THEATER TICKET BROKERS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 4 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from ceiling price regulation the charges made by governmentally licensed theater ticket brokers for theater ticket services to the extent that the maximum charges for

such services are established under statute or ordinance. The primary service performed by these ticket brokers is the sale of tickets for admission to theatrical performances. The charges for such admission by theater enterprises, themselves, are exempt from ceiling price regulation under the provisions of section 402 (e) (ii) of the Defense Production Act of 1950, as amended. This limited exemption to theater ticket brokers is, therefore, consistent with the statutory exemption for theater enterprises. In addition, since the exemption applies only to the extent the maximum fees are controlled under state or local law, this exemption is appropriate for reasons stated in the Statement of Considerations which accompanied the original issuance of General Overriding Regulation 14.

This amendment to General Overriding Regulation 14, as amended, was prepared after consultation with industry

representatives, and due consideration was given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respect:

Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(94) Theater ticket brokerage services rendered by theater ticket brokers licensed by governmental authority to the extent that the maximum charges for such services are established under a statute or a municipal ordinance.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154.)

Effective date. This amendment 4 to General Overriding Regulation 14 shall be effective December 6, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

DECEMBER 6, 1951.

Inactive Accounts or
Deposits in Maryland

General Overriding Regulation 14
Amendment 5
DEC. 29, 1951

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[General Overriding Regulation 14, Amdt. 5]

GOR 14—EXCEPTED SERVICES

INACTIVE ACCOUNTS OR DEPOSITS IN
MARYLAND

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 5 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 5 to General Overriding Regulation 14 exempts from ceiling price regulation the charges made against inactive deposits and inactive accounts by banks, trust companies and savings institutions in the State of Maryland to the extent permitted, and under the conditions prescribed, by Chapter 417 of the Laws of Maryland of 1951.

Before a charge may be made against these inactive deposits and accounts, they must have been abandoned for a period of ten years. Thereafter, these

charges continue until the deposit or account is completely absorbed or until such time (20 years from the time the account or deposit becomes inactive) as the balance of the account or deposit is paid over to the State of Maryland. In addition, the Maryland statute provides for the repayment of such charges by the bank, trust company or savings institution to the depositor or his legal representative upon proper proof of identity until such time as the balance of the deposit or account, if any, is turned over to the Treasurer of the State of Maryland. Thus, these charges by the banks, trust companies or savings institutions are not final but may be set aside at any time before the 20-year period of inactivity elapses. It does not appear, therefore, that such charges result in an absolute diminution of the deposit or account or that there is a present impairment of savings which would have an adverse effect upon the cost of living and the financial well-being of the country. Furthermore, since this narrow exemption applies only to the extent permitted under Maryland law, this exemption is appropriate for reasons stated in the Statement of Considerations which accompanies the original issuance of General Overriding Regulation 14.

This amendment to General Overriding Regulation 14, as amended, was prepared after consultation with industry

representatives and due consideration was given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respect:

Paragraph (a) of section 3 is amended by adding to the end thereof the following:

(95) Charges made against inactive deposits and inactive accounts by banks, trust companies and savings institutions in the State of Maryland to the extent permitted, and under the conditions prescribed, by Chapter 417 of the Laws of Maryland of 1951; provided that the amount of the charges remains reimbursable to the depositor upon demand until such time as the account or deposit is required by the Maryland law to be paid over to the Treasurer of the State, or, if the account or deposit shall be exhausted by such charges, then until such time as it would have been paid over had any balance then remained.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 5 to General Overriding Regulation 14 shall become effective December 29, 1951.

HAROLD LEVENTHAL,
Acting Director of Price Stabilization.

DECEMBER 29, 1951.

Additional Excepted
Service—Optometrists

General Overriding Regulation 14
Amendment 6
JAN. 17, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[General Overriding Regulation 14, Amdt. 6]

GOR 14—EXCEPTED SERVICES

ADDITIONAL EXCEPTED SERVICE, OPTOM-
ETRISTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 6 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 6 to General Overriding Regulation 14 exempts the services of an optometrist in the examination of human eyes, refraction of vision and making of appropriate ophthalmic

prescriptions, since these are generally the rendering of professional services. Rates or fees charged for professional services, as such, are exempt from price control by express provision of the Defense Production Act of 1950, as amended. Insofar as an optometrist is engaged in furnishing ophthalmic supplies he is selling a commodity, but where that sale is an integral part of a single transaction including the examination, refraction and prescription it is administratively impracticable to subject the transaction to price control regulation. Accordingly, this regulation exempts the rendering of services by an optometrist and the furnishing of supplies by an optometrist in filling his own prescriptions. If he renders any other services or if he furnishes any supplies in either refilling his own prescriptions or in filling prescriptions of others, the transaction remains under price control.

This amendment to the original list of exemptions provided in General Overriding Regulation 14, as amended, was

prepared after the Director of Price Stabilization had consulted with industry representatives, and had given consideration to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(96) Services rendered and ophthalmic supplies furnished by optometrists in making and filling their own prescriptions.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.)

Effective date. This Amendment 6 to General Overriding Regulation 14 shall be effective January 22, 1952.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

JANUARY 17, 1952.

Certain Advertising Charges

General Overriding Regulation 14
Amendment 7

JAN. 17, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTONTITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[General Overriding Regulation 14, Amdt. 7]

GOR 14—EXCEPTED SERVICES

CERTAIN ADVERTISING CHARGES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 7 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 7 to General Overriding Regulation 14 exempts from ceiling price regulation the advertising charges made for car cards, station posters and advertising displays used in

transportation facilities. This exemption of this limited portion of the general advertising field is consistent with previous action taken by the Congress and the Office of Price Stabilization in exempting from ceiling price regulation certain services. Section 402 (e) (iii) of the Defense Production Act of 1950, as amended, exempted from ceiling price regulation the rates, including the advertising rates, charged by any person in the business of operating or publishing a newspaper, periodical, or magazine, or operating a radio broadcasting or television station, a motion picture or other theater enterprise, or outdoor advertising facilities. In addition, section 3 (a) (69) of General Overriding Regulation 14 exempts from ceiling price regulation the charges for services performed by advertising agencies. This exemption is therefore appropriate for reasons stated in the Statements of Considerations which accompanied both General Overriding Regulation 14 and Amendment 2 thereto.

This amendment to General Overriding Regulation 14, as amended, was prepared after informal consultation with industry representatives and due consideration was given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respect:

Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(97) Advertising charges made for car cards, station posters and advertising displays used in transportation facilities.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 7 to General Overriding Regulation 14 shall become effective January 22, 1952.

MICHAEL V. DiSALLE,

Director of Price Stabilization.

JANUARY 17, 1952.

**Certain Non-Profit
Summer Camps**

**General Overriding Regulation 14
Amendment 8**
FEB. 6, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency

[General Overriding Regulation 14, Amdt. 8]

GOR 14—EXCEPTED SERVICES

CERTAIN NON-PROFIT SUMMER CAMPS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 8 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from ceiling price regulation the charges for services and commodities incidental thereto, made by non-profit summer camps whose total charges do not exceed \$30 per week per camper.

Non-profit summer camps for children are generally partially dependent

upon endowment or contributed funds. Payments made by or on behalf of the campers normally represent cost or less than the cost of maintaining the camper. Unless these non-profit summer camps are permitted to reflect cost increases in their charges to some extent, many of them will have to either limit the number of campers or discontinue their camping services. This might deprive needy and underprivileged children of the benefits obtained through summer camping. In addition most of the camps in the exempted group have heretofore charged from \$15 to \$25 per week per camper and, as in the case of the Boy Scouts and the Girl Scouts, carry on their summer camp activities as an important part of their year round activities. It is believed that this limited exemption will permit the continuance of efficient service and that it is also consistent with standards set forth in other exemptions.

This amendment to General Overriding Regulation 14, as amended, was prepared after consultation with industry

representatives and due consideration was given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respect:

Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(98) Charges, for services and commodities incidental thereto, made by non-profit summer camps whose total charges do not exceed \$30 per week per camper.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This amendment 8 to General Overriding Regulation 14 shall be effective February 11, 1952.

EDWARD J. PHELPS, Jr.,
Acting Director of
Price Stabilization.

FEBRUARY 6, 1952.

Terminal, Dock or
Warehousing Services
of Government or
Governmental Agency

General Overriding Regulation 14
Amendment 9
MARCH 26, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 9]

GOR 14—EXCEPTED SERVICES

**TERMINAL, DOCK OR WAREHOUSING SERVICES
OF GOVERNMENT OR GOVERNMENTAL
AGENCY**

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 9 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from ceiling price regulation the charges for services supplied directly by Federal, State or local Government, or any agency of such government, in operation of terminal, dock, or warehousing facilities.

Amendment 2 to GOR 14, effective September 19, 1951, included a new pro-

vision, stated in section 3 (a) (89), which had the effect of exempting "governmental" services generally, but terminal, dock and warehousing services were specifically excluded from that exemption, and hence remained subject to ceiling price control.

On further consideration the Director is of the opinion that the rationale supporting the exemption of "governmental" services generally should be applied to terminal, dock and warehousing services supplied directly by government authorities or agencies thereof. The services here involved have as their basic purpose the stimulation of commerce to or through the particular area or locality in question for the benefit of the general public. Hence, the charging of unreasonable or oppressive rates would defeat the very purposes for which the operations are instituted. For these reasons, the Director is of the opinion that the governmental bodies which operate such facilities will guard against any abuse in the matter of charges made for the services, and therefore such terminal, dock and warehouse operations should be included in the general exemption of "governmental" services as

covered in section 3 (a) (89) referred to above.

Prior to the issuance of this amendment the Director has consulted with representatives of governments and government agencies affected by this action.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

Subparagraph (89) of paragraph (a) of section 3 is amended by deleting the last full sentence thereof, the matter deleted reading as follows: "This exemption also does not apply to services supplied in connection with terminals, docks or warehousing facilities by any such government or governmental agency."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 9 to General Overriding Regulation 14 shall be effective March 26, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 26, 1952.

Trailer Accommodations

(Changing title; amending Sec. 1;
adding Sec. 4)

General Overriding Regulation 14**Amendment 10**

APRIL 10, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14,
Amdt. 10]

**GOR 14—EXCEPTED AND SUSPENDED
SERVICES****TRAILER ACCOMMODATIONS**

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 10 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 10 to General Overriding Regulation 14 suspends from ceiling price regulation charges made for trailer accommodations on which maximum rents have been established by the Office of Rent Stabilization pursuant to the Housing and Rent Act of 1947, as amended. Under that statute the Office of Rent Stabilization regulates, under certain conditions, charges made for any housing accommodation in a motor court,

any trailer, or ground rented as trailer space in defense rental areas. At the same time, Ceiling Price Regulation 34 regulates ceiling prices which may be charged for the use of space by trailers. It is necessary, therefore, in order to avoid dual control by these two government agencies in this limited field that the regulation of trailer space by the Office of Price Stabilization be limited to situations where there is no control exercised by the Office of Rent Stabilization. Thus, so long as maximum rents have been established for these facilities by the Office of Rent Stabilization, a suspension from OPS ceiling price regulation is provided.

In view of the corrective nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

1. The title of the regulation is amended to read as follows: **GOR 14—Excepted and Suspended Services**, as set forth above.

2. Section 1 is amended to read as follows:

SECTION 1. What this regulation does. This regulation exempts or suspends from any ceiling price restrictions imposed by the Office of Price Stabilization the rates, fees and charges for supplying the services enumerated.

3. A new section 4 is added to read as follows:

SEC. 4. Suspensions. (a) The rates, fees and charges for the supply of the services listed below are suspended for the respective periods therefor listed below from the provisions of any ceiling price regulation now or hereafter issued by the Office of Price Stabilization:

(1) Charges for trailer accommodations as long as the maximum rents therefor shall be established or be subject to regulation by the Office of Rent Stabilization under the Housing and Rent Act of 1947, as amended.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 10 to General Overriding Regulation 14 shall become effective April 15, 1952.

ELLIS ARNALL,

Director of Price Stabilization.

APRIL 10, 1952.

**Railroad Per Diem
Mileage Allowance, Etc.**
(Adding Sec. 3(a)(99))

**General Overriding Regulation 14
Amendment 11**
APRIL 11, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 11]

**GOR 14—EXCEPTED AND SUSPENDED
SERVICES**

**RAILROAD PER DIEM, MILEAGE ALLOWANCE
AND PROTECTIVE SERVICES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency general Order No. 2, this Amendment 11 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from ceiling price regulation certain rates and charges made for the use of railroad cars and certain services incident thereto. The specific rates and charges are per diem payments, mileage allowances and charges for protective services incident to the use of certain special types of railroad cars.

In the case of per diem payments, such payments have been developed through many years of trial and represent compensation to the car owner for the use of its equipment. A most important feature of the per diem system is that it provides an incentive to accelerate car

movements with a resultant maximum use of such equipment. In a similar manner, mileage allowance represents compensation to the car owner for the expenses of car ownership, including among other items, interest on the necessary investment, depreciations, insurances, taxes, and repairs. Finally, the charges for protective services represent an amount for preparing special types of railroad cars for use. Such services include, but are not limited to, refrigeration, icing, heating and ventilation and are usually rendered by the owners of the cars in order to utilize their special facilities and trained personnel.

In view of the nature of these services, the exemption of the rates and charges therefor will not have any significant effect upon business costs, cost of living or the general level of prices, nor is this exemption likely to result in any diversion of scarce materials or manpower from more essential operations. The nature of the services mitigate against the likelihood of price abuses. Under the circumstances, continuation of controls of these services would involve administrative burdens out of proportion to the benefits to be gained thereby.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

In the judgment of the Director, the exemptions provided for by this amendment will not defeat or impair the price stabilization program or the objectives of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(99) Per Diem, Mileage Allowance and Protective Services in connection with the use of railroad cars between railroads, and between railroads and private railroad car owners, who are participants in and operate under the Car Service Rules and Per Diem Rules of the Code of the Association of American Railroads, or are parties to and operate under the rules, regulations and charges of Mileage Tariff No. 7-N, L. C. Schuldt, Agent, I. C. C. No. 3924, or as hereafter amended or revised.

(Sec. 704, 64 Stat. 815, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 11 to General Overriding Regulation 14 shall become effective April 11, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 11, 1952.

**Exemption of Transportation and
Spreading Charges on Agricultural
Liming Materials**

(Adding Sec. 3(a)(100))

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**General Overriding Regulation 14
Amendment 12**

APRIL 16, 1952

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 12]

**GOR 14—EXCEPTED AND SUSPENDED
SERVICES**

**TRANSPORTATION AND SPREADING OF AGRI-
CULTURAL LIMING MATERIAL**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 12 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 14 exempts from price control the rates and charges for the transportation and spreading of agricultural liming materials. Agricultural liming materials, are, generally speaking, any materials that contain calcium alone or calcium and magnesium, in form and quantity sufficient to neutralize soil acidity, and which are sold for agricultural purposes. The term agricultural liming materials is well known among the users of these products and a more complete definition of the term is set forth in the Statement of Consider-

ations which accompanies Ceiling Price Regulation 77.

Agricultural liming materials are generally sold on a delivered-to-farm or delivered-and-spread basis. In some cases, the producer of liming materials makes delivery in his own trucks, while in other cases for-hire carriers are engaged. The producer usually establishes trucking and spreading rates on a geographical basis with a flat rate for hauling into a specified area, such as a county or township. The rate for such a specified area is the same for all truckers who desire to provide the service.

Trucking and spreading of agricultural liming materials is a local, seasonal operation performed mainly by small owner-operators. In very few cases does a carrier operate more than one truck. It is estimated that there are approximately 8,000 of this type of trucker in the United States. Since many of these operators offer both a trucking and a spreading service any accurate allocation of costs is difficult, if not impossible, to obtain.

During 1950, 29,000,000 tons of agricultural liming materials were produced in the United States. Of this total, 23,000,000 tons, or 80 percent, were purchased either directly or indirectly by the United States Department of Agriculture. The extent of the activity of the Department of Agriculture in the agricultural liming materials market will prevent any great

fluctuations or undue increases in prices which might otherwise result from decontrolling the rates charged by these truckers and spreaders.

This exemption applies only to the trucking and spreading services and does not apply to sales of the agricultural liming materials themselves, on a delivered-to-farm or a delivered-and-spread basis. Such sales of the materials are subject to CPR 77.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14 is amended in the following respect:

Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(100) Rates and charges made for the transportation and spreading of agricultural liming materials.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 12 to General Overriding Regulation 14 shall become effective April 16, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 16, 1952.

