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Declassified E.O. 12356 Section 3.3/NND No.

785016

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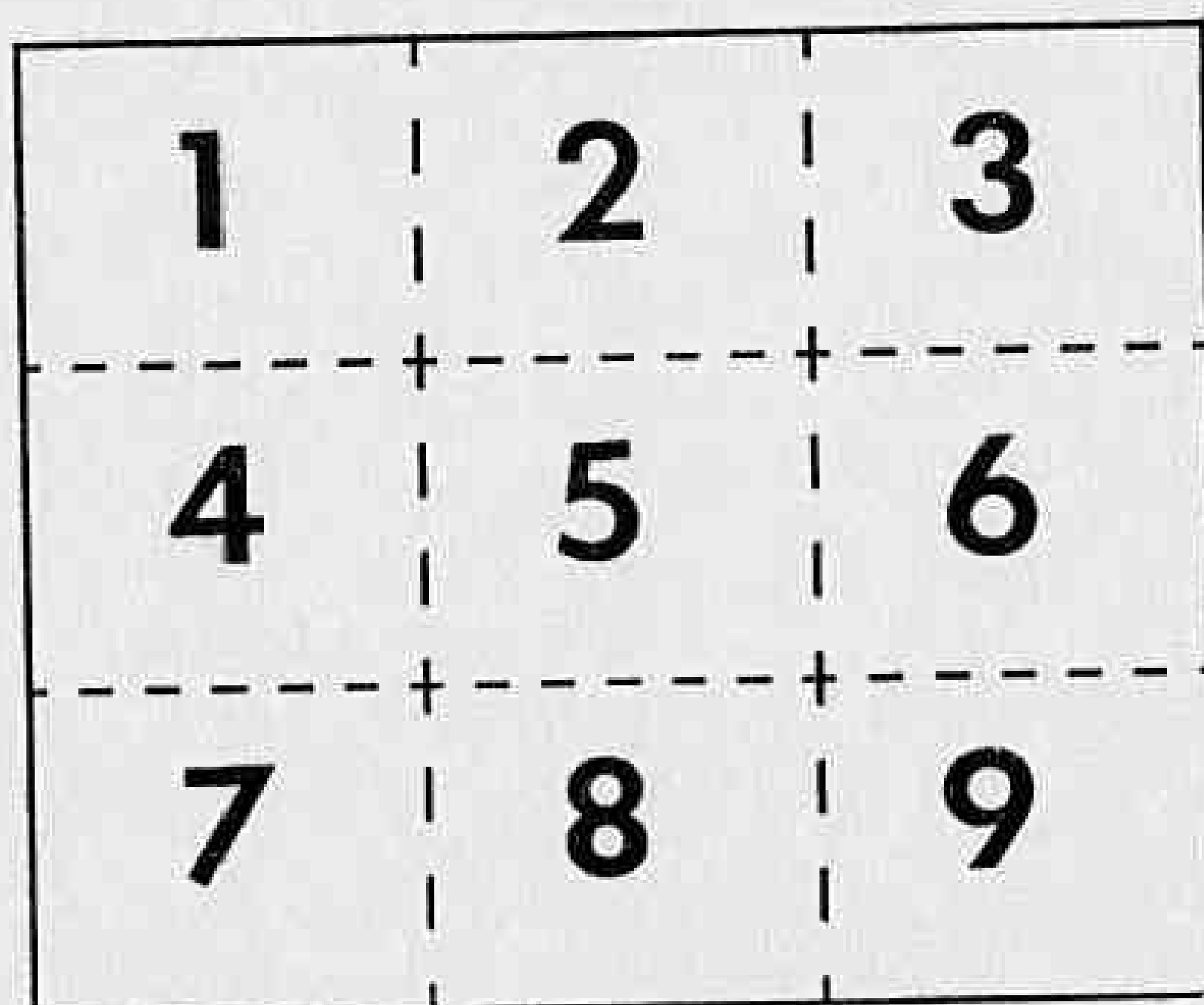
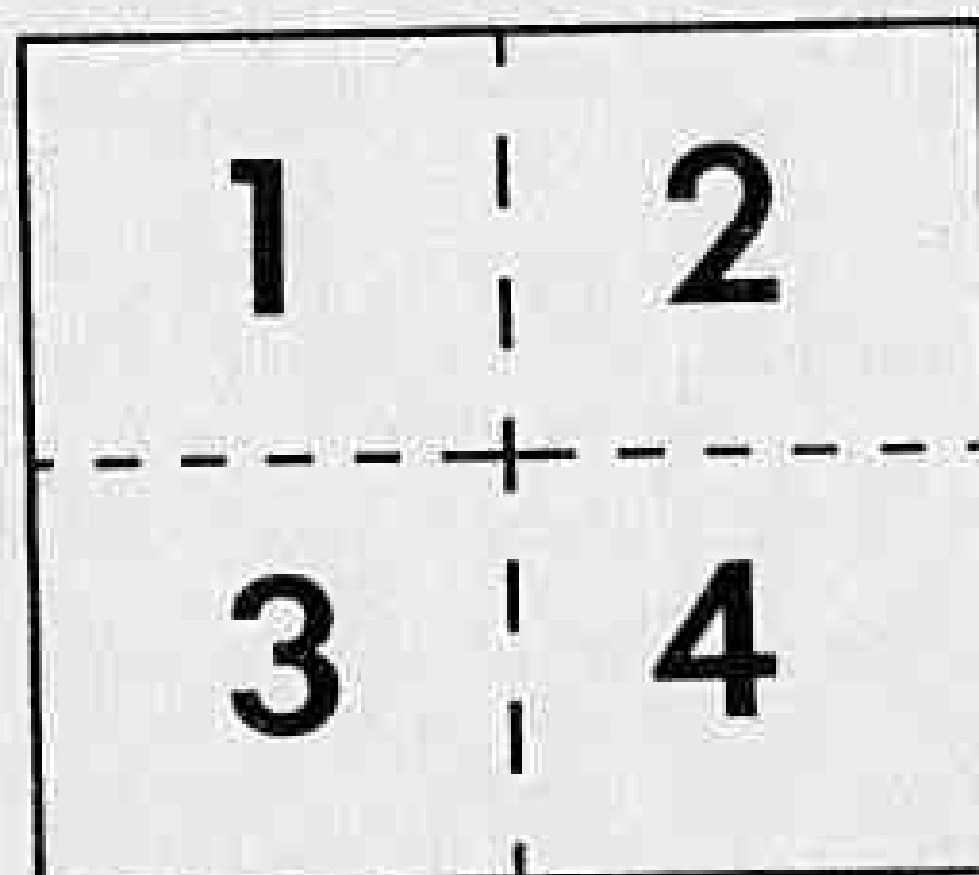
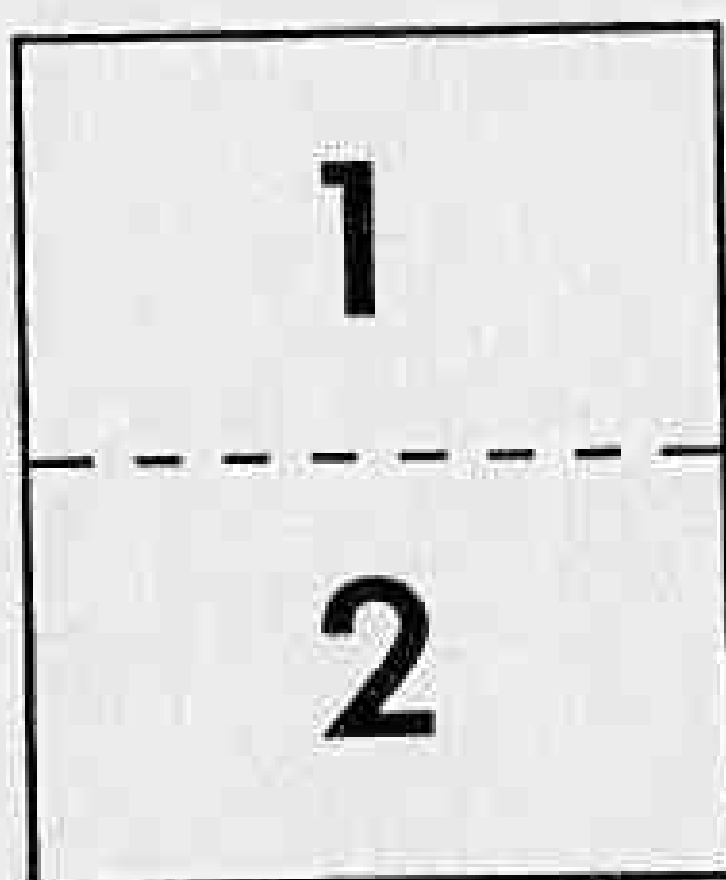
GEN
JUN.