Resale Book Match
Advertising Charges
(Adding Sec. 3(a)(101))

General Overriding Regulation 14
Amendment 13
APRIL 24, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[General Overriding Regulation 14, Amdt. 13]

GOR 14—EXCEPTED AND SUSPENDED
SERVICES

RESALE BOOK MATCH ADVERTISING CHARGES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 13 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 13 to General Overriding Regulation 14, as amended, exempts from ceiling price regulation the sale of advertising on resale book match covers by match book manufacturers or distributors. Resale book matches are sold and distributed by match manufacturers through wholesalers or jobbers, and ultimately to the consumer who usually receives them without charge in connection with the sale of tobacco or tobacco products. These resale book matches differ from special reproduction book matches which are specially designed as an advertising medium and are specially printed, manufactured and distributed to serve the advertising purposes of the purchaser.

Amendment 3 to General Overriding Regulation 8 exempted charges for advertising space on special reproduction book matches from ceiling price regulation. Advertising charges for space on resale book matches were not included in that exemption because of the sale of the matches as a separate item apart from the sale of advertising space. This amendment to General Overriding Regulation 14, as amended, exempts only the rates and charges made by match book manufacturers or distributors for advertising space on resale book match covers but does not affect the matches themselves, which remain subject to Ceiling Price Regulation 22 or General Ceiling Price Regulation.

This exemption covers a very limited portion of the general advertising field and is entirely consistent with previous action taken by the Congress and the Office of Price Stabilization in exempting advertising services from ceiling price regulation. Manufacturers of resale book matches who sell advertising space directly and distributors of these matches who purchase match books and then sell advertising space thereon, render services analogous to those performed in the publications and car card advertising fields. Section 402 (e) (iii) of the Defense Production Act of 1950, as amended, exempted from ceiling price regulation the rates, including the advertising rates charged by any person in the business of operating or publishing a newspaper, periodical or magazine, or operating a radio broadcasting or television station, a motion picture or other theater enterprise, or outdoor advertising facilities. In addition, section 3 (a)

(69) of General Overriding Regulation 14, as amended, exempted the charges for services performed by advertising agencies, and section 3 (a) (97) of General Overriding Regulation 14, as amended, exempted advertising charges made for car cards, station posters and advertising displays used in transportation facilities. This exemption is therefore appropriate for reasons stated in the Statements of Considerations which accompanied both General Overriding Regulation 14 and Amendments 2 and 7 thereto.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respect:

Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(101) the sale by match book manufacturers or distributors of advertising space on covers of resale book matches. (Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 13 to General Overriding Regulation 14 shall become effective April 29, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 24, 1952.

**Refilling of Their Own
Prescriptions by Optometrists
(Amending Sec. 3(a)(96))**

**General Overriding Regulation 14
Amendment 14
MAY 9, 1952**

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14,
Amdt. 14]

**GOR 14—EXCEPTED AND SUSPENDED
SERVICES**

**REFILLING OF THEIR OWN PRESCRIPTIONS BY
OPTOMETRISTS**

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 14 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 14 to General Overriding Regulation 14 exempts from ceiling price regulation the charges made by

optometrists for refilling their own prescriptions.

Amendment 6 to General Overriding Regulation 14, effective January 17, 1952, contained a provision, section 3 (a) (96), which exempted charges for services and supplies furnished by optometrists in making and filling their own prescriptions. This exemption was granted because the filling of his own prescriptions by an optometrist is inseparably connected with his examination of human eyes, refraction of vision, and the making of appropriate ophthalmic prescriptions which are professional services exempted by the Defense Production Act of 1950, as amended. The refilling of his own prescriptions by an optometrist was not included within that exemption. Upon further consideration, however, the Director has determined that an optometrist's professional duties are also involved in refilling his own prescriptions and that his charges therefor should also be exempt.

This amendment to the original list of exemptions provided in General Overrid-

ing Regulation 14, as amended, was prepared after the Director of Price Stabilization had consulted with industry representatives, and had given consideration to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respect:

Subparagraph (96) of paragraph (a) of section 3 is amended to read as follows:

(96) Services rendered and ophthalmic supplies furnished by optometrists in making and filling or refilling their own prescriptions.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 14 to General Overriding Regulation 14 shall become effective May 14, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MAY 9, 1952.

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Making and Supplying
Abstracts of Title to
Real Property

General Overriding Regulation 14
Amendment 15
JUNE 9, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14,
Amdt. 15]

**GOR 14—EXCEPTED AND SUSPENDED
SERVICES**

**MAKING AND SUPPLYING ABSTRACTS OF
TITLE TO REAL PROPERTY**

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 15 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment removes from price control fees and charges for making and supplying abstracts of title to real property.

By a prior amendment to General Overriding Regulation 14, other services in connection with real property transfers rendered by real estate brokers, agents, appraisers and mortgage brokers have been exempted from price control. The nature of the service of making and supplying abstracts of title to real property is closely allied to those services already exempted.

It is estimated that the average person requires a title abstract once during his lifetime. Furthermore, the Director has been advised that on the average there are one to five persons in each county engaged in the business of supplying abstracts of title to real property. Further, their charges, in many instances, are subject to state control. In view of the non-recurrent need for this service by purchasers and the comparatively small number of sellers, it is expected that this exemption will have little, if any, effect upon the cost of living. The administrative burden of retaining control over such fees and charges is out of proportion to the benefits gained.

This amendment was prepared after the Director of Price Stabilization had consulted with industry representatives, trade associations and individual title abstract companies and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(102) Fees and charges for making and supplying abstracts of title to real property.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 15 to General Overriding Regulation 14 shall become effective June 9, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 9, 1952.

THE HISTORY OF THE UNITED STATES

1. The first settlers of the United States were the Pilgrims, who came to the New World in 1620 on the Mayflower.	2. The Pilgrims were a group of English Puritans who sought religious freedom in the New World.	3. The Pilgrims established the Plymouth colony in Massachusetts, which became one of the first permanent settlements in the United States.
4. The Pilgrims were joined by other settlers, including the Dutch, who came to the United States in 1614.	5. The Dutch established the colony of New Amsterdam, which later became New York City.	6. The Dutch colony of New Amsterdam was founded by the Dutch East India Company.
7. The Dutch colony of New Amsterdam was later taken over by the English in 1664.	8. The English colony of New York was established in 1614 by the Dutch.	9. The English colony of New York was later taken over by the Dutch in 1664.
10. The English colony of New York was later taken over by the Dutch in 1664.	11. The English colony of New York was later taken over by the Dutch in 1664.	12. The English colony of New York was later taken over by the Dutch in 1664.

Certain Textile Services
(Adding Sec. 4(b))

General Overriding Regulation 14
Amendment 16
JUNE 23, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[General Overriding Regulation 14, Amdt.
16]

GOR 14—EXCEPTED AND SUSPENDED
SERVICES

CERTAIN TEXTILE SERVICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 16 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds to the list of services suspended from price control those services which are performed in the course of the manufacture or processing of any fiber, yarn or fabric as to which the applicable ceiling price regulation has been suspended, or which has been excepted from price control.

Price controls over certain fibers, yarns and fabrics have been suspended because those commodities generally are selling at prices materially below ceilings and are not expected to reach ceilings in the foreseeable future. In general, a low level of selling prices of commodities has a depressing effect on the charges for services connected with the manufacture or processing of these commodities. As long as the prices of these commodities do not rise to any significant degree, resistance against increased charges for the services will continue. And since it is not anticipated that the prices of the commodities will reach ceilings in the foreseeable future, it appears that market forces will operate to prevent appre-

ciable increases in the service charges as well.

This amendment also suspends from price control services performed in the manufacture and processing of American-Egyptian Cotton. American Egyptian Cotton is not subject to price control, having been excepted by section 14 (s) (5) of the General Ceiling Price Regulation. Inasmuch as controls are being suspended by this amendment as to services such as ginning, baling and wrapping on American Upland cotton, it is considered advisable to suspend price control on those services when they are performed upon American-Egyptian cotton.

In the judgment of the Director, controls over the services suspended by this amendment are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program. In any event, this suspension will be terminated as to a service when controls are re-activated as to the fiber, yarn or fabric on which the service is performed.

All records which were required to be prepared and preserved under applicable ceiling price regulations in effect prior to this suspension must continue to be preserved.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respect:

1. Section 4 is amended by adding paragraph (b), to read as follows:

(b) The application of any ceiling price regulation, now or hereafter issued, to the services listed below, is suspended until further notice by the Director of Price Stabilization; *provided, however*, That persons who were required by any regulation heretofore issued to keep, prepare, or preserve any record concerning these services, shall continue to preserve and make available for examination by the Office of Price Stabilization, in the manner and for the period set forth in said regulation, all such records which they were required to have on June 21, 1952, or, in the case of services added to this section by subsequent amendment, which they were required to have on the effective date of any such amendment.

(1) All services performed in the manufacture or processing of any fiber, yarn, or fabric as to which the applicable ceiling price regulation has been suspended or which have been excepted from price control. Such services include ginning, baling, wrapping, throwing, commission weaving, commission warping and slashing, wool scouring, top making, spinning, burling and mending, garnetting, carbonizing, winding, dyeing, finishing, bleaching, scouring, napping, printing, mercerizing, singeing, shrinking, felting, shearing, water-proofing, gas-proofing, saponifying, embossing, moireing.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment to General Overriding Regulation 14 shall become effective June 23, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 23, 1952.

Table 1: Summary of Data		
Category	Value 1	Value 2
Category A	10	20
Category B	30	40
Category C	50	60
Category D	70	80
Category E	90	100
Category F	110	120
Category G	130	140
Category H	150	160
Category I	170	180
Category J	190	200
Category K	210	220
Category L	230	240
Category M	250	260
Category N	270	280
Category O	290	300
Category P	310	320
Category Q	330	340
Category R	350	360
Category S	370	380
Category T	390	400
Category U	410	420
Category V	430	440
Category W	450	460
Category X	470	480
Category Y	490	500
Category Z	510	520
Category AA	530	540
Category AB	550	560
Category AC	570	580
Category AD	590	600
Category AE	610	620
Category AF	630	640
Category AG	650	660
Category AH	670	680
Category AI	690	700
Category AJ	710	720
Category AK	730	740
Category AL	750	760
Category AM	770	780
Category AN	790	800
Category AO	810	820
Category AP	830	840
Category AQ	850	860
Category AR	870	880
Category AS	890	900
Category AT	910	920
Category AU	930	940
Category AV	950	960
Category AW	970	980
Category AX	990	1000

Armored Car Services

General Overriding Regulation 14

Amendment 17

JUNE 24, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency[General Overriding Regulation 14,
Amendment 17]GOR 14—EXEMPTED AND SUSPENDED
SERVICES

ARMORED CAR SERVICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 14 adds to the list of services exempted from ceiling price regulation the rates and charges of armored car companies for the transportation and guarding of money, securities and other valuables.

As stated in the statement of considerations accompanying General Overriding Regulation 14, the services exempted by it are those which the

Congress has exempted or those which have little or no significance upon the cost of living, or which cannot practically be controlled. Armored car service is important to banks and others handling large sums of money, securities and other easily disposable valuables. However, in terms of cost it is a relatively insignificant item to them and it has virtually no effect upon the general level of prices or upon the cost of living. Furthermore, the principal value of the armored car service is found not in the transportation as such, but in the protective custody afforded during transportation. As a practical matter the purchaser of armored car service pays for the personal service of guards, the furnishing of which has already been exempted from price control by subparagraph (67) of section 3 (a) of GOR 14. Finally, this guard service and transportation is so highly individualized that there are no readily definable classes of purchasers or patterns of rates or charges upon which to establish or adjust ceiling prices. The administrative burden of attempting to maintain fair and equitable price control without such a pattern far outweighs the benefit to be derived from the maintenance of control. Accordingly these services are

added to the list of exempted services in GOR 14.

Prior to the formulation of this amendment, consultation was had with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

It is the judgment of the Director that the exemption herein will not defeat or impair the stabilization program or the objectives of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended by adding at the end of paragraph (a) of section 3 a new subparagraph (103), as follows:

(103) Transportation by armored motor vehicles of money, securities and valuable articles and guarding services incident thereto.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 17 to General Overriding Regulation 14 shall become effective June 24, 1952.

ELLIS ARNALL,

Director of Price Stabilization.

JUNE 24, 1952.

Miscellaneous Amendments

(Amending Sec. 3(a)(68), (89), (99); adding 3(a)(104); and deleting 3(a)(46), and (65))

OFFICE OF PRICE STABILIZATION

WASHINGTON

General Overriding Regulation 14 Amendment 18 JULY 21, 1952

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Overriding Regulation 14, Amdt. 18]

GOR 14—EXCEPTED AND SUSPENDED SERVICES

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 18 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

In the Defense Production Act Amendments of 1952 extending the Defense Production Act of 1950, Congress specifically exempted sales of certain services from price control. Some of these services had previously been exempted from price control by this regulation, but its provisions require modification in some respects to comply with the Congressional action. Other services had not previously been exempted and are now added to the exemptions under this regulation.

Congress exempted sales of commodities and services by State and local governments and their agencies, and this exemption is now contained in General Overriding Regulation 11, Revision 2. Accordingly, subparagraphs (46) and (65) of section 3 (a) have been deleted because they are now incorporated in GOR 11, Revision 2, and subparagraph (89) has been amended to refer to the exemption now available under that regulation.

The Congress made certain changes in section 402 (e) (v) of the Defense Production Act, which originally exempted from price control only the rates of common carriers and other public utilities. The Congress has now added to the exemption rates charged by all persons subject to the Shipping Act of 1916. The Shipping Act, as amended principally by the Transportation Act of 1940, gives the Federal Maritime Board broad rate regulatory authority over common carriers by water in foreign commerce, in commerce between the United States and its territories and possessions, and in commerce within the territories. It also gives the Board authority to prevent those persons rendering terminal services in connection with such common carriers by water or in connection with common carriers by water in interstate commerce from employing unreasonable or discriminatory business practices. Common carriers by water subject to the Shipping Act have been exempt from

price control by virtue of the original exemption of common carriers contained in section 402 (e) (v) of the Defense Production Act. Therefore they are not included in this amendment. The Congress has now exempted the rates of those persons subject to the Shipping Act rendering terminal services in connection with such carriers. This exemption is now added to GOR 14. The exemption defines the persons it covers in terms substantially the same as the terms used in section 1 of the Shipping Act itself. These terms are as precise as feasible for language designed to embrace a broad group of businesses. Furthermore, there are several decisions of the United States Maritime Commission, now the Federal Maritime Board, and the Supreme Court of the United States which interpret these terms and thus provide a reasonable touchstone for making decisions as to the applicability of the exemption to a particular seller.

The Congress also amended section 402 (e) (v) of the Defense Production Act to exempt certain charges made or paid by common carriers for services which are not themselves common carriage, but which are interwoven with and incidental to common carriage. The charges made by common carriers which are exempt are those for the use of transportation equipment, for the use of washroom and toilet facilities in terminals and stations, for the use of parking facilities operated in connection with common carrier operations, and for the repair of transportation equipment. The charges paid by common carriers which are exempt are those for the performance of part of their transportation service rendered to the public, including pick-up and delivery and local transfer services and the use of equipment owned by others than common carriers, and charges for protective service against heat or cold to property transported. These new statutory exemptions are added.

This action also adds to GOR 14 the new statutory exemption relative to prices charged by bowling alleys for a game of bowling.

In view of the nature of this action, special circumstances have made consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

1. Subparagraph (46) of paragraph (a) of section 3 is deleted.
2. Subparagraph (65) of paragraph (a) of section 3 is deleted.

3. Subparagraph (68) of paragraph (a) of section 3 is amended to read as follows:

(68) Charges made by a common carrier for the repair of cars or other transportation equipment; charges for railroad car repair services performed by a railroad car owner who is a party to the freight and passenger car interchange rules agreement of the Association of American Railroads in effect at the time of performance, when the charges for such services (including the furnishing of repair parts incidental thereto) are prescribed by the Code of Rules of the Association of American Railroads governing the condition of, and repairs to, freight and passenger cars for the interchange of traffic.

4. Subparagraph (89) of paragraph (a) of section 3 is amended to read as follows:

(89) Services supplied directly by the United States, the States, Territories and possessions of the United States, their political subdivisions and municipalities, the District of Columbia, and any agency of the foregoing, to the extent that such services are exempted by, General Overriding Regulation 11.