GENERAL ORDER NO. 26 & 26 / (REVISED)
JUN. - OCT. 1944

498

MAPS AND CHARTS TOO LARGE TO FILM
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LEFT TO RIGHT, AND TOP TO BOTTOM.

SEE DIAGRAMS BELOW.



Allied Military Government of Occupied Territory

GENERAL ORDER No. 26

Consignment of Wheat and Barley Produce in 1944 to People's Granaries

WHEREAS due to the present emergency it is essential to ensure vital supplies to the Arm Forces and to the civilian population ; and

WHEREAS it is deemed advisable to require the consignment to People's Granaries of wheat and barley produced during the 1943-1944 season and to regulate the delivery, transport, processing and distribution thereof, in accordance with the provisions of Ministerial Decree, dated 2 May 1944, the effect of which is set out below ;

NOW, THEREFORE, I, MAURICE STANLEY LUSH, C.B.E., M.C., Brigadier, Executive Commissioner Allied Control Commission, hereby order as follows :

Article I. - Consignment of wheat and barley to people's granaries and payment therefor

a) - All wheat and barley, by whomsoever and for whatever reason held, shall be liable for consignment to the People's Granaries. The provisions of Royal Decree Law No. 397 of 10 May 1940 concerning the amassing of wheat and barley shall, subject to the provisions of this Order, remain in force.

b) - All wheat and barley, consigned to the People's Granaries under this Article, shall be paid for immediately at the basic prices set forth below:

Hard wheat	.	.	.	.	.	Lire 1,000 per quintal
Soft wheat	.	.	.	.	.	Lire 900 per quintal
Common barley	.	.	.	.	.	Lire 700 per quintal

Price bonuses and deductions corresponding to the above shall be as follows:

Governo Militare Alleato del Territorio Occupato

ORDINE GENERALE N. 26

Consegna ai Granai del Popolo del Grano e dell'Orzo Prodotti nell'anno 1944

CONSIDERATO che, a causa delle attuali emergenze, è necessario di assicurare i rifornimenti vitali per le Forze Armate e per la popolazione civile.

CONSIDERATO che è apparso opportuno ordinare la consegna ai Granai del Popolo del grano e dell'orzo prodotto nella Campagna 1943-1944 e di disciplinarne la consegna, i trasporti, la lavorazione e la distribuzione secondo le norme del Decreto Ministeriale 2 maggio 1944, la sostanza delle quali è qui appresso enunciata.

IN CONSEGUENZA, io MAURICE STANLEY LUSH, C.B.E., M.C., Generale di Brigata, Commissario Esecutivo della Commissione Alleata di Controllo, con la presente ordinanza dispono quanto appresso.

Articolo I. - Consegna del Grano e dell'Orzo ai Granai del Popolo e Relativo Pagamento

a) - Tutto il grano e tutto l'orzo, da chiunque e per qualsiasi titolo detenuti, sono soggetti a consegna ai Granai del Popolo. Le norme del R.D.L. 10 maggio 1943 N. 397, relative allo ammasso del grano e dell'orzo, rimangono in vigore con le modificazioni di cui alla presente ordinanza.

b) - Tutto il grano e tutto l'orzo, consegnati ai Granai del Popolo in virtù di questo Articolo saranno pagati immediatamente ai prezzi base qui sotto stabiliti:

Grano duro	.	.	.	.	.	L. 1000,00 per quintale
Grano tenero	.	.	.	.	.	L. 900,00 per quintale
Orzo comune	.	.	.	.	.	L. 700,00 per quintale

Governo Militare Alleato del Territorio Occupato

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IN CONSEGUENZA, io MAURICE STANLEY LUSH, C.B.E., M.C., Generale di Brigata, Commissario Esecutivo della Commissione Alleata di Controllo, con la presente ordinanza dispongo quanto appresso.

Articolo I. - Consegna del Grano e dell'Orzo ai Granai del Popolo e Relativo Pagamento

a) - Tutto il grano e tutto l'orzo, da chiunque e per qualsiasi titolo detenuti, sono soggetti alla consegna ai Granai del Popolo. Le norme del R.D.L. 10 maggio 1943 N. 397, relative allo ammasso del grano e dell'orzo, rimangono in vigore con le modificazioni di cui alla presente ordinanza.

b) - Tutto il grano e tutto l'orzo, consegnati ai Granai del Popolo in virtù di questo Articolo, saranno pagati immediatamente ai prezzi base qui sotto stabiliti:

Grano duro	.	.	.	.	.	L. 1000,00 per quintale
Grano tenero	.	.	.	.	.	L. 900,00 per quintale
Orzo comune	.	.	.	.	.	L. 700,00 per quintale

and the above prices set forth below:

Hard wheat	Lire 1,000 per quintal
Soft wheat	Lire 900 per quintal
Common barley	Lire 700 per quintal

Price bonuses and deductions corresponding to the characteristics of the grains shall be calculated on the respective base prices in accordance with revised grain grading cards to be distributed.

Article II. - General provisions as to retention

a) - The provisions governing the milling of wheat and barley produced in 1944, to be retained for family consumption, as directed by Ministerial Decree of 15 June 1943, are hereby continued in effect, with the exception of Art. 4 thereof, relating to amounts to be retained for family consumption, which are fixed hereunder.

b) - The provisions relating to the expiration in advance of milling permits covered by Order No. 1 of the Italian Commissioner General for Alimentation (1943) are hereby abrogated. All amounts retained for family food requirements must be accounted for by means of the milling permits issued by Communal authorities, in accordance with existing regulations. Such amounts so retained shall not be bought or sold, or be made the subject of exchange.

Article III. - Maximum amounts of wheat to be retained

a) - Maximum amounts of wheat which may be retained from the 1944 crop for family consumption under the exemption from consignment to the People's Granaries in accordance with Art. 2 of R.D.L. No. 397 of 10 May 1943, are fixed as follows for each person of the following groups, no one person being entitled to more than one retention:

1. - non-manual operators of cereal farms of which they are owners or « Enfiteuti » (long-term tenants) or usufructuaries or tenants (operators with hired help, or on a half-share tenancy basis, or on a share-tenancy or share-cropping basis) who personally and continuously attend to the management of the farm to the exclusion of any other activity: 1.50 quintals of wheat for such operator and for each cohabitant dependent member of his family and cohabitant help;

2. - Manual operators of cereal farms, of which they are owners or « Enfiteuti » (long-term tenants), or usufructuaries, or tenants (personal operators): 2.00 quintals of wheat for the operator and each cohabitant dependent member of his family and cohabitant help;

3. - Share tenants who share in the production of cereal farms: 2.00 quintals of wheat for the laborer and each cohabitant dependent member of his family and cohabitant help;

4. - Communities and parishes operating cereal farms as owners or « Enfiteuti » (long-term tenants) or usufructuaries, or tenants: 2.00 quintals of wheat per capita for members who manually and permanently attend to the cultivation of the land.

b) - Furthermore, operators who are obligated under wage contracts to make deliveries of cereals to laborers, may retain the following:

5. - For fixed-salary employees and task-labor working on cereal farms, whenever wage contracts specify compensation in kind: up to 2.00 quintals of wheat for each laborer and for each cohabitant dependent member of his family;

6. - For share-tenants, share-croppers, fixed-salary employees of farming enterprises and laborers permanently working for such enterprises, whenever wage contracts specify compensation in kind: up to 2.00 quintals of wheat per manual laborer.

7. - For managers and employees of cereal farms who permanently reside thereon and work continuously and exclusively, in technical, administrative, managerial or clerical capacity: 1 quintal of wheat for each manager or employee and for each cohabitant dependent member of his family.

... consegnati ai Granai del Popolo in virtù di questo Articolo
saranno pagati immediatamente ai prezzi base qui sotto stabiliti:

Grano duro	L. 1000,00 per quintale
Grano tenero	L. 900,00 per quintale
Orzo comune	L. 700,00 per quintale

13

I buoni dei prezzi e le deduzioni corrispondenti alle caratteristiche dei grani saranno calcolati sui rispettivi prezzi base in relazione alle nuove Tabelle di classifica dei grani che saranno distribuite.

Articolo II. - Norme Generali per le Trattenute

a) - La disciplina della molitura del grano e dell'orzo, prodotti nell'anno 1944 e da trattenere per il consumo familiare, resta quella stabilita dal Decreto Ministeriale 15 giugno 1943, fatta eccezione per l'art. 4 del detto decreto, relativo alle quote da essere trattenute per il consumo familiare, le quali vengono fissate come qui appresso.

b) - Le norme, relative all'anticipata scadenza delle bollette di macinazione, di cui all'ordinanza N. 1 del Commissario Generale Italiano dell'Alimentazione (anno 1943), vengono abrogate. Le quantità trattenute per il fabbisogno dell'alimentazione familiare debbono risultare dalla bolletta di macinazione rilasciata, secondo le norme vigenti dalle Autorità Comunali. Le quantità così trattenute non possono formare oggetto né di compravendita né di permuta.

Articolo III. - Ammentare Massimo delle Trattenute di Grano

a) - Le quantità massime di grano, che possono essere trattenute sul raccolto 1944 per il consumo familiare in esenzione dall'obbligo di consegna ai Granai del Popolo, giusta l'art. 2 del R.D. 10 maggio 1943 n. 397, restano stabilite come appresso per ogni persona dei gruppi qui sotto specificati, con l'avvertenza che nessuna persona è autorizzata a più di una sola trattenuta:

1. - conduttori non coltivatori manuali di aziende cerealicole, di cui siano proprietari o enfiteuti o usufruttuari o affittuari (conduttori in economia, o a mezzadria, o a colonia parziaria, o compartecipazione) che dirigano direttamente e continuativamente l'esercizio dell'azienda con esclusione di ogni altra attività: q.li 1.50 di grano per il conduttore e per ciascuna delle persone della famiglia che con lui convivono a carico e per ciascuno dei dipendenti conviventi.