5. Subparagraph (99) of paragraph (a) of section 3 is amended to read as follows:

(99) Charges made by a common carrier for the use by others of its cars or other transportation equipment; charges paid by a common carrier for the use of cars or other transportation equipment owned by a person other than a common carrier; charges paid by a common carrier to others for protective service against heat or cold to property transported or to be transported, charges for per diem, mileage allowance and protective services in connection with the use of railroad cars between railroads, and between railroads and private railroad car owners, who are participants in and operate under the car service rules and per diem rules of the Code of the Association of American Railroads, or are parties to and operate under the rules, regulations and charges of Mileage Tariff No. 7-N, L. C. Schuldt, Agent, I. C. C. No. 3924, or as hereafter amended or revised.

6. Paragraph (a) of section 3 is amended by adding at the end thereof the following subparagraphs:

(104) Rates charged by any person subject to the Shipping Act of 1916, Public Law 260, Sixty-fourth Congress, as amended, with respect to his business of furnishing forwarding, wharfage, dock, warehouse or other terminal facilities in connection with a common carrier by

water as the term "common carrier by water" is defined in section 1 of that act.

(105) Charges made by a common carrier for (i) the use of washroom and toilet facilities operated directly by it in its terminals and stations; (ii) the use of parking facilities operated directly by it in connection with its common carrier operations.

(106) Charges paid by a common carrier to others for (i) the performance of a part of its transportation services to the public; (ii) pickup and delivery and local transfer services.

(107) Prices charged for the game of bowling. This exemption does not extend to the supply of any other service or the sale of any commodity by the operator of a bowling alley.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 18 to General Overriding Regulation 14 is effective July 21, 1952.

ELLIS ARNALL,

Director of Price Stabilization.

JULY 21, 1952.

Additional Excepted Services

(Adding Sec. 3(a)(108)
and (109))

General Overriding Regulation 14**Amendment 19**

JULY 21, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[General Overriding Regulation 14, Amdt.
19]

GOR 14—EXCEPTED SERVICES**ADDITIONAL EXCEPTED SERVICES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 19 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 19 to General Overriding Regulation 14 extends the list of exemptions contained in that regulation to include fees of corporate directors and charges for admission to exhibits and various entertainment activities presented by certain non-profit organizations.

After consultation with other government agencies it has been determined that the fees charged by corporate directors for their services as representatives of the corporation, including attendance at meetings and participation in board of directors' meetings, may possibly be subject to the jurisdiction of the Office of Price Stabilization. However, in line with the policy of OPS to exempt services which have minor significance and slight effect upon the cost of living and services which cannot practicably be controlled, it is considered advisable to exempt fees charged by corporate directors acting in their capacity as directors of the corporation.

Also exempted are rates, fees and charges for admission to various cultural, educational, agricultural and in-

dustrial exhibits such as museums, historical restorations, etc., when operated solely and exclusively by a non-profit organization. The exemption also includes admission charges for special events of relatively short duration conducted exclusively by such non-profit organizations. Such special events include bazaars, carnivals, sports and entertainment activities when the special events conducted by the non-profit organization do not occur more than 30 days in any one calendar year. Generally, these special events are one or two day affairs and rarely do they continue more than two weeks.

The exemption, however, is limited to services rendered directly by non-profit organizations where no part of the receipts inures to the benefit of any private shareholder, and does not extend to services rendered on behalf of these non-profit organizations by persons supplying such services in a private capacity, such as subcontractors, lessors, lessees, licensors, licensees, concessionaires or promoters.

The exemption does not apply to sales of services incidental to or related to sales of commodities subject to OPS regulation, even though such services are rendered directly by a non-profit organization.

The limited applicability of these amendments and the varied and widespread nature of the services rendered has made formal consultation with industry representatives impracticable. However, informal conferences have been held with representatives of organizations affected by this regulation, and consideration has been given to their proposals and recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(108) Compensations paid to corporate directors acting in their capacity solely as directors of the corporation when such compensation is not subject to regulation by the Salary Stabilization Board. This exemption, therefore, does not extend to such matters as compensation paid corporate directors acting as employees of a corporation or in any capacity other than as director of a corporation.

(109) Admission charges to cultural, educational, agricultural and industrial exhibitions when operated directly by a non-profit organization where no part of the receipts inures to the benefit of any private shareholders or similar beneficiaries; or to bazaars, carnivals and other occasional or special entertainment or sport events conducted directly by such non-profit organization when such events do not occur for more than 30 days in any one calendar year. This exemption does not extend to the rates, fees, or charges for services which are incidental or related to or connected with the sale of any commodity subject to ceiling price regulation by any such non-profit organization, or to the rates, fees and charges of sub-contractors, lessors, lessees, licensors, licensees, concessionaires, promoters or other persons supplying services related to such exhibitions or special events conducted by any such non-profit organizations.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 19 to General Overriding Regulation 14 shall be effective July 21, 1952.

ELLIS ARNALL,

Director of Price Stabilization.

JULY 21, 1952.

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AUTHOR	TITLE	SUBJECT
Bacon, Francis	The Advancement of Learning	Education
Bacon, Francis	The New Organon	Science
Bacon, Francis	The History and Interpretation of Nature	History
Bacon, Francis	The Wisdom of Montaigne	Philosophy
Bacon, Francis	The Essays	Literature
Bacon, Francis	The Works of Francis Bacon	Bacon, Francis

Handling and Storage of Cotton

(Adding sub-paragraph 4(b)(2))

General Overriding Regulation 14**Amendment 20**

JULY 30, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

(General Overriding Regulation 14, Amdt. 20)

**GOR 14—EXCEPTED AND SUSPENDED
SERVICES****HANDLING AND STORAGE OF COTTON**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to General Overriding Regulation 14, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds to the list of services suspended from price control those services involved in the handling and storage of raw cotton.

The reasons for taking this action are (1) the large percentage of operators rendering such services who are presently under control either by other federal or state agencies and (2) the small use of total capacity of such facilities with a consequent self-controlling influence. On the basis of information pre-

sented to this office, it was found that the rates for approximately 75 percent of the total storage capacity for raw cotton are presently being controlled by the United States Department of Agriculture under the authority granted by the United States Warehouse Act, as amended, or by state regulatory commissions upon whom devolves the duty to keep storage and handling rates at a reasonable level. Secondly, during the storage year 1951-52, it was found that less than 35 percent of the total storage capacity for cotton was utilized at any one time, which fact is significant inasmuch as the cotton crop for that period was the third largest on record. This latter circumstance has had a restraining effect upon increases in such rates and, moreover, no change in this situation is contemplated in the near future.

In the judgment of the Director, the continuance of controls over the services suspended by this amendment, are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. Should sudden unwarranted increases result from this relaxation of control, this suspension may be terminated or modified at any time. Further, if controls are re-

activated on raw cotton, this suspension will be automatically terminated.

In the formulation of this amendment the convening of a formal Industry Advisory Committee was deemed impracticable. However, there has been consultation with industry representatives including trade association representatives to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended by adding at the end of paragraph (b) of section 4 a new sub-paragraph (2), as follows:

(2) The handling and storage of raw cotton and other warehousing services incident thereto, so long as price controls over raw cotton are in suspension.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 20 to General Overriding Regulation 14 shall become effective July 30, 1952.

ELLIS ARNALL,*Director of Price Stabilization.*

JULY 30, 1952.

The following table shows the results of the experiments conducted during the year 1908-1909. The table is divided into three columns: Date, Description of Experiment, and Results. The first column contains the dates of the experiments, the second column contains a brief description of the experiments, and the third column contains the results of the experiments. The results are given in terms of the number of plants that survived, the number of plants that died, and the number of plants that were injured. The table shows that the results of the experiments were generally favorable, with a high percentage of plants surviving and a low percentage of plants dying or being injured.

Date	Description of Experiment	Results
Jan. 1	Experiment 1	10 plants survived, 2 plants died, 1 plant injured
Jan. 15	Experiment 2	12 plants survived, 3 plants died, 2 plants injured
Feb. 1	Experiment 3	15 plants survived, 4 plants died, 3 plants injured
Feb. 15	Experiment 4	18 plants survived, 5 plants died, 4 plants injured
Mar. 1	Experiment 5	20 plants survived, 6 plants died, 5 plants injured
Mar. 15	Experiment 6	22 plants survived, 7 plants died, 6 plants injured
Apr. 1	Experiment 7	25 plants survived, 8 plants died, 7 plants injured
Apr. 15	Experiment 8	28 plants survived, 9 plants died, 8 plants injured
May 1	Experiment 9	30 plants survived, 10 plants died, 9 plants injured
May 15	Experiment 10	32 plants survived, 11 plants died, 10 plants injured
Jun. 1	Experiment 11	35 plants survived, 12 plants died, 11 plants injured
Jun. 15	Experiment 12	38 plants survived, 13 plants died, 12 plants injured
Jul. 1	Experiment 13	40 plants survived, 14 plants died, 13 plants injured
Jul. 15	Experiment 14	42 plants survived, 15 plants died, 14 plants injured
Aug. 1	Experiment 15	45 plants survived, 16 plants died, 15 plants injured
Aug. 15	Experiment 16	48 plants survived, 17 plants died, 16 plants injured
Sep. 1	Experiment 17	50 plants survived, 18 plants died, 17 plants injured
Sep. 15	Experiment 18	52 plants survived, 19 plants died, 18 plants injured
Oct. 1	Experiment 19	55 plants survived, 20 plants died, 19 plants injured
Oct. 15	Experiment 20	58 plants survived, 21 plants died, 20 plants injured
Nov. 1	Experiment 21	60 plants survived, 22 plants died, 21 plants injured
Nov. 15	Experiment 22	62 plants survived, 23 plants died, 22 plants injured
Dec. 1	Experiment 23	65 plants survived, 24 plants died, 23 plants injured
Dec. 15	Experiment 24	68 plants survived, 25 plants died, 24 plants injured
Jan. 1, 1909	Experiment 25	70 plants survived, 26 plants died, 25 plants injured

**Suspension of Renovating
and Repairing Bedding**

(Adding sec. 4(b)(3))

**General Overriding Regulation 14
Amendment 21**

AUG. 29, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON****TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency
[General Overriding Regulation 14, Amdt. 21]****GOR 14—EXCEPTED AND SUSPENDED
SERVICES****SUSPENSION OF RENOVATING AND REPAIRING
BEDDING**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 21 to General Overriding Regulation 14, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds to the list of services suspended from controls those services involved in the renovating and repairing of upholstered dual purpose sleeping equipment such as sofa beds and studio couches, metal beds, bedding, and bed pillows.

By Amendment 3 to General Overriding Regulation 5, which is being issued simultaneously with this amendment, controls on the sale of the foregoing commodities are suspended because their selling prices are substantially below ceilings and are not expected to reach ceilings in the foreseeable future. The reasons for that suspension action are more fully stated in the Statement of

Considerations of Amendment 3 to GOR 5.

The service charges for renovating and repairing these products are generally also below ceilings. In general, a low level of selling prices of commodities has a depressing effect on the charges for services connected with the manufacture or processing of these commodities. As long as the prices of these commodities do not rise to any significant degree, resistance against increased charges for the services will continue. And since it is not anticipated that the prices of the commodities will reach ceilings in the foreseeable future, it appears that market forces will operate to prevent appreciable increases in the service charges as well.

Cleaning services, such as dry cleaning and laundering, are supplied by an independent industry from the one affected by this amendment and remain subject to price control.

In the judgment of the Director, the continuance of controls over the services suspended by this amendment is not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. Should sudden unwarranted increases result from this relaxation of control, this suspension may be terminated or modified at any time. In any event the Director of Price Stabilization will terminate this suspension if controls are reactivated over bedding.

In view of the nature of this action, special circumstances have made consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is amended by adding a new subparagraph (3) to paragraph (b) of section 4, to read as follows:

(3) Renovating and repairing of the following commodities:

Upholstered dual purpose sleeping equipment. All upholstered dual purpose sleeping equipment, including upholstered sofa-beds, single and double studio couches, and, if they open into beds, love seats, chairs, and davenports.

Metal beds. Individual metal beds.

Bedding. Mattresses, including rubber mattresses, bed springs, box springs, mattress pads, headboards, cots, wood and metal, including bunks.

Bed pillows. All bed pillows.

The foregoing services do not include mere cleaning, such as dry cleaning and laundering.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective August 29, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

AUGUST 29, 1952.

Section 1: Introduction

Section 2: Methodology

Additional Exemptions

(Amending sec. 12)

General Overriding Regulation 5**Revision 1****Amendment 5**

AUG. 29, 1952

OFFICE OF PRICE STABILIZATION**WASHINGTON****TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**[General Overriding Regulation 5, Revision 1,
Amdt. 5]**GOR 5—EXEMPTIONS AND SUSPENSIONS OF
CERTAIN CONSUMER DURABLE GOODS AND
RELATED COMMODITIES****ADDITIONAL EXEMPTIONS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to General Overriding Regulation 5, Revision 1 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds vitrified chinaware and hand-made table, kitchen and art glassware manufactured in the United States, its territories and possessions, to the commodities exempted from price control by Article II, General Overriding Regulation 5, Revision 1.

These commodities, although not insignificant, are, when used for household purposes, minor luxury items for which there are available lower cost substitutes in good supply. Annual sales of

each are less than 45 million dollars. Over the past several years both commodities have tended to lose their market and suffer a decline in sales volume; in one case to machine-made glassware and in the other to semi-vitreous and plastic dinnerware. Sales of hand-made glassware in 1950, for example, were 17 percent lower than sales in 1948, which may be contrasted with an increase of 13 percent in sales of machine-made glassware.

There is little likelihood that exemption would result in any significant changes in the price levels of these commodities. Further, these items are not significant in business costs, the cost of living, or the defense program. Exemption would not cause any diversion of manpower or materials from other uses, especially in view of the declining trends of production, increased inventories, and less expensive competitive products. Furthermore, the administrative burdens outweigh the benefits to the stabilization program from maintaining controls on these items.

In the opinion of the Director, the provisions of this amendment are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the appli-

cable requirements of that act. In view of the nature of this amendment the Director has not found it necessary or practicable to consult formally with industry representatives. In the formulation of this amendment, however, there has been consultation with industry representatives, including trade association representatives and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Section 12 of General Overriding Regulation 5, Revision 1, is amended by adding the following unnumbered paragraphs:

Vitrified chinaware manufactured in the United States, its Territories and Possessions.

Hand-made table, kitchen and art glassware and hand-made blanks for such glassware, manufactured in the United States, its Territories and Possessions. Glassware and blanks are "hand-made" if they are gathered from a furnace by hand and mouth-blown or hand-pressed.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 5 to GOR 5, Revision 1, is effective August 29, 1952.

ELLIS ARNALL,

Director of Price Stabilization.

AUGUST 29, 1952.

CHAPTER 1: INTRODUCTION

1.1.1. Introduction to the subject.	1.1.2. Scope and objectives of the study.	1.1.3. Significance of the study.
1.1.4. Review of related literature.	1.1.5. Methodology of the study.	1.1.6. Organization of the study.
1.1.7. Summary of the findings.	1.1.8. Conclusion and recommendations.	1.1.9. Bibliography.

Suspends Certain Tanning Services

(Adding Sec. 4(b)(4))

General Overriding Regulation 14 Amendment 22

SEPT. 16, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Overriding Regulation 14,
Amdt. 22]

GOR 14—EXCEPTED AND SUSPENDED SERVICES

SUSPENDING CERTAIN TANNING SERVICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 22 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds to the list of services suspended from price control those services performed in the tanning, finishing or currying of leather, except such services performed in the territories and possessions of the United States.

By Amendment 1 to Ceiling Price Regulation 2, Revision 2, effective April 28, 1952, and Amendment 4 to General Overriding Regulation 4, Revision 1, effective June 23, 1952, all sales of imported and domestic hides and skins, and their cut parts suitable for making leather, and imported and domestic leather were suspended from price control, except sales in the territories and possessions of the United States, and in the case of leather, sales at retail. As

explained in detail in the statements of considerations for these two amendments, sales of these commodities were suspended because they are selling at prices materially below ceilings and are not expected to reach ceilings in the foreseeable future.

A low level of selling prices of commodities usually has a depressing effect on the charges for services connected with the processing of those commodities. Many shoe manufacturers, other users of leather and some tanners from time to time have hides and skins or semi-processed leather owned by them tanned, finished or curried on contract by another. It is apparent that these manufacturers will engage in this practice to a much lesser extent, or not at all, if leather processed to the desired stage can be purchased at a lower price than the cost of the raw material plus the processing service charge. Market forces will continue to hold these service charges in line and will prevent any appreciable increases. Accordingly, it is the judgment of the Director that as long as the prices of hides and skins and leather do not rise to any significant degree, charges for the processing of services suspended by this amendment will not increase appreciably.