2. - conduttori coltivatori manuali di aziende cerealicole, di cui siano proprietari, o enfiteuti o usufruttuari, o affittuari (coltivatori diretti): q.li 2.00 per il conduttore e per ciascuna delle persone di famiglia che con lui convivono a carico e per ciascuno dei dipendenti conviventi.

3. - coloni parziari, compartecipanti di aziende cerealicole: q.li 2 per il lavoratore e per ciascuna delle persone di famiglia che con lui convivono a carico e per ciascuno dei dipendenti conviventi.

4. - convivenze e parrocchie che conducano direttamente aziende cerealicole in proprietà enfiteusi, o in usufrutto, o in affitto: q.li 2 pro-capite per i conviventi che attendono manualmente e stabilmente alla coltivazione dei terreni.

b) - Inoltre, i conduttori che abbiano, per patto di lavoro, obbligo di corrispondere cereali ai lavoratori, possono trattenere:

5. - per i salariati fissi ed obbligati, addetti alle aziende cerealicole, quando per patto di lavoro abbiano diritto a compenso in natura: fino a q.li 2 per ciascun lavoratore e per ciascuna delle persone di famiglia che con lui convivono a carico.

6. - per i coloni parziari, i compartecipanti, i salariati fissi di aziende agricole ed i bracci stabilmente occupati in tali aziende, sempre che le condizioni di salario del patto di lavoro si riferiscano espressamente a somministrazioni in natura: q.li 2 per lavoratore manuale.

7. - per i dirigenti e impiegati di aziende...

mediatamente ai prezzi base qui sotto stabiliti:

grano duro	L. 1000,00 per quintale	13
grano tenero	L. 900,00 per quintale	
orzo comune	L. 700,00 per quintale	

Prezzi e le deduzioni corrispondenti alle caratteristiche dei grani saranno calcolati base in relazione alle nuove Tabelle di classifica dei grani che saranno di-

Articolo II. - Norme Generali per le Trattenute

La linea della molitura del grano e dell'orzo, prodotti nell'anno 1944 e da trattenere familiare, resta quella stabilita dal Decreto Ministeriale 15 giugno 1943, fatta eccezione del detto decreto, relativo alle quote da essere trattenute per il consumo familiare sono fissate come qui appresso.

Le relative all'anticipata scadenza delle bollette di macinazione, di cui all'ordinanza del Ministro Generale Italiano dell'Alimentazione (anno 1943), vengono abrogate. Le quote per il fabbisogno dell'alimentazione familiare debbono risultare dalla bolletta di famiglia, secondo le norme vigenti dalle Autorità Comunali. Le quantità così trattengono formare oggetto nè di compravendita nè di permuta.

Ammentare Massimo delle Trattenute di Grano

Le quantità massime di grano, che possono essere trattenute sul raccolto 1944 per il consumo familiare, esenzione dall'obbligo di consegna ai Granai del Popolo, giusta l'art. 2 del R.D.L. n. 397, restano stabilite come appresso per ogni persona dei gruppi qui sotto specificate, in modo che nessuna persona è autorizzata a più di una sola trattenuta:

1. Per i non coltivatori manuali di aziende cerealicole, di cui siano proprietari o enfiteuti, o affittuari (conduttori in economia, o a mezzadria, o a colonia parziaria, o in altro modo) che dirigano direttamente e continuativamente l'esercizio dell'azienda con altra attività: q.li 1.50 di grano per il conduttore e per ciascuna delle persone di famiglia che con lui convivono a carico e per ciascuno dei dipendenti conviventi.

2. Per i coltivatori manuali di aziende cerealicole, di cui siano proprietari, o enfiteuti, o affittuari (coltivatori diretti): q.li 2.00 per il conduttore e per ciascuna delle persone di famiglia che con lui convivono a carico e per ciascuno dei dipendenti conviventi.

3. Per i parziari, compartecipanti di aziende cerealicole: q.li 2 per il lavoratore e per ciascuna delle persone di famiglia che con lui convivono a carico e per ciascuno dei dipendenti conviventi.

4. Per le aziende e parrocchie che conducano direttamente aziende cerealicole in proprietà o in affitto, o in affitto: q.li 2 pro-capite per i conviventi che attendono manualmente la coltivazione dei terreni.

5. Per i conduttori che abbiano, per patto di lavoro, obbligo di corrispondere cereali al proprietario o trattenere:

a) Per i parziari fissi ed obbligati, addetti alle aziende cerealicole, quando per patto di lavoro ricevano un compenso in natura: fino a q.li 2 per ciascun lavoratore e per ciascuna delle persone di famiglia che con lui convivono a carico.

b) Per i parziari, i compartecipanti, i salariati fissi di aziende agricole ed i braccianti addetti in tali aziende, sempre che le condizioni di salario del patto di lavoro si riferiscano a somministrazioni in natura: q.li 2 per lavoratore manuale.

Per i coltivatori e imnieri di...

6. - For share-tenants, share-croppers, fixed-salary employees of farming enterprises and laborers permanently working for such enterprises, whenever wage contracts specify compensation in kind: up to 2.00 quintals of wheat per manual laborer.

7. - For managers and employees of cereal farms who permanently reside thereon and work continuously and exclusively, in technical, administrative, managerial or clerical capacity: 1 quintal of wheat for each manager or employee and for each cohabitant dependent member of his family.

Article IV. - Retention of barley instead of wheat

As a total or partial substitute for wheat there may be retained for each quintal of wheat 1.30 quintals of barley produced on the same farm.

Article V. - Retention for seeding

Maximum amounts of wheat and barley which may be retained for seeding, under the exemption from crop control and from obligation to consign to the People's Granaries are fixed as follows for each hectare to be cultivated:

Barley, for production as grain :	1.50	quintals per hectare.
Late wheat :	1.25	quintals per hectare.
Early wheat :	1.80	quintals per hectare.

Article VI. - Retentions for animal feed

No wheat or barley retentions are authorized for animal feed.

Article VII. - Conflict with existing Italian legislation

All provisions of Italian laws which in any way conflict with the provisions of this Order are hereby abrogated.

Article VIII. - Penalties

Any person failing to conform to the provisions of this Order, or otherwise violating any of the provisions thereof shall, upon conviction by an Allied Military Court, be liable to punishment by imprisonment or fine, or both, as the Court may determine, or shall, upon conviction by an Italian court be liable to punishment in accordance with R.D.L. No. 245 of 22 April 1943.

Article IX. - Effective date

This Order will become operative in each province or part thereof within the occupied territory on the date of its first publication therein.

FOR THE CHIEF COMMISSIONER.

Dated : 6 June 1944.

M. S. LUSH
BRIGADIER,
EXECUTIVE COMMISSIONER,
ALLIED CONTROL COMMISSION

6. - per i coloni parziari, i compartecipanti, i salariati fissi di aziende agricole ed i stabilmente occupati in tali aziende, sempre che le condizioni di salario del patto di lavoro siano espressamente a somministrazioni in natura: q.li 2 per lavoratore manuale.

7. - per i dirigenti e impiegati di aziende cerealicole che risiedono stabilmente presso le stesse e vi esplicano continuamente ed esclusivamente la loro attività, con funzioni tecniche amministrative, di concetto o di ordine: q.li 1 per ciascun dirigente o impiegato e per ciascuna persona di famiglia che con lui convivono a carico.

Articolo IV. - Trattenuta di Orzo in sostituzione di Grano

In sostituzione totale o parziale di grano possono essere trattenuti per ogni quintale no q.li 1.30 di orzo prodotto nella stessa azienda agricola.

Articolo V. - Trattenuta per Semina

Le quantità massime di grano e di orzo, che possono essere trattenute per la semina, in sostituzione del vincolo e dall'obbligo di consegna al Granai del Popolo, sono stabilite come segue per ogni ettaro da coltivare:

orzo per produzione di granella:	q.li 1.50 per ettaro
grano di varietà tardiva:	q.li 1.25 per ettaro
grano di varietà precoce:	q.li 1.80 per ettaro

Articolo VI. - Ritenute per Mangime

Non sono consentite trattenute di grano o di orzo per mangime di animali.

Articolo VII. - Conflitto con Leggi Italiane Preesistenti

Sono abrogate tutte le disposizioni di leggi Italiane che comunque contrastino con quelle fissate nel presente decreto.

Articolo VIII. - Penalità

Chiunque non si conformi alle disposizioni di questa ordinanza, o altrimenti e contrariamente a quanto stabilito, sarà passibile, se ritenuto colpevole da una Corte Militare Alleata, di prigione o di multa, o di ambedue, a discrezione della Corte stessa, e se ritenuto colpevole da una Magistratura Italiana, sarà passibile delle pene di cui al R.D.L. 22 aprile 1943 n. 245.

Articolo IX. - Data di applicazione

La presente ordinanza entra in vigore in ogni Provincia o parte di Provincia del Territorio occupato alla data della sua prima pubblicazione nell'ambito della stessa.

PER IL COMMISSARIO CAPO.

Data: 6 Giugno 1944.

M. S. LUS

GENERALE DI BRIGATA
COMMISSARIO ESECUTIVO
COMMISSIONE ALLEATA DI CO

- per i coloni parziari, i compartecipanti, i salariati fissi di aziende agricole ed i braccianti occupati in tali aziende, sempre che le condizioni di salario del patto di lavoro si riferiscano pressappoco a somministrazioni in natura: q.li 2 per lavoratore manuale.

- per i dirigenti e impiegati di aziende cerealicole che risiedono stabilmente presso le aziende e vi esplicano continuamente ed esclusivamente la loro attività, con funzioni tecniche od amministrative, di concetto o di ordine: q.li 1 per ciascun dirigente o impiegato e per ciascuna delle persone di famiglia che con lui convivono a carico.

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orzo per produzione di granella:	q.li 1.50 per ettaro
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Non sono abrogate tutte le disposizioni di leggi Italiane che comunque contrastino con le norme del presente decreto.

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La presente ordinanza entra in vigore in ogni Provincia o parte di Provincia del Territorio occupato dalla data della sua prima pubblicazione nell'ambito della stessa.

PER IL COMMISSARIO CAPO.

M. S. LUSH.

6 Giugno 1944.

GENERALE DI BRIGATA,
COMMISSARIO ESECUTIVO,
COMMISSIONE ALLEATA DI CONTROLLO.

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Declassified E.O. 12356 Section 3.3/RND No.

785016

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FILE CLOSED 6 October 1944

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
AFC 394

6A

ACG

ACG/4074/9/1.

HJC/pa.
6 Oct 44.

SUBJECT : General Order No.26 (Revised) and General Order No.32.
TO : Economic Section (Attn. Mr. Antolini).

1. Reference yours 5 October 1944, ES/41.
2. General Order No.26 to which you refer is not involved. That Order was signed on 6 June 1944 and was subsequently published.
3. The two orders which are under discussion are General Order No.26 (Revised) and General Order No.32.
4. General Order No. 32 was drafted at the specific and urgent request of the Economic Section. In order to conform the terms of General Order No.26 thereto it was necessary to revise the same, and General Order No.26 (revised) was drafted accordingly. The responsibility of the Legal Sub-Commission ended when it delivered the foregoing General Orders to the Economic Section on 13 August 1944 along with the certificate of the Chief Legal Officer. As pointed out in our letters of transmittal both under date of 13 August 1944 ACG/4074/9/1 and ACG/4074/15/1, it was then the responsibility of the Economic Section to secure the execution thereof by the Executive Commissioner and to arrange with the R.C. & M.C. Section for printing and distribution. Your files alone would indicate what dispositions were subsequently made thereof. As a matter of interest however we have checked with the Civil Affairs Section and are advised by it that General Order No.26 (Revised) and General Order No.32 have not been received from the Economic Section.
5. In response to Para 1 of your letter, it is necessary to point out that the fact that legislation has been promulgated by the Italian Government is totally irrelevant to the subject. Italian Legislation even when extended to Military Government Territory by implementation through the Cassette is not thereby extended into and over army areas. To accomplish the latter the mechanism of a General Order is used. It was for that purpose and that purpose only that General Order No.32 and General Order No.26 (Revised) were prepared at your request. The corresponding Italian Legislation had already been implemented in Military Government Territory save only in army areas, and solely because it was the desire of the Economic Section to have such legislation extended into army areas as well, were General Order No.32 and 26 (Revised) prepared and forwarded to it. Why the Economic Section did not cause these orders to be executed and published, we of course have no means of knowing.