In the judgment of the Director controls over the services suspended by this amendment are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. The Director may at any time

terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program. In any event this suspension will be terminated when the suspension of ceilings on hides and skins or leather is terminated.

All records which were required to be prepared and preserved under applicable ceiling price regulations in effect prior to this suspension must continue to be preserved.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Section 4 of General Overriding Regulation 14, as amended, is further amended by adding the following subparagraph to paragraph (b) thereof:

(4) All services performed in the tanning, finishing or currying of leather, except such services performed in the territories and possessions of the United States.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment to General Overriding Regulation 14 shall become effective September 16, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

SEPTEMBER 16, 1952.

1945-1946

1945-1946

1945-1946

1945-1946

1945-1946

1945-1946

1945-1946

1945-1946

1945-1946

Theater Ticket Brokers

(Amending Sec. 3(a)(94))

General Overriding Regulation 14**Amendment 23**

SEPT. 17, 1952

OFFICE OF PRICE STABILIZATION**WASHINGTON****TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**[General Overriding Regulation 14,
Amdt. 23]**GOR 14—ADDITIONAL EXCEPTED SERVICES****THEATER TICKET BROKERS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 23 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 23 to General Overriding Regulation 14 amends section 3 (a) (94) of that regulation by extending the present exemption of the sale of theater tickets by governmentally licensed and regulated theater ticket brokers to include sales of tickets to other events, including tickets to athletic and sporting events. The previous exemption for ticket brokers was limited to the sale of theater tickets partly because the admission charges made by the theater enterprises themselves, were exempted from ceiling price regulation by the provisions of section 402 (e) (iii) of the Defense Production Act of 1950, as

amended. On the other hand admission charges to non-scholastic athletic and sporting events were and are still subject to ceiling price regulation. However, upon further examination of the operation of the theater ticket broker industry there appears to be good reason for extending the exemption to the fees charged by ticket brokers for the sale of the tickets to sporting events. Such service on the part of the theater ticket brokers is normally incidental to their larger activity of acting as broker for the sale of theater tickets. In the metropolitan areas where theater ticket brokers are licensed and regulated by the municipal or State government and the municipal or State government establishes by law the maximum charge which the ticket broker may make for the resale of tickets there is generally no distinction made between the sale of theater tickets and the sale of tickets to sporting events. The maximum charge is usually the same whether the ticket be for a theatrical production or a sporting event. The service is likewise much the same, namely, that of securing tickets for members of the public who cannot purchase them at the box office. Moreover, the amount of income derived by ticket brokers for the sale of tickets to sporting events is small in relation to the burden of price control administration by the Federal government. For

these reasons the present limited exemption of ticket brokerage service is being extended to cover governmentally licensed and regulated ticket broker services in all cases where the maximum retail charge or brokerage fee is established by law.

In the formulation of this amendment there has been consultation with industry representatives to the extent practicable and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respect:

Subparagraph (94) of paragraph (a) of section 3 is amended to read as follows:

(94) Any ticket brokerage services rendered by theater ticket brokers licensed by governmental authority to the extent that the maximum charges for such services are established under a statute or a municipal ordinance.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This Amendment 23 to General Overriding Regulation 14, shall be effective September 17, 1952.

TICHE E. WOODS,
Director of Price Stabilization

SEPTEMBER 17, 1952.

Table 1: Summary of Data

Category	Sub-category	Value 1	Value 2	Value 3
A	A.1	10	20	30
	A.2	40	50	60
	A.3	70	80	90
	A.4	100	110	120
B	B.1	130	140	150
	B.2	160	170	180
	B.3	190	200	210
	B.4	220	230	240
C	C.1	250	260	270
	C.2	280	290	300
	C.3	310	320	330
	C.4	340	350	360
D	D.1	370	380	390
	D.2	400	410	420
	D.3	430	440	450
	D.4	460	470	480
E	E.1	490	500	510
	E.2	520	530	540
	E.3	550	560	570
	E.4	580	590	600

**Exempts Inspection
Fees and Charges**

(Adding Secs. 3(a)
(110) and (111))

**General Overriding Regulation 14
Amendment 24
OCT. 6, 1952**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 24]

GOR 14—EXCEPTED SERVICES

EXEMPTS INSPECTION FEES AND CHARGES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to General Overriding Regulation 14, is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 24 to General Overriding Regulation 14, adds two categories of inspection and testing services to the list of services removed from price stabilization regulations.

The categories of inspection and testing services thus exempted are: (1) non-retail inspection and testing services rendered by non-profit associations, such as lumber grading and inspection services, safety testing of gas or electrical appliances and fire safety inspection services performed, and (2) inspection and testing services to meet governmental health or safety requirements when such services are supplied by members of various service industries, for whom maximum rates and charges are estab-

lished by state statute, municipal ordinance, or order of a governmental regulatory body, including such services as motor vehicle inspections, warehouse inspections of grain and other agricultural commodities.

With respect to the inspection and testing services supplied by non-profit associations, such services, generally, are provided for the member of the association, and the charges for these services are only sufficient to cover the out-of-pocket expense of providing the services. In some instances, however, the service may be supplied to non-members of the association, but such instances are so infrequent that the exemption includes all inspection and testing services provided by such non-profit associations.

The Director has determined that the administrative burden of retaining control in the broad field of inspection and testing services outweighs the advantages of such control.

In the formulation of this amendment there has been consultation with industry's representatives including trade association representatives to the extent practicable, and consideration has been given to their recommendations.

In the judgment of the Director the provisions of this amendment are generally fair and equitable and are proper in the administration of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respect:

Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(110) Non-retail inspection and testing service supplied by non-profit associations (including but not limited to such services as lumber grading and inspection, safety testing of gas or electrical appliances and fire safety inspections).

(111) Inspection and testing service in compliance with governmental health or safety requirements when maximum service charges are established by state statute, municipal ordinance, or rule or order of a governmental regulatory body (including but not limited to such services as motor vehicle inspection, inspection and grading of grain and other agricultural commodities).

(Sec. 702, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 24 to General Overriding Regulation 14 shall become effective October 6, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

OCTOBER 6, 1952.

[illegible text]

[illegible text]

[illegible title]

[illegible text]

[illegible text]

[illegible text]

**Exemption of Fees By
Non-Profit Clubs**

(Adding Sec. 3(a)(112))

**General Overriding Regulation 14
Amendment 25**

OCTOBER 28, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 25]

**GOR 14—EXCEPTED AND SUSPENDED
SERVICES**

EXEMPTION OF FEES BY NON-PROFIT CLUBS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 25 to General Overriding Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

In accord with the policy of the Office of Price Stabilization to concentrate its efforts within the major areas materially affecting the cost of living, the average American family, business costs for the defense program, this Amendment extends the coverage of GOR 14 to include all dues, fees, assessments and charges for services rendered by non-profit clubs.

The services covered by this amendment do not enter significantly into the cost of living of the average American family, business costs or the defense program and the continuance of control involves administrative difficulties for the Office of Price Stabilization and the suppliers concerned which are disproportionate in relationship in the value of such control to the price stabilization program.

All charges made by non-profit social and athletic clubs except those rendered for a specific service have already been exempt from control by section 3 (a) (72) of General Overriding Regulation 14. Inasmuch as many of the charges of non-profit social and athletic clubs have already been exempt from price control administrative convenience makes it desirable to broaden the exemption to cover the remaining services. Exemption from price control of these services will not affect the price stabilization program. Furthermore, many non-profit social and athletic clubs are luxury items which have no effect upon the cost of living of the average American family.

In the formulation of this amendment there has been consultation with industry representatives, including trade associations, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended is further amended in the following respects:

1. Paragraph (a) of section 3 is amended by adding at the end thereof the following subparagraph.

(112) All dues, fees, assessments and charges for services rendered to members and their guests by non-profit clubs organized and operated for social and athletic purposes, no part of the earnings of which accrues to the benefit of any private shareholder. Included in this exemption among others are golf clubs, country clubs, and athletic clubs.

Effective date. This Amendment 25 to General Overriding Regulation 14 shall be effective October 28, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization

OCTOBER 28, 1952.

1. The first part of the report is a general introduction to the subject of the study. It discusses the importance of the study and the objectives of the research.

2. The second part of the report is a detailed description of the methodology used in the study. It includes information about the sample size, the data collection methods, and the statistical analysis techniques.

RESULTS AND DISCUSSION

1. The results of the study are presented in this section. It includes a summary of the findings and a discussion of the implications of the results.

2. The first part of the results section is a summary of the findings. It discusses the main results of the study and the conclusions that can be drawn from the data.

3. The second part of the results section is a discussion of the implications of the results. It discusses the theoretical and practical implications of the findings and the limitations of the study.

CONCLUSIONS

1. The conclusions of the study are presented in this section. It includes a summary of the findings and a discussion of the implications of the results.

2. The first part of the conclusions section is a summary of the findings. It discusses the main results of the study and the conclusions that can be drawn from the data.

3. The second part of the conclusions section is a discussion of the implications of the results. It discusses the theoretical and practical implications of the findings and the limitations of the study.

Exemption of Boat Repairs

(Adding Sec. 3(a)(113))

General Overriding Regulation 14**Amendment 26**

NOVEMBER 5, 1952

OFFICE OF PRICE STABILIZATION**WASHINGTON****TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 26]

**GOR 14—EXCEPTED AND SUSPENDED
SERVICES****EXEMPTION OF BOAT REPAIRS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this amendment to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

In accord with the policy of the Office of Price Stabilization to concentrate its efforts within major areas materially affecting the cost of living of the average American family, business costs, or the defense program, this amendment extends the coverage of GOR 14 to exempt from price control charges made for repair and conversion of all boats and

ships. This service does not enter significantly into the cost of living of the average American family, business costs, or the defense program, and the continuance of control involves administrative difficulties for OPS and the suppliers concerned which are disproportionate in relationship to the value of such control to the price stabilization program.

All repair and conversion services on boats over 65 feet in length have already been suspended from price control. Since boatyards perform similar services upon boats regardless of the length, the continued control of repair services and conversion of boats 65 feet and under in length present numerous administrative difficulties for the sellers of these services. Many boats 65 feet and under in length are pleasure craft, luxury items, the repair and conversion of which have no effect upon the cost of living of the average American family. In addition, sales of all boats and ships have already been suspended from price control by GOR 9, Amendment 24. Inasmuch as the major areas of the boat and ship industry have already been removed from control the exemption from control of

repair and conversion services for all boats and ships will not affect the price stabilization program and will be of substantial benefit to the sellers of the services.

In the formulation of this amendment, the Director has consulted with industry representatives including trade association representatives, and has given consideration to their recommendations.

AMENDATORY PROVISIONS

Paragraph (a) of section 3 is amended by adding at the end thereof the following subparagraph:

(113) Charges made for repair and conversion services to any boat, ship, barge, canal boat, lighter or tug.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

This amendment to General Overriding Regulation 14 is effective November 5, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

NOVEMBER 5, 1952.

**Coin-Operated
Amusement Machines**
(Adding Sec. 3(a)(114))

**General Overriding Regulation 14
Amendment 27**
DECEMBER 1, 1952

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 27]

**GOR 14—EXCEPTED AND SUSPENDED SERV-
ICES, ADDITIONAL EXCEPTED SERVICES**

COIN OPERATED AMUSEMENT MACHINES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 27 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment removes from price control fees and charges for operation of coin operated amusement machines such as juke boxes and other phonographs, skill games, strength-testing devices, and pinball machines.

This exemption applies only to machines operated for amusement pur-

poses. It does not apply to charges for operation of machines which dispense any commodity, even though those machines may also be operated for amusement. For example, charges for operation of "claw machines" which may dispense articles of merchandise, are not covered. Moreover, charges for rental or maintenance of any coin operated machines are not included in this exemption action.

In the judgment of the Director, controls over the services exempted by this amendment are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. Experience has shown that the administrative burden of retaining control over such service fees and charges is out of proportion to the benefits gained.

In the formulation of this amendment there was consultation with industry representatives, including trade association representatives to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended by adding at the end of paragraph (a) of Section 3 a new subparagraph (114) as follows:

(114) Operation of coin operated amusement machines, including, but not limited to, phonographs, skill games, strength-testing devices and pinball games; provided, however, that this exemption shall not apply to the charges for operation of machines which dispense any commodity, whether or not such machines are also operated for amusement.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment to General Overriding Regulation 14 shall become effective December 1, 1952.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

DECEMBER 1, 1952.

Installation, Repair and
 "Maintenance" of Bowling Alleys
 (Adding Sec. 3(a)(115))

General Overriding Regulation 14
 Amendment 28
 DECEMBER 9, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
 APPENDIX**

**Chapter III—Office of Price Stabiliza-
 tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 28]

GOR 14—EXCEPTED SERVICES

**INSTALLATION, REPAIR AND MAINTENANCE OF
 BOWLING ALLEYS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 28 to General Overriding Regulation 9, is hereby issued.

STATEMENT OF CONSIDERATIONS

This action complements the amendment to General Overriding Regulation 9 (Exemptions of certain industrial materials and manufactured goods), which exempts the sales and installation of bowling alleys by manufacturers and resellers of such commodities.

The reasons set forth in the statement of considerations accompanying the amendment to GOR 14, and is accordingly incorporated herein by reference as if it were a part hereof.

AMENDATORY PROVISIONS

General Overriding Regulation 14 is amended in the following respects:

Paragraph (a) of sec. 3 is amended by adding a new subparagraph to read as follows:

(115) Installation, maintenance, and repair of bowling alleys and bowling alley equipment and accessories. "Bowling alley equipment and accessories" includes, but is not limited to pin setters, ball lifts, ball return racks, gutters, bowler settees, bowling balls, etc.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2145)

Effective date. This General Overriding Regulation is effective December 9, 1952.

JOSEPH H. FREEHILL,
 Acting Director of Price Stabilization.
 DECEMBER 9, 1952.

Cuppage Rights
(Adding Sec. 3(a)(116))

General Overriding Regulation 14
Amendment 29
DECEMBER 8, 1952

OFFICE OF PRICE STABILIZATION
WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency

[General Overriding Regulation 14, Amdt. 29]

GOR 14—EXCEPTED AND SUSPENDED
SERVICES

CUPPAGE RIGHTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 29 exempts from ceiling price regulations the rates, fees and charges made by timber owners for the right to face, tap or cup standing trees for sap and gum, known in the trade as "cuppage rights".

Numerous commodities involved in the production of naval stores have already been removed from price control. These include the sale of crude pine gum, stumpage, and stumps. The situation thus presented is one in which the sale of the right to face, tap or cup standing trees remains under price control, although sales of stumps, the raw product, and the tree itself are no longer subject to ceiling price regulation. Those items representing the end products of naval stores operations, such as turpentine, rosin, tar, and pine oil which remain under price control are, at present market prices, well below ceiling so that exemption of auxiliary services in connection therewith will have little, if any, effect upon living costs, business costs, or the national defense effort.

Approximately 5 percent of the trees faced each year for naval stores products are owned by the United States. Many of the Southern States also lease public lands for cuppage operations. This exemption will permit various government agencies to accept bids for naval stores

offerings on the basis of current costs and market prices. In the formulation of this amendment, there has been extensive consultation with representatives of the Forest Service of the United States Department of Agriculture, the Department of the Interior, and other agencies, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

The following new subparagraph is added at the end of paragraph (a) of section 3:

(116) Cuppage rights.

Effective date. This Amendment 29 to General Overriding Regulation 14 shall become effective December 8, 1952.

JOSEPH H. FREEHILL,
Acting Director
of Price Stabilization.

DECEMBER 8, 1952.

Central Station Electric
Protection System Services
(Adding Sec. 3(a)(117))

General Overriding Regulation 14
Amendment 30
DECEMBER 15, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabiliza- tion, Economic Stabilization Agency [General Overriding Regulation 14, Amdt. 30]

GOR 14—EXCEPTED AND SUSPENDED SERVICES

CENTRAL STATION ELECTRIC PROTECTION SYSTEM SERVICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to General Overriding Regulation 14, is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 30 to General Overriding Regulation 14 exempts from ceiling price regulation the service charges made by central station electric protection systems. A central station electric protection system is one in which the operations of electrical protection circuits and devices are signalled automatically to, recorded in, maintained, and supervised from a central station having trained operators and guards in attendance at all times.