6. Brigadier Upjohn has requested that we now ascertain whether it is the intention of the Economic Section to activate General Order No 26 (Revised) and General Order No. 32. If not they should be cancelled from the records of both the Civil Affairs Section and the Legal Sub-Commission. May we be advised accordingly?

7. Brigadier Upjohn also desires advice as to whether it is the intention of the Economic Section that General Order No. 31, be published which was forwarded by us to the Agriculture Sub-Commission with our certificate on 20 July 1944. With respect to that order, also, the Civil Affairs Section has received no instructions for printing. Will you advise, please.

8. Returned herewith are the enclosures which accompanied your letter acknowledged herein.

MAJ. J. GOSMAN,
Lt. Colonel,
Chief Counsel,
for Chief Legal Advisor.

Copy to : Civil Affairs Section.

Tel. 497

407499
HEADQUARTERS
ALLIED CONTROL COMMISSION
ECONOMIC SECTION
APO 394

HHB/lml

ES/41

5 October 1944

SUBJECT : General Orders No. 26 and No. 32.

TO : Legal Sub-Commission
Attention: Lt. Col. Marc J. Grossman

1. I have been informed by Under-Secretary Bergami of the Italian Agricultural Ministry, that both General Orders No. 26 and No. 32 have been made the subject of special decrees by Minister Fausto Gullo and are in effect in the liberated areas.
2. You may wish to check through military channels to ascertain whether these orders were issued.
3. Kindly return the attached memoranda at your convenience after they have served your purposes.

Bakken
Henry H. Bakken
Staff Officer
Economic Section

Attachments - 2

General Order No. 26
General Order No. 32

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

MJG/ag
13 Aug 44

ACG/A 74/9/L

SUBJECT : General Order No. 26 (Revised)

TO : Economic Section.

1. Under separate cover we have forwarded to you General Order No. 32 which was prepared pursuant to your instructions.
2. In order to accomplish the objectives of General Order No. 32, it was necessary to amend General Order No. 26, and that order as revised is enclosed herewith together with the Italian version.
3. It follows that General Order No. 26 (Revised) must be made effective before or simultaneously with General Order No. 32.
4. Attached to General Order No. 26 (Revised) is certificate of the Acting Chief Legal Officer. The same (General Order No. 26 (Revised)) should be presented by you to the Executive Commissioner for the signature along with General Order No. 32. The responsibility for the direction of printing, distribution and posting rests with the RC & MG Section with whom you no doubt will desire to confer in order to communicate your wishes with respect thereto.

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MARG J. GROSSMAN,
Lt. Colonel.

and that order as revised is enclosed herewith together with the Italian version.

3. It follows that General Order No. 26 (Revised) must be made effective before or simultaneously with General Order No. 32.

4. Attached to General Order No. 26 (Revised) is certificate of the Acting Chief Legal Officer. The same General Order No. 26 (Revised) should be presented by you to the Executive Commissioner for the signature along with General Order No. 32. The responsibility for the direction of printing, distribution and posting rests with the RC & MG Section with whom you no doubt will desire to confer in order to communicate your wishes with respect thereto.

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MARC J. GROSSMAN,
Lt. Colonel,
Chief Counsel,
For, Acting Chief Legal Officer.

Copy to : ACC/4074/15/L

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORYGENERAL ORDER NO. 36 (Revised)CONSIGNMENT OF WHEAT AND BARLEY PRODUCED IN 1944 TO PEOPLE'S GRANARIES

Whereas due to the present emergency it is essential to ensure vital supplies to the Armed Forces and to the civilian population; and

Whereas it is deemed advisable to require the consignment to People's Granaries of wheat and barley produced during the 1943-1944 season and to regulate the delivery, transport, processing and distribution thereof, in accordance with the provisions of Ministerial Decree dated 2 May 1944, the effect of which is set out below :

Now, therefore, I, MAURICE STANLEY LUSH, O.B.E., M.C., Brigadier, Executive Commissioner, Allied Control Commission, hereby order as follows :

ARTICLE ICONSIGNMENT OF WHEAT AND BARLEY TO PEOPLE'S GRANARIES AND PAYMENT THEREFOR.

(a) All wheat and barley, by whomsoever and for whatever reason held, shall be liable to consignment to the People's Granaries. The provisions of Royal Decree Law No. 337 of 10 May 1943, concerning the marketing of wheat and barley shall, subject to the provisions of this order, remain in force.

(b) All wheat and barley consigned to the People's Granaries under this Article shall be paid for immediately at the basic prices set forth below :

Hard wheat	- Lire 1,000 per quintal
Soft wheat	- " 900 "
Common barley	- " 700 "
Mule barley	- " 950 "

CONSIGNMENT OF WHEAT AND BARLEY TO PEOPLE'S GRANARIES AND PAYMENT THEREFOR.

(a) All wheat and barley, by whomsoever and for whatever reason held, shall be liable to consignment to the People's Granaries. The provisions of Royal Decree Law No. 397 of 10 May 1943, concerning the amassing of wheat and barley shell, subject to the provisions of this order, remain in force.

(b) All wheat and barley consigned to the People's Granaries under this Article shall be paid for immediately at the basic prices set forth below:

Hard wheat	-	Lire 1,000 per quintal
Soft wheat	-	" 900 "
Common barley	-	" 700 "
Nude barley	-	" 950 "

Price bonuses and deductions corresponding to the characteristics of the grains shall be calculated on the respective base prices in accordance with revised grain grading cards to be distributed.

ARTICLE II

GENERAL PROVISIONS AS TO RETENTION

(a) The provisions governing the milling of wheat and barley produced in 1944, to be retained for family consumption, as directed by Ministerial Decree of 15 June 1943, are hereby continued in effect, with the exception of Art. 4 thereof, relating to amounts to be retained for family consumption, which are fixed hereunder.

(b) The provisions relating to the expiration in advance of milling permits covered by Order No. 1 of the Italian Commissioner General for Alimentation (1943) are hereby abrogated. All amounts retained for family food requirements must be accounted for by means of the milling permits issued by communal authorities, in accordance with existing regulations. Such amounts so retained shall not be bought or sold, or be made the subject of exchange.

ARTICLE III

MAXIMUM AMOUNTS OF WHEAT TO BE RETAINED

(a) Maximum amounts of wheat which may be retained from the 1944 crop for family consumption under the exemption from consent to the People's Granaries in accordance with Art. 2 of R.D.L. No. 397 of 10 May 1943, are fixed as follows for each person of the following groups, no one person being entitled to more than one retention:

(i) Non-manual operators of cereal farms of which they are owners or "enfiteuti" (long-term tenants) or usufructuaries or tenants (operators with hired help, or on a half-share tenancy basis, or on a share-tenancy or share-cropping basis) who personally and continuously attend to the management of the farm to the exclusion of any other activity: 1.50 quintale of wheat for such operator and for each cohabitant dependent member of his family and cohabitant help.

(ii) Manual operators of cereal farms, of which they are owners or "enfiteuti" (long-term tenants), or usufructuaries, or tenants (personal operators): 2.00 quintals of wheat for the operator and each cohabitant dependent member of his family and cohabitant help.

- (i) Non-manual operators (long-term tenants) or usufructuaries or "enfiteuti" (long-term tenants) with hired help, or on a half-share tenancy basis, or on a share-tenancy or share-cropping basis) who personally and continuously attend to the management of the farm to the exclusion of any other activity: 1.50 quintals of wheat for such operator and for each cohabitant dependent member of his family and cohabitant help.
- (ii) Manual operators of cereal farms, of which they are owners or "enfiteuti" (long-term tenants), or usufructuaries, or tenants (personal operators): 2.00 quintals of wheat for the operator and each cohabitant dependent member of his family and cohabitant help:
- (iii) Share-tenants who share in the production of cereal farms: 3.00 quintals of wheat for each laborer and cohabitant dependent member of his family and cohabitant help:
- (iv) Communities and parishes operating cereal farms as owners or "enfiteuti" (long-term tenants) or usufructuaries, or tenants: 2.00 quintals of wheat per capita for members who manually and permanently attend to the cultivation of the land.
- (b) Furthermore, operators who are obligated under wage contracts to make deliveries of cereals to laborers, may retain the following:
- (v) For fixed-salary employees and task-labor working on cereal farms, whenever wage contracts specify compensation in kind: up to 2.00 quintals of wheat for each laborer and for each cohabitant dependent member of his family;

(vi) For share-tenants, share-croppers, fixed-salary employees of farming enterprises and laborers permanently working for such enterprises, whenever wage contracts specify compensation in kind : up to 1.00 quintals of wheat per manual laborer;

(vii) For managers and employees of cereal farms who permanently reside thereon and work continuously and exclusively, in technical, administrative, managerial or clerical capacity: 1 quintal of wheat for each manager or employee and for each cohabitant dependent member of his family.

ARTICLE IV

RETENTION OF BARLEY INSTEAD OF WHEAT

As a total or partial substitute for wheat there may be retained for each quintal of wheat 1.30 quintals of barley produced on the same farm.

ARTICLE V

RETENTION FOR SEEDING

Maximum amounts of wheat and barley which may be retained for seeding, under the exemption from crop control and from obligation to consign to the People's Granaries are fixed as follows for each hectare to be cultivated :

Early wheat :	1.80 quintals per hectare
Late wheat :	1.25 quintals per hectare
Barley, for production as grain :	1.50 quintals per hectare.

ARTICLE VI

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Declassified E.O. 12356 Section 3.3/NND No. 785016

ARTICLE V

RETENTION FOR SEEDING

Maximum amounts of wheat and barley which may be retained for seeding, under the exemption from crop control and from obligation to consign to the People's Granaries are fixed as follows for each hectare to be cultivated:

Early wheat : 1.30 quintale per hectare
Late wheat : 1.25 quintale per hectare
Barley, for production as grain : 1.50 quintale
per hectare. 4

ARTICLE VI

RETENTION FOR ANIMAL FEED

No wheat or barley retentions are authorized for animal feed.

ARTICLE VII

CONFLICT WITH EXISTING ITALIAN LEGISLATION

All provisions of Italian law which in any way conflict with the provisions of this order are hereby abrogated.

ARTICLE VIII

PENALTIES

Any person failing to conform to the provisions of this Order, or otherwise violating any of the provisions thereof shall, upon conviction by an Allied Military Court, be liable to punishment by imprisonment or fine, or both, as the Court may determine or shall upon conviction by an Italian Court,

be liable to punishment in accordance with R.D.L. No. 245 of 22 April 1943 and R.D.L. No. 155 of 4 July 1944.

ARTICLE LX

EFFECTIVE DATE

This Order will become operative in each province or part thereof within the occupied territory on the date of its first publication therein.

For the Chief Commissioner

M. S. LUSH
Brigadier,
Executive Commissioner,
Allied Control Commission.

Dated: August 1944.

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HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

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ASC/4074/L

5 June 1944

SUBJECT: General Order concerning Consignment of Wheat and Barley
produced in 1944, to People's Granaries.

TO : Agriculture Subcommittee.

1. Reference telephone conversations Col. Wilmer - Major Sutherland.
2. Attached is fair copy and two carbon copies of General Order No. 26 embodying all amendments as agreed. It must be understood that this Subcommittee does not assume responsibility for the proper wording of technical matters, such as the provisions of Article I (b) which have been included at your request. The attached certificate is given subject to this qualification.
3. As you are probably aware the provisions of the existing Italian Ministerial Decree of 2 May 1944 (published in Official Gazette No. 24 of 3 May 1944) have been made applicable to Military Government territory, with the exception of Army areas. Copies of the Gazette Ufficiale No. 24 containing the Executive Commissioner's endorsement of the above decree were sent in the normal manner to Economic Section for distribution.
4. It is suggested therefore that, if the Italian decree has been made effective in occupied territory by virtue of proper distribution, etc., the General Order be posted only in Army areas although no harm would be done if posted elsewhere in Military Government territory.
5. It is our understanding that you will assume full responsibility for such printing or other reproduction, posting, translation, publication and distribution thereof as may be necessary. See Memorandum of Executive Commissioner 278/35/GA of 1 March 1944. Also bear in mind the fact that, while the Ministerial Decree has already been translated into English and forms the basis of the General Order, the Italian text of the Ministerial Decree will have to be changed somewhat before it can serve as an Italian translation of the General Order because the General Order is slightly different in certain passages from the English translation of the Ministerial Decree.

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RICHARD B. WILMER
Colonel, GAO
Deputy Chief Legal Officer.