Section 3 (a) (67) of General Overriding Regulation 14 exempts "watchman and guard" services from price control and is limited in applicability to the services of guards and watchmen who are physically present on the premises at all times during their tour of duty, or who regularly visit the premises on a tour of neighborhood duty. It was not originally contemplated that the exemption include protection services rendered by means of electrical or mechanical warning devices installed by and leased by companies whose representatives appear

on the premises in response to any alarm given by the warning device.

The present action now exempting these protective services is consistent with previous exemptions granted by the Office of Price Stabilization in General Overriding Regulation 14. These include the exemption of rates, fees and charges of detective agencies by section 3 (a) (16); watchman and guard services by section 3 (a) (67) and armored car transportation services rates and charges by section 3 (a) (103).

The types of protection services involved here are very similar to those of the ordinary watchman or guard. The essential difference is that central station systems depend mainly upon electrical signalling devices rather than physical presence on the protected premises. The most common type of system now in use provides for the maintenance of a central station staffed with uniformed guards and other personnel on a twenty-four hour basis for the purpose of investigating and responding to alarms and other danger signals.

Several different types of services are supplied by these sellers, including burglar alarm, fire alarm, night watch, and sprinkler supervision, either by the use of automatic signalling devices or the supervision of regular guards employed by the buyer of the service. In addition, maintenance, installation, inspection, and related services are performed with respect to the electrical devices. As a practical matter, however, the purchaser of central station protection services pays for the potential personal service of guards and watchmen.

Because of the nature of these services, ceiling price regulation is difficult. The expense of establishing and maintaining a central station requires that those sellers negotiate long-term contracts, usually for five year periods. Thus, only

about one-fifth of the outstanding contract prices may be adjusted in any given year. Since labor represents approximately 50 percent of total operating costs, fluctuations in this cost, which occur constantly, require that these sellers have some degree of flexibility in order to adjust their operating ratios. Further, rates charged for these services are affected by diverse factors in each case, depending upon the type of service supplied, the value of the property protected, and the degree of coverage. In view of these facts and the previous exemptions granted in the general field of protective services, it is felt that the administrative workload involved does not warrant continued price regulation of this limited segment of the protective services field.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respect:

Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(117) Fees, rates and charges for supplying central station electric protection system services.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 30 to General Overriding Regulation 14 shall become effective December 15, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 15, 1952.

Additional Excepted Services

General Overriding Regulation 14

Amendment 31

DECEMBER 17, 1952

OFFICE OF PRICE STABILIZATION

WASHINGTON

TITLE 32A—NATIONAL DEFENSE,
APPENDIXChapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency[General Overriding Regulation 14,
Amdt. 31]GOR 14—EXCEPTED AND SUSPENDED
SERVICES

ADDITIONAL EXCEPTED SERVICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 31 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

In continuance of the policy of the Office of Price Stabilization to concentrate its efforts within major areas affecting the cost of living, business costs, and the defense program, this amendment extends the coverage of General Overriding Regulation 14 to exempt various services which do not exert a significant effect upon the cost of living of the average American family or business costs and the continued control of which involves administrative difficulties which are disproportionate in relationship to the value of such control to the stabilization program.

Advertising agencies have already been decontrolled and the provisions of the Defense Production Act of 1950, as amended, preclude control over radio and television broadcasting. Agencies that sell radio and television time, while in a separate category, perform functions that are incident to those performed by both the advertising and broadcasting industries. It is therefore not advisable to continue control over this group of service suppliers while contiguous service suppliers at both ends of its operation are not under control. For similar reasons this amendment exempts from control the fees and charges of nursing homes and managers and agents of professional entertainers.

Charges for services and commodities incidental thereto, made by non-profit summer camps, whose total charges do not exceed \$30 per week per camper, have previously been exempted from price control. Experience and administrative convenience dictate that the entire children's camp industry be exempt from controls. It is not to be expected that this action will affect the average American family, because summer camps for children which charge more than \$30 per week per camper are "luxury" services which do not exert a significant effect upon the average American family's cost of living.

The following additional luxury service items which have little effect upon

the cost of living of the average American family, are also exempted: travel agents and travel bureaus; cleaning and upkeep of non-commercial residential pools.

Further, this amendment exempts from price control charges made for the rental of costumes, dress suits, uniforms, and ecclesiastical, academic and fraternal order vestments. Sales of costumes, dress suits, uniforms, and ecclesiastical, academic and fraternal order vestments have already been decontrolled. These garments are rented by only a few persons for special and limited uses, often they are made to order and specification, repeat orders are rare, and the demand for them is highly inelastic. It is clear that they do not have a significant effect upon the cost of living or business costs.

Changing economic conditions within the tallow and gluestock industries influenced the exemption of the fees charged by renderers for the removal of dead stock and animals. For example, tallow and gluestock prices have fallen greatly, and the cost of furnishing the removal service now exceeds the value of the carcass. This aggravates the administrative difficulties attendant upon establishing a realistic ceiling price for the removal services. The exemption of this service will have no effect upon the cost of living nor on business costs, and its effect upon the farmer will be negligible because of its infrequent use. The fluctuations in the value of the carcass impose administrative burdens that render control over the service inadvisable in view of the negligible effect upon the economy.

Services rendered by better business bureaus, mercantile agencies, collection agencies and personal credit reporting and investigatory agencies are being decontrolled because they have only a minor effect upon business costs, and many phases of their operations have already been removed from control. The intangible nature of the commercial forecasting and investigating activities of these service suppliers makes continued price control difficult, and impractical in view of the concentration of this agency's efforts within major areas affecting our economy. For similar reasons business consultants and traffic consultants are exempt from control.

The exemption for pharmacists, registered, is extended to include oral prescriptions that are promptly reduced to writing, and conforms with the Humphrey-Durham Bill, Public Law 215, 82d Congress, Chapter 578, 1st Session, H. R. 3298.

In the formulation of this amendment there was consultation with industry representatives, including trade association representatives to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended is further amended in the following respects:

1. Subparagraph (47) of paragraph (a) of section 3 is amended to read as follows:

(47) Pharmacists—registered, for filling prescriptions which require the services of a registered pharmacist, and which contain a physician's, dentist's, veterinarian's, or any other licensed practitioner's written (oral, if promptly reduced to writing) directions as to use, and is signed by him; provided, however, that where a registered pharmacist sells a product without transposing the written directions from the prescription to the label, that is the sale of a commodity and is not exempt under this regulation.

2. Subparagraph 69 of paragraph (a) of section 3 is amended as follows:

(69) Advertising agencies and those agencies that sell radio and television time.

3. Subparagraph (98) of paragraph (a) of section 3 is amended to read as follows:

(98) Charges, for services and commodities incidental thereto, made by summer camps for children.

4. The following new subparagraphs are added at the end of paragraph (a) of section 3:

(118) Travel agents and travel bureaus.

(119) Rental of costumes, dress suits, uniforms, and ecclesiastical, academic and fraternal order vestments.

(120) Business consultants, traffic consultants.

(121) Managers and agents of professional entertainers.

(122) Better business bureaus.

(123) Collection agencies.

(124) Mercantile credit agencies and personal credit reporting and investigatory agencies including but not limited to credit bureaus.

(125) Cleaning and upkeep of non-commercial residential swimming pools.

(126) Removal of dead stock and animals by renderers.

(127) Nursing Homes.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 31 to General Overriding Regulation 14 shall become effective December 17, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 17, 1952.

Miscellaneous Amendments

(Amending Secs. 3(a)
and 4(b); adding
Sec. 3(b))

General Overriding Regulation 14**Amendment 32**

DECEMBER 19, 1952

OFFICE OF PRICE STABILIZATION**WASHINGTON****TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 32]

**GOR 14—EXCEPTED AND SUSPENDED
SERVICES****MISCELLANEOUS AMENDMENTS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 14 extends the list of exemptions contained in that regulation to include the rates, fees, and charges for services furnished by horseshoers and trade embalmers; to include royalties paid to landowners or their assignees in connection with the mining of iron ore; and to suspend from price control, until further notice, the rates, fees, and charges for bottling bulk wines and whiskeys.

Prices charged for horseshoeing services are exempted because they have only an insignificant effect upon the cost of living and the administrative burden attendant upon the control outweighs its benefit to the price stabilization program.

Prices for the services of trade embalmers are exempted because their control involves administrative difficulties for OPS, and for funeral directors, which, since prices for funeral services remain under control, and such an exemption will, therefore, not result in increased charges to the public, outweigh the advantages of control. Trade embalmers are independent contractors who supply embalming services to funeral directors, but payment for their services generally approximate wages paid to employee-embalmers. When trade embalmers and employee-embalmers belong to the same union, the union generally suggests an increase in the prices paid to trade embalmers commensurate with the increase in wages obtained by employee-embalmers. Any such increase, however, now requires OPS authorization. There are only about 200 trade embalmers in the United States; most are small service sellers; and their average income is about \$5,000 per year.

A large proportion of all iron ore produced in the United States is mined

from lands owned in fee simple by the companies that mine the ore from them, or by companies affiliated with the mining companies, or by the States in which the lands are located.

When the mining company itself owns the land on which it operates, no royalties, of course, are paid. When a company affiliated with the mining company owns the land on which the mining company operates, royalties paid are substantially similar to transfers between different divisions or units of the same corporation, and any increase in the amount of such royalty transfers would not affect the level of royalty prices, or the ceiling prices for iron ore, or for the iron and steel products made from iron ore. Such royalties should, therefore, be exempt from price stabilization.

In the Defense Production Act Amendment of 1952 extending the Defense Production Act of 1950, Congress specifically exempted from price control the rates, fees, and charges for materials or services supplied directly by the States or their agencies, and pursuant to this Amendment, General Overriding Regulation 11, Revision 2, exempts such materials and services. Royalties paid to any State or its agencies, in connection with iron ore produced from lands it owns, are not now, therefore, subject to price control.

Since so large a proportion of the iron ore mined is produced, without payment of royalties, from lands owned by the mining companies; or the royalties therefor are now exempt under General Overriding Regulation 11, Revision 2; or should be exempted as transactions between affiliated companies, the burden of administering price controls over the remainder of such royalties, in view of the diversity and complexity of the royalty arrangements, outweighs the advantages to be derived from such control. All royalties paid in connection with the mining of iron ore are, therefore, exempted by this amendment. This action will not affect the prices for iron ore sold by the producers or the prices for iron and steel products made from iron ore.

General Overriding Regulation 7, Revision 1, as amended, suspends until further notice, the application of all ceiling price regulations, heretofore or hereafter issued, to sellers of wines and whiskeys, both bulk and packaged, for off-premises consumption. The reason for this action is that the prices for these commodities are substantially below ceilings and are not expected to rise above ceilings in the foreseeable future. One of the reasons for the reduced price

to the consumer is the large amounts of bulk wines and whiskeys being sold by wineries and distilleries to distributors who have it bottled under their own brand names for distribution through their own outlets. Competition among small distillers and wineries for this kind of business is so keen that there is little or no likelihood a suspension of the application of ceiling price regulations to the services of bottling bulk wines and whiskeys will result in an increased price for such services. The same considerations do not extend to the bottling of other distilled spirits.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are proper in the administration of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

1. Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(128) Horseshoers.

(129) Trade Embalmers.

2. A new paragraph (b) is added to section 3 to read as follows:

(b) No ceiling price regulation now or hereafter issued by the Office of Price Stabilization shall apply to royalties paid to a landowner, or his assignee or sub-assignee, in connection with the mining of iron ore, or to the price paid for any assignment of such royalties, regardless of whether such royalties are considered as payment for iron ore as a commodity or as payment for the privilege of mining and removing iron ore.

3. Paragraph (b) of section 4 is amended by adding at the end thereof the following:

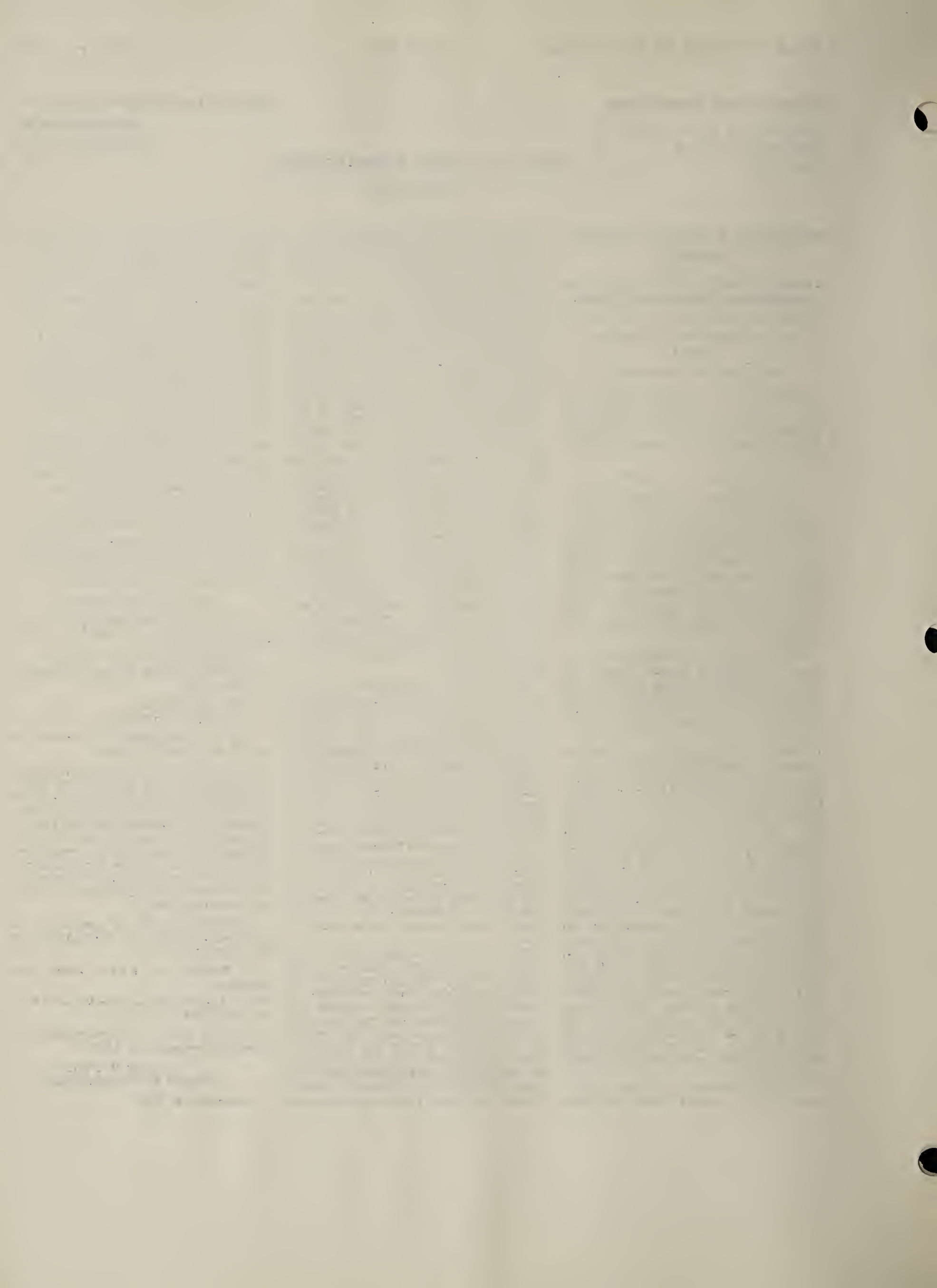
(5) Bottling of bulk wines and whiskeys.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective December 19, 1952.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

DECEMBER 19, 1952.



Certain Sport Events

(Adding Sec. 3(a)(130))

General Overriding Regulation 14**Amendment 33**

JANUARY 23, 1953

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**[General Overriding Regulation 14,
Amdt. 33]**GOR 14—EXCEPTED SERVICES****CERTAIN SPORT EVENTS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 33 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from ceiling price regulation admission charges to certain special sport events if the seller presents such events for less than 14 days in any calendar year. This ex-

emption covers only the occasional seller and is therefore limited to relatively few sport events. Admission charges for spectators to view special golf, tennis and swimming events are affected by this exemption if supplied by the occasional seller. The Director may from time to time enlarge the group of special sporting events.

In the judgment of the Director, controls over admission charges to sport events exempted by this amendment are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. Such services do not enter significantly into the cost of living of the average American family and are administratively impracticable and burdensome to both OPS and the service seller in relation to the stabilization benefits obtained by continued regulation.

In view of the technical nature of this amendment, special circumstances have

rendered consultation with industry representatives including trade association representatives, impracticable.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended by adding at the end of paragraph (a) of section 3 a new subparagraph (130) as follows:

(130) Admission charges to view golf, tennis or swimming events provided that the seller presents such events for less than 14 days in any calendar year.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This amendment to General Overriding Regulation 14 shall become effective January 23, 1953.

JOSEPH H. FREEHILL,

Director of Price Stabilization.

JANUARY 23, 1953.

Trailer Accommodations

(Deleting Sec. 4(a)(1);
adding Sec. 3(a)(131))

General Overriding Regulation 14**Amendment 34**

JANUARY 27, 1953

OFFICE OF PRICE STABILIZATION**WASHINGTON****TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 34]

**GOR 14—EXCEPTED AND SUSPENDED
SERVICES****TRAILER ACCOMMODATIONS**

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 34 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment revokes subparagraph (1) of section 4 (a) which suspends rates and charges for trailer accommodations, limited to those trailer accommodations also subject to rent control ceilings imposed by the Office of Rent Stabilization and adds trailer accommodations to the list of exempted services in section 3.

Under subparagraph (1) of section 4 (a), the suspension or decontrol of rent ceilings by the Office of Rent Stabilization automatically places such ac-

commodations under Ceiling Price Regulation 34.

It appears that the rental of trailer space falls into two distinct classes: (1) The rental of such spaces on a transient basis and (2) the rental of such spaces, either with or without the trailer on such space, with the intention that the trailer be used as a residence by the occupant. This includes the frequent situations where the operator of a trailer park owns the trailers located in the park and rents them as living accommodations to various individuals.

When the Office of Rent Stabilization removes controls for such accommodations used for housing purposes, irrespective of whether trailer unit being used as a residence is owned by the operator of the trailer park or the individual living in the trailer this amendment permits owners of the space occupied by the trailer to receive the same benefits as other lessors of housing accommodations. It does not of course, affect areas in which the Office of Rent Stabilization maintains controls on the rental of trailers as housing accommodations.

With respect to trailer spaces rented to transient trailer owners, it would be administratively impracticable to require trailer park operators to maintain ceiling prices for such services. Consequently, it has been determined that all

charges for the rental of trailer space should be exempted.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

In the judgment of the Director, the exemptions provided for by this amendment will not defeat or impair the price stabilization program or the objectives of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

1. Subparagraph (1) of section 4 (a) is deleted.

2. Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(131) Trailer accommodations.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective January 27, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 27, 1953.

**Suspension of Certain
Apparel Manufacturing Services**
(Adding Sec. 4(b)(6))

**General Overriding Regulation 14
Amendment 35**
JANUARY 27, 1953

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 35]

**GOR 14—EXCEPTED AND SUSPENDED
SERVICES**

**SUSPENSION OF CERTAIN APPAREL MANUFAC-
TURING SERVICES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 35 to General Overriding Regulation 14, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds to the list of services suspended from price control by section 4, paragraph (b) of General Overriding Regulation 14, all services performed in the manufacture of apparel, apparel furnishings and accessories, and their component parts, as to which sales by the manufacturer have been suspended or exempted from price control.

Price control over certain apparel commodities has been suspended because their prices have persistently declined from the peaks which were reached in July 1951 and there are no indications that they will increase significantly in the foreseeable future. In general, a

strongly competitive condition in the apparel market has a depressive effect upon the charges for services connected with the manufacture of apparel. These services are in more than ample supply and this has made for strong competition among apparel contractors. A continuance of the apparel price decline would result in pressure for lower service charges; but even if the decline should cease and apparel prices should level off, steady resistance to any increased service charges can be expected so long as apparel prices do not show a significant rise. It is not anticipated that apparel prices will rise significantly in the foreseeable future, consequently it appears that market forces will also operate to prevent general increases in apparel service charges.

Since the foregoing considerations are applicable to charges for services performed in the manufacture of the apparel heretofore exempted from price control, this amendment includes such charges as well as those for services performed in the manufacture of the apparel previously suspended from price control.

In the judgment of the Director, price control over the services suspended by this amendment is not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. The Director may at any time terminate or modify this suspension if he determines that such action is nec-

essary in the interest of the stabilization program. In any event, this suspension will be terminated as to a service when the apparel on which that service is performed is again brought under price control.

All records which were required to be prepared and preserved under applicable ceiling price regulations in effect prior to this suspension must continue to be preserved.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Section 4 of General Overriding Regulation 14, as amended, is further amended by adding the following subparagraph (6) to paragraph (b) thereof:

(6) All services performed in the manufacture of apparel, apparel furnishings and accessories, and their component parts, as to which sales by the manufacturer have been suspended or exempted from price control.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective January 27, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 27, 1953.

1. Introduction 2. Methodology 3. Results 4. Discussion 5. Conclusion

1. Introduction

The purpose of this study is to investigate the effects of the proposed system on the performance of the system. The study is divided into five main sections: Introduction, Methodology, Results, Discussion, and Conclusion. The Introduction section provides a brief overview of the study and its objectives. The Methodology section describes the experimental setup and the data collection process. The Results section presents the findings of the study, and the Discussion section discusses the implications of the results. The Conclusion section summarizes the main findings and provides recommendations for future research.

The study is organized as follows: Section 1 (Introduction) provides a brief overview of the study and its objectives. Section 2 (Methodology) describes the experimental setup and the data collection process. Section 3 (Results) presents the findings of the study, and Section 4 (Discussion) discusses the implications of the results. Section 5 (Conclusion) summarizes the main findings and provides recommendations for future research.

**Nurses' Registries—Public
Utility Pay Stations**

(Adding Sec. 3(a)
(132) and (133))

**General Overriding Regulation 14
Amendment 36
JANUARY 29, 1953**

**OFFICE OF PRICE STABILIZATION
WASHINGTON**

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 36]

GOR 14—EXCEPTED SERVICES

**NURSES' REGISTRIES—PUBLIC UTILITY PAY
STATIONS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 36 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

In continuance of the policy of the Office of Price Stabilization to concentrate its efforts within major areas affecting the cost of living, business costs, and the defense program, this amendment extends the coverage of General Overriding Regulation 14 to exempt various services which do not exert a significant effect upon the cost of living of the average American family or business costs and the continued control of which involves administrative difficulties which

are disproportionate in relationship to the value of such control to the stabilization program. Included in this amendment are nurses' registries and fees paid by public utilities to their authorized pay stations.

Nurses and nursing homes have already been decontrolled. Further, the dues and fees of non-profit associations, where such dues and fees are not in whole or in part charged for the rendering of a specific service have been decontrolled and some nurses' registries fall within this exemption. Inasmuch as many of the professional service aspects of nursing have been decontrolled, administrative convenience dictates that all nurses' registries be removed from price control. It is not to be expected that this action will have a significant effect upon the cost of living, if any.

Fees and charges paid by public utilities to their authorized pay stations are decontrolled because they are but an insignificant part of business costs and the administrative problems attendant upon control of this service outweigh the advantages of such control. The fees paid to pay stations for this service are small by comparison to the cost of the utilities if they were to maintain branch offices. Since utility rates are based upon the

actual cost of operation, the maintenance of the pay stations in lieu of branch offices results in lower public utility rates to the consumer.

In the formulation of this amendment there was consultation with industry representatives, including trade association representatives to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

1. The following new subparagraphs (132) and (133) are added at the end of paragraph (a) of section 3:

(132) Nurses' registries.

(133) Fees and charges paid by public utilities to their authorized pay stations. (Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 36 to General Overriding Regulation 14 shall become effective January 29, 1953.

**JOSEPH H. FREEHILL,
Director of Price Stabilization.**

JANUARY 29, 1953.

Telephone Charges by Hotels

(Adding Sec. 3(a)(134))

General Overriding Regulation 14**Amendment 37****FEBRUARY 4, 1953****OFFICE OF PRICE STABILIZATION****WASHINGTON****TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency****[General Overriding Regulation 14, Amdt. 37]****GOR 14—EXCEPTED SERVICES****TELEPHONE CHARGES BY HOTELS**

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 37 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 37 to General Overriding Regulation 14 removes from price stabilization regulations surcharges for telephone services made by hotels for such services rendered to their guests.

Most hotels provide switchboard telephone service as an incident of their primary function of providing living accommodations to the guests. In such instances the telephone equipment, the switchboard and necessary extensions, is leased from the telephone company and the lessee is charged for the service at the scheduled rate of the telephone company established by state and federal

regulatory authorities. In the operation of such switchboard equipment the hotel provides the operator. Hotels customarily make a surcharge for outgoing local telephone calls of their guests in addition to the telephone company's charge to offset in part the expense of providing those services.

The provisions of this amendment do not extend to charges for telephone answering services or charges for telephone services rendered through switchboards in establishments other than hotels as defined in the Housing and Rent Act of 1949. In addition, it applies only where the surcharge is made on each call. Where a flat fee is charged for secretarial desk service in addition to switchboard telephone service, the additional services are not separable from the local telephone call surcharge, and such fees are not included in this exemption.

The administrative difficulty of maintaining controls on these telephone services, and their insignificant effect upon the cost of living of the average American family justify their exemption at this time.

In the formulation of this amendment informal consultation has been held with representatives of the industry, including trade association representatives, and consideration has been given to their recommendations.

In the judgment of the Director the provisions of this amendment are generally fair and equitable and are proper to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

(1) Section 3 (a) of General Overriding Regulation 14 is amended by adding at the end thereof the following:

(134) Switchboard services in placing outgoing non-toll telephone calls for guests of hotels where the charge is made for each call. For the purposes of this exemption a hotel is any establishment which is commonly known as a hotel in the community in which it is located, which customarily provides rooms for transient guests who are provided customary hotel services such as maid service, furnishing and laundering of linen, telephone and secretarial desk service, use and upkeep of furniture and fixtures, and bellboy service.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

This Amendment shall become effective on February 4, 1953.

JOSEPH H. FREEHILL,*Director of Price Stabilization.***FEBRUARY 4, 1953.**

ADMINISTRATIVE REPORT

GENERAL INFORMATION		ADMINISTRATIVE DATA															
Report Title	Administrative Report	Report Number	1010101010														
Report Date	10/10/2010	Report Time	10:10:10														
Report User	admin	Report Location	1010101010														
Report Status	Completed	Report Type	Administrative														
Report Category	Administrative	Report Sub-Type	Administrative														
Report Description	This report provides a detailed overview of the administrative data collected during the reporting period. It includes information on the number of reports generated, the status of each report, and the location where each report was generated. The data is presented in a tabular format, allowing for easy comparison and analysis of the information.																
Report Data	<table><tr><th>Report Title</th><th>Report Date</th><th>Report Time</th><th>Report User</th><th>Report Status</th><th>Report Category</th><th>Report Sub-Type</th></tr><tr><td>Administrative Report</td><td>10/10/2010</td><td>10:10:10</td><td>admin</td><td>Completed</td><td>Administrative</td><td>Administrative</td></tr></table>			Report Title	Report Date	Report Time	Report User	Report Status	Report Category	Report Sub-Type	Administrative Report	10/10/2010	10:10:10	admin	Completed	Administrative	Administrative
Report Title	Report Date	Report Time	Report User	Report Status	Report Category	Report Sub-Type											
Administrative Report	10/10/2010	10:10:10	admin	Completed	Administrative	Administrative											
Report Summary	The report shows that a total of 1 report was generated during the reporting period. The report was generated by the user 'admin' and was completed on 10/10/2010 at 10:10:10. The report is categorized as 'Administrative' and has a sub-type of 'Administrative'. The report is currently in a 'Completed' status.																
Report Footer	This report is generated by the system and is not to be modified. Any changes to the report data should be made through the system interface.																

**Towing Services Performed by
Tug and Barge Operators Within a
Single Harbor Area, Etc.**

**General Overriding Regulation 14
Amendment 38**

FEBRUARY 9, 1953

(Adding Sec. 3(a)(135))

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 38]

GOR 14—EXCEPTED SERVICES

**TOWING SERVICES PERFORMED BY TUG AND
BARGE OPERATORS WITHIN A SINGLE HAR-
BOR AREA OR BETWEEN ADJOINING HARBOR
AREAS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment 38 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from price control towing services performed by tug and barge operators within a single harbor or between adjoining harbor areas, including the furnishing and renting of tug boats, barges, scows, and lighters for use within such area or areas.

The majority of persons engaged in these types of operations are common

carriers subject to the jurisdiction of the Interstate Commerce Commission and, as such, are exempt from price control. It is the opinion of the Director of Price Stabilization that this circumstance will negate the possibility of untoward price increases by the parties exempted from price control by this amendment since the bulk of their competition will come from parties subject to Interstate Commerce Commission rate control.

The rates and charges of this industry have little effect upon the cost of living since towing charges represent only a minute portion of the retail price of any commodity. Because of the small size of this industry little or no contribution to the stabilization program would be made by a continuation of price control in this field. Further, the continuing of price control would impose undue administrative burden upon the Office of Price Stabilization since this industry is composed of many small-scale operators using many types of equipment and operating under varying rate structures thus making rate adjustments and enforcement extremely difficult.

In the formulation of this amendment there has been consultation with indus-

try representatives, including trade association representatives, and consideration has been given to their views. In the judgment of the Director of Price Stabilization this amendment is fair and equitable and will serve to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended by adding at the end of paragraph (a) of section 3 a new subparagraph (135), as follows:

(135) Charges for towing services performed by tug and barge operators within a single harbor area or between adjoining harbor areas, including the furnishing and renting of tug boats, barges, scows, and lighters for use within such area or areas.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

This amendment to General Overriding Regulation 14 is effective February 9, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 9, 1953.

Additional Excepted Services

(Adding Sec. 3(a)(136)
and (137))

General Overriding Regulation 14**Amendment 39**

FEBRUARY 9, 1953

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX****Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 39]

GOR 14—EXCEPTED SERVICES**ADDITIONAL EXCEPTED SERVICES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 39 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 39 to General Overriding Regulation 14 extends the list of exemptions contained in that regulation to include fees for the services of weighing, placing on and taking off scales, extracting samples, coopering and re-marking rendered on or to bulk or part cargoes of commodities of foreign origin and which are in the process of being imported into the United States or sold or distributed after importation into the United States but before any domestic processing or fabrication.

In line with the policy of OPS to exempt services which have minor significance and negligible effect upon costs, this amendment exempts these particularly described services supplied by certain weighers and samplers. The charge for these services is quoted on imported commodities in bulk or in large lots. Charges in most cases are figured in the hundredths of one cent per pound

and in some cases in the thousandths of one cent per pound. There is no evidence that decontrol of the service will have a significant adverse effect on the price level when considered in conjunction with previous decontrol of the related service of stevedoring. Exemption from control of these services present no substantial threat of diversion of materials and manpower from sellers remaining under control, and is a non-retail service which does not enter significantly into the cost of living of the average American family or into business costs.

Also exempted are rates, fees and charges for certain premium redemption facilities. It is customary for certain manufacturers to use premium coupons as a form of advertising for their products, and to pay the firm which redeems the coupons a service charge for this service, in order to divide the operating expenses among the cooperating firms. The participating manufacturers maintain the premium coupon arrangement as a form of advertising for the end products which they manufacture and sell, but the ceiling prices of the end products are governed by other ceiling regulations. The cost of the cooperative premium coupon redemption service is a very small portion of the total cost of selling and advertising such end products. Furthermore, there are only four or five companies which perform such a service as this, and the volume of the service is insignificant. This non-retail service does not enter significantly into the cost of living of the average American family or into business costs.

The control of these services involves administrative difficulties for OPS and

for the sellers of these services which are disproportionate in relation to the effectiveness of the control and the contribution to the price stabilization program.

Prior to the formulation of these amendments, consultation was had with industry representatives, including trade association representatives to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(136) Rates, fees and charges for the services of weighing, placing on and taking off scales, extracting samples, coopering and re-marking rendered on or to bulk or part cargoes of commodities of foreign origin, which are in the process of being imported into the United States or which are sold or distributed after importation into the United States before any domestic processing or fabrication.

(137) Charges made for the cooperative redemption of premium plan coupons.

(Section 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 39 to General Overriding Regulation 14 shall be effective February 9, 1953.

JOSEPH H. FREEHILL,

Director of Price Stabilization.

FEBRUARY 9, 1953.

Exemption of Previously
Suspended Services and
Additional Exemptions

General Overriding Regulation 14
Amendment 40
FEBRUARY 18, 1953

OFFICE OF PRICE STABILIZATION
WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt. 40]

**GOR 14—EXCEPTED AND SUSPENDED
SERVICES**

**EXEMPTION OF PREVIOUSLY SUSPENDED
SERVICES AND ADDITIONAL EXEMPTIONS**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 40 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

The President of the United States has announced that he does not intend to ask for a renewal of price control authority on April 30, 1953, when the present legislation expires. He has stated that in the meantime, steps will be taken to eliminate controls in an orderly manner. The Office of Price Stabilization has been instructed to proceed accordingly.