4074 file
ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

GENERAL ORDER No. 26

CONSIGNMENT OF WHEAT AND BARLEY PRODUCED IN 1944 TO PEOPLE'S GRANARIES

Whereas due to the present emergency it is essential to ensure vital supplies to the Armed Forces and to the civilian population;

Whereas it is deemed advisable to require the consignment to People's Granaries of wheat and barley produced during the 1943-1944 season and to regulate the delivery, transport, processing and distribution thereof; in accordance with the provisions of Ministerial Decree dated 2 May 1944, the effect of which is set out below;

Now, therefore, I, MAURICE STANLEY LUSH, C.B.E., M.C., Brigadier, Executive Commissioner, Allied Control Commission, hereby order as follows:

ARTICLE I

CONSIGNMENT OF WHEAT AND BARLEY TO PEOPLE'S GRANARIES AND PAYMENT THEREFOR.

(a) All wheat and barley, by whomsoever and for whatever reason held, shall be liable to consignment to the People's Granaries. The provisions of Royal Decree Law No. 397 of 10 May 1943, concerning the amassing of wheat and barley shall, subject to the provisions of this order, remain in force.

(b) All wheat and barley consigned to the People's Granaries under this article shall be paid for immediately at the basic prices set forth below:

Hard wheat	-	Lire 1,000	per quintal
Soft wheat	-	" 900	" "
Common barley	-	" 700	" "

Price bonuses and deductions corresponding to the characteristics

CONSIGNMENT OF WHEAT AND BARLEY TO PEOPLE'S GRANARIES AND PAYMENT THEREFOR.

(a) All wheat and barley, by whomever and for whatever reason held, shall be liable to consignment to the People's Granaries. The provisions of Royal Decree Law No. 397 of 10 May 1943, concerning the marketing of wheat and barley shall, subject to the provisions of this order, remain in force.

(b) All wheat and barley consigned to the People's Granaries under this Article shall be paid for immediately at the basic prices set forth below:

Hard wheat	-	Lire 1,000	per quintal
Soft wheat	-	" 900	" "
Common barley	-	" 700	" "

Price bonuses and deductions corresponding to the characteristics of the grains shall be calculated on the respective base prices in accordance with revised grain grading cards to be distributed.

ARTICLE II

GENERAL PROVISIONS AS TO RETENTION

(a) The provisions governing the milling of wheat and barley produced in 1944, to be retained for family consumption, as directed by Ministerial Decree of 15 June 1943, are hereby continued in effect, with the exception of Art. 4 thereof, relating to amounts to be retained for family consumption, which are fixed hereunder.

(b) The provisions relating to the expiration in advance of milling permits covered by Order No. 1 of the Italian Commissioner General for Alimentation (1943) are hereby abrogated. All amounts retained for family food requirements must be accounted for by means of the milling permits issued by communal authorities, in accordance with existing regulations. Such amounts so retained shall not be bought or sold, or be made the subject of exchange.

ARTICLE III

MAXIMUM AMOUNTS OF WHEAT TO BE RETAINED

(a) Maximum amounts of wheat which may be retained from the 1944 crop for family consumption under the exemption from consignment

to the People's Ordinances in accordance with Art. 2 of R.D.L. No. 397 of 10 May 1943, are fixed as follows for each person of the following groups, no one person being entitled to more than one retention:

- (i) Non-manual operators of cereal farms of which they are owners or "enfiteuti" (long-term tenants) or usufructuaries or tenants (operators with hired help, or on a half-share tenancy basis, or on a share-tenancy or share-cropping basis) who personally and continuously attend to the management of the farm to the exclusion of any other activity: 1.50 quintals of wheat for each operator and for each cohabitant dependent member of his family and cohabitant help;
- (ii) Manual operators of cereal farms, of which they are owners or "enfiteuti" (long-term tenants), or usufructuaries, or tenants (personal operators): 2.00 quintals of wheat for the operator and each cohabitant dependent member of his family and cohabitant help;
- (iii) Share-tenants who share in the production of cereal farms: 2.00 quintals of wheat for each laborer and cohabitant dependent member of his family and cohabitant help;
- (iv) Communities and parishes operating cereal farms as owners or "enfiteuti" (long-term tenants) or usufructuaries, or tenants: 2.00 quintals of wheat per capita for members who manually and permanently attend to the cultivation of the land.
- (b) Furthermore, operators who are obligated under wage contracts to make deliveries of cereals to laborers, may retain the following:
 - (v) For fixed-salary employees and task-labor working on cereal farms, whenever wage contracts specify compensation in kind: up to 2.00 quintals of wheat for each laborer and for each cohabitant dependent member of his family;
 - (vi) For share-tenants, share-croppers, fixed-salary employees of farming enterprises and laborers permanently working for such enterprises, whenever contracts specify compensation in kind: up to 2.00 quintals of wheat per manual laborer

for each hectare to be cultivated:

Early wheat: 1.80 quintals per hectare.
Late wheat: 1.25 quintals per hectare.
Barley, for production as grain: 1.50 quintals per hectare.

ARTICLE VI

RESTRICTIONS FOR ANIMAL REE

No wheat or barley rations are authorized for animal feed.

ARTICLE VII

CONFLICT WITH EXISTING ITALIAN LEGISLATION

All provisions of Italian law which in any way conflict with the provisions of this order are hereby abrogated.

ARTICLE VIII

PUNISHMENTS

Any person failing to conform to the provisions of this Order, or otherwise violating any of the provisions thereof shall, upon conviction by an Allied Military Court, be liable to punishment by imprisonment or fine, or both, as the Court may determine or shall upon conviction by an Italian Court, be liable to punishment in accordance with R.D.L. No. 245 of 22 April 1943.

ARTICLE IX

TRANSITIONAL DATA

This Order will become operative in each province or part thereof within the occupied territory on the date of its first publication therein.

For the Chief Commissioner

any person failing to conform to the provisions of this Order, or otherwise violating any of the provisions thereof shall, upon conviction by an Allied Military Court, be liable to punishment by imprisonment or fine, or both, as the Court may determine or shall upon conviction by an Italian Court, be liable to punishment in accordance with R.S.L. No. 245 of 22 April 1943.

ARTICLE IX

REVENUE TAX

This Order will become operative in each province or part thereof within the occupied territory on the date of its first publication therein.

For the Chief Commissioner

M. S. LUCH
Brigadier,
Executive Co-missioner,
Allied Control Commission.

Date: June 1944

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