This amendment to GOR 14 is one of the actions in which OPS is carrying out that instruction.

GOR 14 was issued to provide, so far as practicable, a single listing of services as to which changing conditions justified suspension or removal of price ceilings. This amendment exempts from price control all services, except laundry, linen and diaper supply and dry cleaning services; services supplied to commercial, industrial or governmental pur-

chasers to the extent that such services are used directly in the processing or manufacturing of commodities which remain under price control; and brokerage fees and agency commissions charged for commodity or services sales which are under ceiling price control.

Warehousing, dock and terminal services and all transportation services including the rental of cars and other transportation equipment are exempted from price control.

All services previously suspended under General Overriding Regulation 14 and Supplementary Regulation 15 to the General Ceiling Price Regulation are exempted from price control by this amendment.

This amendment also expressly continues the requirements heretofore in effect under the applicable regulations respecting preservation of records as to past transactions.

In view of the special nature and basis of this amendment consultation with industry representatives was impracticable and unnecessary.

AMENDATORY PROVISIONS

General Overriding Regulation 14 as amended, is further amended in the following respects:

1. Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(138) All warehousing, dock and terminal services.

(139) Transportation services including rentals of cars and other transportation equipment.

(140) All services as to which ceiling prices have been suspended under section 4 (b) or under Supplementary Regulation 15 to the General Ceiling Price Regulation.

(141) All other services except the following:

(i) Laundry, linen and diaper supply, and dry cleaning.

(ii) Services supplied to commercial, industrial or governmental purchasers to the extent that such services are used directly in the processing or manufacturing of commodities which are under ceiling price regulation.

(iii) All brokerage fees and agency commissions charged for commodity or service sales which are under ceiling price regulation.

2. The following sentence is added after the first sentence in paragraph (a) of section 3: "However, any record relating to a service exempted from price control which you were required to have immediately prior to such exemption shall continue to be preserved and made available for examination by OPS or any other authorized agency of the United States, in the manner and for the period stipulated in the regulation requiring you to have such record."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 40 to General Overriding Regulation 14 shall be effective February 18, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 18, 1953.

**Laundry, Dry Cleaning,
and Industrial Services**

(Amending Sec. 3(a)(141))

**General Overriding Regulation 14
Amendment 41**

MARCH 5, 1953

OFFICE OF PRICE STABILIZATION

WASHINGTON

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[General Overriding Regulation 14, Amdt.
41]

**GOR 14—EXCEPTED AND SUSPENDED
SERVICES**

**LAUNDRY, DRY CLEANING AND INDUSTRIAL
SERVICES**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 41 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 14 is in furtherance of the directive of the President of the United States that the price control pro-

gram be terminated in an orderly manner.

This amendment removes laundry, linen and diaper supply, and dry cleaning services from ceiling price control. Previously all "consumer" type services except laundry, linen and diaper supply, and dry cleaning services, were freed from ceiling price control by Amendment 40 to GOR 14.

This amendment also exempts from price control all industrial services except those specifically covered by Ceiling Price Regulation 156, "Fabricated Structural Steel, Miscellaneous and Ornamental Iron and Vessel Shop Products for Field Assembly or Erection."

As a result of this amendment, the only services remaining under price control will be those covered by CPR 156, and brokerage fees in connection with sales of commodities still under control.

In view of the special nature and basis of this amendment, consultation with industry representatives was impracticable and unnecessary.

AMENDATORY PROVISIONS

Section 3 (a) (141) of General Overriding Regulation 14 is amended to read as follows:

(141) All other services except the following:

(i) Services covered by Ceiling Price Regulation 156, "Fabricated Structural Steel, Miscellaneous and Ornamental Iron and Vessel Shop Products for Field Assembly or Erection."

(iii) All brokerage fees and agency commissions charged for commodity or service sales which are under ceiling price regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 41 to General Overriding Regulation 14 is effective March 5, 1953.

JOSEPH H. FREEHILL,

Director of Price Stabilization.

MARCH 5, 1953.

2. It also outlines the procedures for handling customer complaints and ensuring satisfaction.

3. The third section details the financial reporting requirements and the need for transparency.

4. Finally, the document emphasizes the role of employee training in achieving organizational goals.

5. The following table provides a summary of the key findings and recommendations.

6. It is recommended that the company implement the following measures to improve performance.

7. The first measure is to establish a clear chain of command and communication.

8. The second measure is to invest in employee training and development.

9. The third measure is to implement a robust financial control system.

10. The fourth measure is to enhance customer service and support.

11. The fifth measure is to ensure compliance with all relevant regulations.

12. The sixth measure is to foster a culture of innovation and continuous improvement.

13. The seventh measure is to establish a strong risk management framework.

14. The eighth measure is to implement a comprehensive data security policy.

15. The ninth measure is to ensure the integrity of the financial reporting process.

16. The tenth measure is to establish a clear policy on conflict of interest.

17. The eleventh measure is to implement a robust internal audit system.

18. The twelfth measure is to ensure the accuracy and reliability of all data.

19. The thirteenth measure is to establish a clear policy on data retention.

20. The fourteenth measure is to ensure the confidentiality of all information.

21. The fifteenth measure is to implement a robust disaster recovery plan.

22. The sixteenth measure is to ensure the availability of all services.

23. The seventeenth measure is to establish a clear policy on data access.

INTERPRETATIONS
GOR 14, SEC. 3

AGRICULTURAL LIMING MATERIALS

Exemption of trucking and spreading services----both services exempt

The intent of Amendment 12 to GOR 14 is to exempt both the trucking and spreading of agricultural liming materials regardless of whether it is rendered as a single or combination service.

1. [illegible]

2. [illegible]

3. [illegible]

4. [illegible]

5. [illegible]

6. [illegible]

INTERPRETATIONS
GOR 14, SEC 3(a) 30

INTEREST FOR THE USE OF MONEY
Credit charges--not within exemption

During the base period, a retailer sold electrical and gas appliances for cash or under a time payment plan. Under the latter plan he charged 5% per annum computed on the unpaid portion of the selling price. For example, assume that the cash selling price of an appliance was \$130.00, of which \$30.00 was paid in cash and the balance was to be paid over a period of one year. To the \$100.00 balance was added \$5.00, or 5% per annum, making a total of \$135.00 to be paid off in installments. The retailer now desires to increase from 5% to 6% this charge for installment purchases. It is contended that the charge is "interest for the use of money" and therefore exempt from price control by GOR 14, Section 3(a) (30).

This 5% per annum charge, although expressed as interest, is not interest for the use of money. It is a percentage differential, for the sale of a commodity on installment terms, which may not be increased under either Section 9 of the GCPR or Section 55(c) of CPR 7. The "interest" exemption of GOR 14 presupposes that the interest be in connection with an actual loan of money.
(5/15/52 #1)

1971-1972

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the work done in each of the various departments and sections. The report concludes with a summary of the work done and a statement of the progress made towards the completion of the work.

INTERPRETATIONS
GOR 14, SEC. 3

GOVERNMENTAL SERVICES

Parking fees and services included

Section 3 (a)(89) supersedes Section 3 (a)(46) to the extent that fees and charges for motor vehicle parking services operated directly by governmental agencies are exempt from price control.
(3/11/52 No. 5)

INTERPRETATIONS
GOR 14, SEC. 3

TOOL AND DIE SHOPS

When exempt

Under Section 3(a)(22) of GOR 14 engineering firms engaged in the sale of equipment are not exempt.

If a concern operating a tool and die shop makes none of the tools it designs it is exempt under the foregoing provision.

On the other hand, if a tool and die shop either makes the tools it designs or is affiliated either by common ownership or as a division, with a firm that manufactures tools that the tool and die shop designs, such shop is not exempt.
(5-15-52 No. 12)

INTERPRETATIONS
GOR 14, Sec. 3(a) (32)

SETTING AND ENGRAVING OF JEWELRY

GOR 14, Section 3(a)(32) exempts from price regulation the setting of a diamond and engraving of jewelry.
(8/3/51 No. 10)

INTERPRETATIONS
GOR 14, Sec. 3(a)(43)

SERVICES

Exemption--repair of antique clock

The repair of watches and clocks is subject to CPR 34; but the repair of a grandfather clock which was manufactured prior to 1850 is exempt, however, under GOR 14, Section 3(2)(43).
(8/3/51 No. 10)

INTERPRETATIONS
GOR 14, SEC. 3(a)(23)

ENTERTAINERS

Taxi dancer services, when exempt

Section 3(a)(23) of GOR 14 exempts the rates, fees and charges for services falling within the scope of an entertainer's occupation only when they are charged by the entertainer. If the entertainer is an employee, his charges are not subject to price stabilization. If the entertainer is an independent contractor his rates, fees, and charges for services falling within the scope of his occupation are exempt. The charges to the consumer made by anyone who employs him however, are not exempt. Hence the charges to the public of a dance hall proprietor for the services of a taxi dancer are not exempt.

(7/16/52 No. 10)

CHICAGO, ILL., U.S.A.
JANUARY 10, 1960

DEAR MR. [Name]

I have just received your letter of January 8, 1960.

I am sorry that I cannot give you a more definite answer at this time. The matter is still under consideration and I will be in touch with you again as soon as a final decision has been reached. I am sure that you will understand the need for a thorough review of the situation before a final decision can be made.

Sincerely,
[Signature]

INTERPRETATIONS
GOR 14, Sec. 3(a) 21

EDUCATIONAL INSTITUTIONS

Does not include summer camps (see Interps following GCPR, SR 15, Sec. 2(a),
page 42 Reg 11:1752a.1

INTERPRETATIONS
GOR 14, Sec 3

EXEMPTIONS

Professional services not exempt unless performed by professional person

The exemption under Section 3(a)(4) of GOR 14 extends only to a person who is an architect and who is performing architectural services. Under no circumstances would a person who is a designer and not an architect, but who performs architectural services, be entitled to an exemption even for those services, since he is not a professional architect. These same standards apply to any professional service rendered. (8/16/51 No. 8)

INTERPRETATIONS
GOR 14, Sec. 3

TEACHERS

Scope of Exemption

A teacher in any branch of knowledge, art, craft, or skill would qualify for exemption under GOR 14, Section 3(a)(60). Thus, golf, tennis and dance instructors would come within this definition since they teach a skill or an art.

8/29/51 No. 11

8/30/51 No. 1

INTERPRETATIONS
GOR 14, SEC 3(a) (30)

INTEREST FOR THE USE OF MONEY

Exempt though rate illegal under state law

The exemption contained in section 3 (a) (30) of GOR 14 applies to all interest charges made for the use of money, irrespective of the legality of the rate so charged under applicable state statutes.

(6-16-52 No. 7)

INTERPRETATIONS
GOR 14, Sec. 3

CHARGES BY LENDING INSTITUTIONS
--when controlled

A rate, fee or charge made by a money lending institution for services which fall within the scope of its occupation of lending money for the collection of interest is not exempt under GOR 14, Section 3(a)(30) which exempts only interest for the use of money but not charges for services rendered in connection therewith.
8/30/51 No. 5

INTERPRETATIONS
GOR 14, Sec. 3(a) (42)

NURSES

Scope of exemption

The question has arisen whether the exemption in GOR 14 applies only to the services of registered nurses or whether it applies to any individual performing nurses' services.

Such exemption applies only to services furnished by qualified nurses, such as registered nurses and qualified practical nurses:

8/1/52 No. 24

INTERPRETATIONS
GOR 14, Sec. 3(a)(72)

DUES AND ASSESSMENTS

Organization supplies members with business reports--not exempt

Inquiry has been made as to whether a certain Better Business Bureau is exempt from price regulation under Section 3(a)(72) of GOR 14.

This particular Bureau is not exempt under that Section of GOR 14. It appears from the information contained in the organization pamphlet that the organization performs the specific service of furnishing to its members at their request special fact reports on individuals or firms operating in the community and therefore is performing such a specific service that it is excluded from exemption under Section 3(a)(72).

7/30/52 No. 2

INTERPRETATIONS
GOR 14, Sec. 3(a)(89)

CONCESSION FOR MUNICIPALLY OWNED PARKING FACILITIES

Agreement for control of prices by municipality is no basis for exemption

A municipality's public parking authority leases certain municipally owned facilities for public parking space. Under the agreement between the parties the rates to be charged will be controlled by the authority. However since the services thereunder are performed by the concessionaire the fees and charges are not exempt under Section 3(a)(89) of GOR 14.
(7/15/52 No. 20)

3. Methodology

3.1. Data Collection

3.2. Data Analysis

3.3. Results

INTERPRETATIONS
GOR 14, Sec. 3(a) 64

FEES FOR GRADING, INSPECTING AND WEIGHING
When not exempt

A board of trade may not increase its fees for grading, inspecting, and weighing where such fees are not fixed, approved, or collected by the United States Department of Agriculture and hence are not exempt under Section 3(a)(64)(ii) of GOR 14.
(6/19/52 No. 29)

INTERPRETATIONS
GOR 14, Sec. 3(a)(64)(i)

BRAND INSPECTION FEES FOR STOCKYARDS

Exempt when regulated by Department of Agriculture

Stockyards, if they are not regulated by the Department of Agriculture under the Packers and Stockyards Act, are controlled in respect to their Brand Inspection Fees by CPR 34; if so regulated, such services are exempt under GOR 14, Section 3(a)(64)(i).

(2/20/52 No. 6)

INTERPRETATIONS
GOR 14, Sec. 3(a)(86)

COVERAGE

Exemption of commissions for consignment sales of petroleum products, not retroactive

The question posed is whether a company may properly pay certain increased commissions for consignment sales of petroleum products during the period from July 1, 1951 to September 19, 1951.

Amendment 2 to GOR 14, effective September 19, 1951, added paragraph (86) to Section 3(a) of that regulation exempting such commissions from price stabilization regulations on that date. This exemption is not retroactive, consequently the company may not now pay increased commissions for any period antedating September 19, 1951.

(2/25/52 No. 10)

INTERPRETATIONS
GOR 14, Sec. 3(a)(67)

WATCHMAN AND GUARD SERVICES
Scope of exemption

The exemption of "watchman and guard services" within the meaning of the term used in Section 3(a)(67) of General Overriding Regulation 14 is intended to apply to services by guards and watchmen who are physically present on the premises at all times during their tour of duty. Protection services rendered by means of mechanical devices and services of picking up and interpreting the dials and reporting to customers the times of opening and closing of doors were not intended to be and are not covered by this exemption from price control.
(5/1/52 No. 13)

INTERPRETATIONS
GOR 14, Sec. 3(a)(89)

COVERAGE

Municipalities--furnishing electricity directly and repairing electrical appliances

Where a city directly furnishes electricity to its inhabitants, and also repairs electrical appliances which the inhabitants have purchased from other sources, the city in both instances is furnishing a service rather than selling a commodity. Both of these services are exempt from price control by General Overriding Regulation 14, Section 3(a)(89), which exempts services supplied directly by municipalities.
(4/29/52 No. 33)

INTERPRETATIONS
GOR 14, SEC. 3(a)(89)

GOVERNMENT SERVICES

Admission charges to state school sports event, not included (see Interps following GOR 14, Sec. 3(a)(21), page 85 Serv 61:203a.23)

INTERPRETATIONS
GOR 14, SEC. 3(a)(21)

EDUCATIONAL SERVICES

Percentage of admission charges to sports event paid as rent

The question presented is the applicability of Section 3(a)(89) of GOR 14 when state schools and an athletic association jointly stage an exhibition in a place owned by the latter.

Section 3(a)(21) rather than Section 3(a)(89) operates as an exemption from price control of the admission charges under such circumstances. A sports service rendered by schools and educational institutions as described in Section 3(a)(21) is exempt when rendered in facilities rented by such schools for the specific service.

Of course, admission charges to school games staged by the athletic association remain subject to CPR 34.
(8/25/52 No. 1)

INTERPRETATIONS
GOR 14, SEC. 3(a)109

GOVERNMENTAL SERVICES

Sports event staged by state, with part of proceeds paid athletic association

The question posed is whether Section 3(a)(109) is rendered inapplicable when some of its proceeds are paid to an athletic association, a profit organization.

Admission charges to college football game, actually staged by a state or state agency is regulated by Section 3(a)109 of GOR 14 and this section is not inapplicable since some of the proceeds are paid over to a "Bowl Athletic Association". This does not necessarily include "a participation by said association in the proceeds of an event staged by a non-profit organization", but it appears to be a rental of facilities and a part of the expense of staging the event. Admissions, however, to an annual holiday game staged by the athletic association, a profit organization, remain subject to CPR 34.

(8/25/52 No. 1)

INTERPRETATIONS
GOR 14, SEC. 3(a)(89)

EXEMPTIONS

----laundry operated by state university

The question is presented as to whether the rates of a laundry operated by a state university are exempt from OPS control by Section 3(a)(89) of GOR 14.

The university is governed by a Board of Trustees appointed by the General Assembly of the state. It is the highest institution in the state's school system and practically all of its funds are appropriated by the State legislature. Among the incidental services rendered by the university is included the laundry in question, which is used primarily by students or members of the institution. The general public uses about ten percent of these laundry facilities.

State universities are considered to be agencies of the state within the meaning of Section 3(a)(89) of GOR 14. Accordingly, rates of a laundry operated by the university are exempt from price stabilization by such section.
(2/8/52 No. 3)

INTERPRETATIONS
GOR 14, Sec. 3(a) (78)

COVERAGE

Line handling and mooring, not included (see Interps. following CPR 34,
Section 2, page 85 Serv 32:202.35)

INTERPRETATIONS
GOR 14, Sec. 3(a)(89)

TOLL ROADS

Maine Turnpike Authority considered agency of the State

The question presented is whether the Maine Turnpike Authority is covered by the exemption of services supplied directly by the State as set forth in Amendment 2 to GOR 14.

It appears that the Turnpike Authority was established by the State Legislature for the purpose of providing toll road facilities for travel within the State; that such Authority presently provides such facilities; that the Authority has issued bonds which are not pledges of the State; that the Authority is a body politic exempt from execution, the membership of which is appointed by the Governor of the State; that the Authority has the right of eminent domain and is exempt from taxes; that surplus revenues are to go into a trust fund to provide for the retirement of the bonded indebtedness; that the Authority will dissolve on the retirement of the bonds, the toll roads then reverting to the State; that the enabling act provides the Authority is to be regarded as performing a governmental function in carrying out its purposes.

Other available information indicates that a court decision has declared the Authority to be a body politic or quasi-municipal corporation; that the Supreme Court of the State has decided the Authority is neither a department of the State nor a public utility; that the Attorney-General has ruled, for the purposes of reimbursement to the State for engineering and police services rendered to the Authority and with respect to the State Employee Retirement System, that the Authority is not a State agency; but that the Attorney-General has otherwise refused to rule upon whether the Authority is a State agency.

This office in preparing Amendment 2 to GOR 14 gave consideration to a specific exemption from price stabilization for toll roads and toll bridges, similar to that provided under OPA by Rev. SR 11, Sec. 1449.46(b)(110). This exemption was not included in Amendment 2 because of the provision for governmental agency exemption. It was expected the broader exemption would include the lesser exemption for toll roads and bridges operated by governmental agencies.

The services rendered by the Authority fall within the scope of section 3(a)(89) of GOR 14. The Authority was created by the State Legislature to perform certain governmental functions; its members are appointed by the chief executive officer of the State; it has certain governmental powers and immunities; and its life and responsibility are coextensive with the discharge of its functions. The court decisions cited and the ruling of the chief legal officer of the State, while indicating that the Authority is not a conventional executive agency of the State government, do not determine the agency status of the Authority. Keifer & Keifer v. R.F.C. 306 U.S. 381 (1939). It may be agreed that the autonomous operation of certain fiscal and ad-

ministrative functions does not ipso facto cut the umbilical cord which binds an independent governmental corporation or agency to the government. The Federal government has long operated not only through its established departments, but by independent agencies and government corporations. The Reconstruction Finance Corporation appears, in fact, to be operating more independently than the Authority, and yet court decisions have considered it to be an agency of the Federal government. More persuasive, perhaps, is the fact that it was the intent in drafting this exemption that an agency of this nature should be permitted to qualify therefor. Accordingly, the Maine Turnpike Authority is entitled to be considered an agency of the State within the meaning of Sec. 3(a)(89) of GOR 14. as amended.

(12/19/51 No. 1)

INTERPRETATIONS GOR 14, Sec. 3(a)(18)

DRILLING OF OIL AND GAS WELLS Additional examples of excepted services

TITLE 32A—NATIONAL DEFENSE. APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Overriding Regulation 14, Interpretation 2]

GOR 14—EXCEPTED SERVICES

INT. 2—NECESSARY OPERATIONS IN CONNECTION WITH DRILLING OF OIL AND GAS WELLS (SECTION 3 (a) (18))

There has been some confusion as to the scope of GOR 14, section 3 (a) (18). Various interpretations have been placed on what constitutes the necessary operations in connection with the drilling of oil and gas wells. The interpretations placed on this section have varied because of the different operations considered necessary in different areas of the country. This Office has consulted with a number of industry representatives and endeavored to ascertain what industry generally regards as necessary operations in connection with the drilling of oil and gas wells. All charges for the necessary operations in connection with the drilling of oil and gas wells, whether performed by the operator or the subcontractor for him, are excepted from price controls.

It is the interpretation of this Office that the following listed examples of operations shall constitute necessary operations in connection with the drilling of oil and gas wells. This interpretation does not limit the necessary operations to this list only.

Section 3 (a) (18) of GOR 14 is interpreted to mean that in addition to electrical logging services, preparation of locations, shot hole and diamond core drilling, fishing jobs, pulling, salvaging,

and plugging operations, the following are examples of services which shall be considered excepted from price control whether performed by the operator or a subcontractor for him:

Surveying lease and making location.
Moving in derrick materials by trucking contractor.

Erection of derrick by rig building contractor.

Moving in small machines, usually cable tools to drill water well, providing water line is not laid to nearby water course or pond by a water well contractor.

Moving in drilling rig, equipment, or supplies to and from location.

Fuel for the operation of the rig and other equipment at the well location.

Moving in conductor and surface pipe by miscellaneous contractors.

Furnishing of cement and performing cementing services for conductor and/or surface casing.

Engineering services for the purpose of developing deviation from vertical in the drilling of hole.

Testing operations rendered by contractor involving the furnishing of instruments and necessary tools for performing a drillstem test.

Perforating gun, jet, or knife and equipment for the purpose of perforating pipe into producing formation.

Furnishing equipment, men and materials to transport acid to well and pump into well bore, usually under pressure, to increase or induce production, remove mud or precipitates from face of formation.

Water Operation. In this type operation, following the surveying and staking of location, it is customary in marsh land drilling to have a contractor dig a canal from a main water course to location preparatory to moving in barge on which is mounted a drilling rig. In moving rotary rig to location, it is necessary to employ contractor for towing barge. In water operations, an operator usually contracts with owner of boats for use by drilling contractor to move materials and crews to and from location. After barge is

floated over location, sea cocks are opened and the barge settles to bottom; at which time drilling operations are ready to commence. Subsequent operations are more or less similar to Land Operations in all of the various services needed.

Preparing location, including operations such as grading; excavating; constructing roads, canals, piers and platforms; and erecting shelters.

Installing equipment, including any means of transporting, assembling, erecting, and testing.

Making, conditioning and completing hole, including drilling and control thereof, coring, reaming, straightening or deflecting, repairing defects, together with all surveying, fishing, casing, cementing, perforating, and treating operations that may be required.

Plugging and grouting, including the setting of bottom hole or bridge plugs and injecting cement, plastic or other material into the formation selectively or otherwise.

Completing for utilization, including installation of tubing, packers, valves and other service connections above or below the surface such as flow lines, oil and gas separators, treating equipment and tanks; and also all testing and repairing.

Repairing or redrilling, including deepening, plugging back, squeezing, side tracking, cleaning out, reaming, treating (shooting, acidizing, hydrafracing, etc.), pulling and running casing and tubing, and testing.

Core drillings; strata testing; well logging; well shooting; cementing; pressure fracturing; sand acidizing; repressuring or flooding.

Shooting.

Rig removal.

Pulling casing and tubing on abandonment. Dry holes—casings are pulled and well plugged; Old abandoned wells—casings and tubings are pulled and well is plugged.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

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SEPTEMBER 5, 1952.

17 FR 8074 (9-6-52)

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**INTERPRETATIONS
GOR 14, Sec.3(a)(89)**

CONCESSIONAIRE AT STATE FAIR

Admission charges not exempt though proceeds inure to State fund

An opinion is requested as to whether the admission charges to the various events to be presented at a State Fair are exempt from price regulation.

It appears that the proceeds derived from the events presented at the Fair, would inure to the State Fair for maintenance and improvement of the Fair grounds which are under the direct auspices and control of the State Department of Agriculture.

Section 3 (a)(89) of General Overriding Regulation 14 exempts from price regulation the rates, fees and charges for any services supplied directly by the State or an agency of any state. However, the exemption does not extend to concessionaires or other persons supplying such services in a private capacity for the State or agency of the state. Therefore, the only admission charges which are exempt from price regulation are the admission charges to those events which are directly operated by a state agency. The admission charges for those events which are under the control of a concessionaire or private person remain subject to the provisions of CPR 34, it being immaterial that proceeds therefrom eventuate into the State's maintenance and improvement of the Fair grounds, which is State property.
(3-18-52 No. 3)

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INTERPRETATIONS
GOR 14, Sec. 3(a)(110)

INSPECTION AND TESTING SERVICES

Term "non-retail" explained

Section 3(a)(110) of General Overriding Regulation 14 exempts non-retail inspection and testing services supplied by non-profit organizations. This exemption applies to all such organizations supplying services usually supplied at other than the retail level and generally considered by the trade as being non-retail in nature.

The word "non-retail" as used in this subsection describes the type of service covered. The exemption, therefore, applies to all levels of distribution.
(10-13-52 No. 18)

INTERPRETATIONS
GOR 14, Sec. 3(a)(21)

DANCE STUDIOS

When exempt

Dance studios are within the exemptions of General Overriding Regulation 14, section 3(a)(21), if they provide a systematic and supervised course of instruction. The exemption applies equally to individual and class instruction and does not exclude an institution operated purely for profit.
(10/24/42 No. 10)

INTERPRETATIONS
GOR 14, Sec. 3(a)(113)

RADAR AND OTHER ELECTRONIC EQUIPMENT ON SHIPS
Installation, maintenance, and repair - not exempt

OPS has been asked whether the installation, maintenance and repair of radar and underwater sounding gear used on vessels of various types and sizes are exempt under GOR 14, Sec. 3(a)(113) or under GOR 9, Sec. 2(b)(5).

GOR 14, Sec. 3(a)(113) exempts charges made for "repair and conversion services to any boat, ship, barge, canal boat, lighter or tug." GOR 9 contains similar language to exempt repair and conversion services upon vessels more than 65 feet in length.

The installation, maintenance, and repair of radar and underwater sounding gear is not exempt under these sections. The words "repair and conversion services" do not contemplate the installation, maintenance and repair of radar and underwater sounding gear. The installation, repair, and maintenance of radar and underwater sounding gear is not the repair or conversion of a vessel within the meaning of these sections. The exemption was intended to cover the services normally performed by a shipyard and not specialized services such as those performed on electronic equipment.
(12/8/52, No. 8)

INTERPRETATIONS
GOR 14, Sec. 3(a)(113)

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(12-8-52, No. 8)

SUPPLEMENTARY INTERPRETATION

MARINE INSTRUMENTS, SPARE PARTS
Repair of ships' instruments

The question has been asked as to whether spare parts sold only for repair or conversion of ships' instruments are exempt from price control under the provisions of section 2(b)(5) of GOR 9.

This section provides that the "repair or conversion of any ship, barge, canal boat, lighter or tug, more than 65 feet in length, whether propelled by sail or motor power or towed by other craft" is exempt from price control.

GOR 14, section 3(a)(113) contains substantially similar language exempting the services of any such repair or conversion.

If the equipment which is serviced or repaired and the sale of spare parts necessary thereto is a necessary adjunct to the normal operation or navigation of a vessel and is uniquely designed for use aboard a vessel, such service or repair and sale of spare parts are exempt from price control; provided, however, that this exemption shall only apply to equipment which is affixed or attached to a vessel in such a manner that it is normally repaired or serviced on shipboard.
(1-12-53 No. 3).

INTERPRETATIONS
GOR 14, Sec. 3(a)(72)

COOPERATIVE ASSOCIATIONS AND CORPORATIONS

When "dues" and "membership fees" are not subject to control (see Interps. following CPR 34, Sec. 2, page 85 Serv 32:202.57).

INTERPRETATIONS
GOR 14, Sec. 3(a)(85)

ROYALTIES

When exempt

Section 3(a)(85) of GOR 14 exempts royalties from price control, unless the royalties are for a grant of a right under a patent which is incident to or an integral part of any sale by the patent holder of any material subject to ceiling price regulation. The "H" company inquires whether the royalties which it collects as agent for the patent holder are subject to price control. It sells a resin which is used in the making of a patented adhesive. The patent covers the making of the adhesive. The patent holder is not related to the "H" company and has no interest in its sale of the resin. The "H" company acts as agent for the patent holder, and collects the royalties from its customers along with payments for the sale of its resin and turns over the royalties to the patent holder.

Since the grant of rights under the patent holder's patent is not incident to or an integral part of any sale by the patent holder, the royalties are exempt from price control.

(1-11-52 No. 43)

INTERPRETATIONS
GOR 14, Sec. 3(a)(89)CHARGES FOR SERVICES SUPPLIED BY THE UNITED STATES
Aircraft rental exempt

The question is raised as to the applicability of ceiling price regulations to the rentals charged by the Department of the Air Force in leasing aircraft to private operators.

Subparagraph (89) of section 3(a) of General Overriding Regulation 14, effective September 19, 1951, exempts from price control services supplied directly by the United States, the States, Territories and possessions of the United States, and their political subdivisions and municipalities, the District of Columbia, and any agency of any of the foregoing, with the exception of services which are incidental or related to or connected with the sale of any commodity, and certain other services not pertinent. On July 21, 1952 this exemption was continued in a modified form by section 2 of General Overriding Regulation 11, Revision 2, which exempted services supplied directly by the United States, the States, Territories and possessions of the United States, and their political subdivisions and municipalities, the District of Columbia and any agency of the foregoing, and the former exceptions were eliminated.

Rental of aircraft is a service which normally would be covered by Ceiling Price Regulation 34. However, inasmuch as the aircraft rentals are not incidental or related to or connected with the sale of a commodity, such rentals by the Air Force have been exempt from ceiling price regulation since September 19, 1951, and are exempt at the present time.

(2-2-53 No. 1)

INTERPRETATIONS GOR 14, Sec. 4(b)(1)

GINNING, BALING, AND WRAPPING When suspension includes wrapping and ties

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Overriding Regulation 14,
Interpretation 1]

GOR 14—EXCEPTED AND SUSPENDED SERVICES

INT. 1—SUSPENSION OF CEILING PRICES ON NONEXEMPT COMMODITIES FURNISHED WITH BALING AND GINNING SERVICES SECTION 4 (b) (1)

The question has been raised whether the wrapping and ties used in baling cotton have been suspended from price controls (1) when furnished with the

service of ginning cotton and (2) when sold as such.

Section 4 (b) (1) of GOR 14, as amended, suspends from price controls the service of ginning, baling and wrapping cotton. Where a commodity is furnished as an integral part of a service and ceiling prices for the service are suspended, the suspension includes the commodity so furnished. Inasmuch as the wrapping and ties furnished with the service of ginning, baling and wrapping are an integral part of such service, they are suspended from price controls—not as commodities but as parts of a service sale—by section 4 (b) (1) of GOR 14, as amended.

On the other hand, the sale of burlap and cotton covers and metal ties used in

baling cotton are still subject to price controls when such sale is a separate transaction and is not an integral part of the furnishing of the above services. Section 3 (g) and (h) of GOR 4, Revision 1, as amended, does not suspend burlap and cotton bale covers sold as such from price controls since only laminated covers are included in the commodities suspended by those paragraphs.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

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SEPTEMBER 4, 1952.

(17 F.R. 8044, 9/5/52)

INTERPRETATIONS
GOR 14, Sec. 4(b)(2)

HANDLING AND STORAGE OF COTTON
-----suspension not applicable to hauling

The hauling of cotton is not suspended from price control under Section 4(b)(2) of GOR 14. The exemption for "handling and storage of raw cotton and other warehousing services incident thereto" is applicable only to services rendered in connection with the storage of raw cotton.
(9/11/52 No. 4)

