

appropriate regional office of the National War Labor Board.

(E.O. 9250, 7 F.R. 7871)

Adopted December 8, 1942.

GEORGE KIRSTEIN,
Executive Secretary.

[F. R. Doc. 42-13333; Filed, December 14, 1942;
12:24 p. m.]

PART 803—GENERAL ORDERS

APPROVAL OF ADJUSTMENTS IN RATES OF PAY OF EMPLOYEES OF UNITED STATES EMPLOY- MENT SERVICE

§ 803.20 *General Order No. 20.* (a) The United States Employment Service or any of its state administrative offices which proposes to make adjustments in the salaries or wages of its employees not fixed by statute, which would otherwise require the prior approval of the National War Labor Board, may make such adjustment on certification to the Board that the adjustment is necessary to correct maladjustments or to correct inequalities or gross inequities, as defined in the Board's Statement of Wage Policy of November 6, 1942, and any other general order or policy heretofore or hereafter announced thereunder.

(b) A certificate by the appropriate official of the United States Employment Service stating the nature and amount of such adjustment, and briefly setting forth the facts meeting the foregoing requirement, will be accepted by the Board as sufficient evidence of the propriety of the adjustment, subject to review by the Board. Modification by the Board of adjustments made by the United States Employment Service or one of its state administrative offices acting pursuant hereto shall not be retroactive.

(c) The certificate prescribed herein, together with four copies thereof, shall be filed promptly with the committee established by joint action of the National War Labor Board and the Commission of Internal Revenue, namely, the Joint Committee on Salaries and Wages, Room 5406, Department of Labor Building, Washington, D. C., which will forward the same to the Board or the Commissioner, as the case may require.

(d) The certification procedure shall not apply to any adjustment which would raise salaries or wages beyond the prevailing level of compensation for similar services in the area or community. In exceptional cases where such an adjustment is sought, application for approval shall be filed with the appropriate Regional Office of the National War Labor Board.

(E.O. 9250, 7 F.R. 7871)

Adopted December 8, 1942.

GEORGE KIRSTEIN,
Executive Secretary.

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12:24 p. m.]

PART 803—GENERAL ORDERS

AUTHORIZATION TO DEPARTMENT OF INTERIOR TO PASS ON WAGE AND SALARY ADJUST- MENTS FOR DESIGNATED EMPLOYEES

§ 803.21 *General Order No. 21.* (a) The National War Labor Board hereby delegates to the Secretary of the Interior, to be exercised on his behalf by the Special Adviser on Labor Relations to the Secretary of the Interior (hereinafter referred to as the Interior Department Agency), the power to approve or disapprove all applications for wage and salary adjustments (insofar as approval thereof has been made a function of the National War Labor Board) covering employees of the Interior Department within the continental limits of the United States and Alaska whose wages or salaries are not fixed by statute, all in accordance with the further provisions of this order.

(b) In the performance of its duties hereunder the Interior Department Agency shall comply with the terms of Executive Order 9250, dated October 3, 1942 and any other general order or policy of the National War Labor Board heretofore or hereafter issued thereunder. The Interior Department Agency, without making an initial ruling thereon may refer to the Board, for decision by the Board, any case which in the opinion of the agency presents doubtful or disputed questions of sufficient seriousness and import to warrant direct action by the Board.

(c) The Interior Department Agency shall transmit to the Review and Analysis Division of the National War Labor Board copies of its rulings, and rules of procedure, if any, as they are issued, and such additional data and reports as said Division or the Board may from time to time deem necessary.

(d) Any ruling by the Interior Department Agency hereunder shall be deemed to be the act of the National War Labor Board and shall be final subject to the National War Labor Board's ultimate power to review rulings on its own initiative, and to reverse or modify the same. Any such order of reversal or modification shall not be retroactive and shall allow the Interior Department Agency a period of two weeks from the date of the Board's order, within which to comply with the order.

(e) Nothing herein contained shall be construed as affecting the advisory duties and functions of the following Wage Boards heretofore constituted by order of the Secretary of the Interior and any similar Boards so constituted in the future:

- (1) Boulder Canyon Project Wage Board.
- (2) Columbia Basin Project Wage Board.
- (3) Central Valley Project Wage Board.
- (4) Parker Dam Power Project Wage Board.

(5) Boulder City Experiment Station Wage Board.

(E.O. 9250, 7 F.R. 7871)

Adopted December 8, 1942.

GEORGE KIRSTEIN,
Executive Secretary.

[F. R. Doc. 42-13334; Filed, December 14, 1942;
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PART 803—GENERAL ORDERS

ESCALATOR CLAUSES

§ 803.22 *General Order No. 22.* (a) No clause contained in any labor agreement, commonly known as an "escalator clause", relating to wages or salaries subject to the jurisdiction of the National War Labor Board, regardless of when the agreement was made, which provides for an adjustment in wage rates after October 3, 1942, or an adjustment in salary rates after October 27, 1942, because of changes in the cost of living, shall be enforced, where such adjustment would result in rates in excess of fifteen per cent above the average straight time hourly rates or equivalent salary rates prevailing on January 1, 1941.

(b) Adjustments within the fifteen per cent limit must be submitted for approval by the board in the usual manner.

(E.O. 9250, 7 F.R. 7871)

Adopted December 8, 1942.

GEORGE KIRSTEIN,
Executive Secretary.

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TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment No. 104, 2d Ed.]

PART 627—APPEAL TO BOARD OF APPEAL

MISCELLANEOUS AMENDMENTS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in an Administrative Order dated December 5, 1942, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraphs (b) and (c) of § 627.13 to read as follows:

§ 627.13 *Local board to transmit record to the board of appeal.*

(b) Immediately upon determining that all steps required by the regulations have been taken and that the rec-

* 6 F.R. 6845; 7 F.R. 2090.

ord is complete, the local board shall transmit the file to the board of appeal: *Provided*, That the State Director of Selective Service may direct the channels through which such file shall be forwarded to the board of appeal.

(c) The local board shall enter in the Classification Record (Form 100) the date it transmits the registrant's file to the board of appeal.

2. Amend the regulations by deleting § 627.14 in its entirety.

3. Amend the regulations by deleting § 627.15 in its entirety.

4. Amend § 627.22 to read as follows:

§ 627.22 *Transfer of appeal.*⁶ If the board of appeal, upon receiving the file of a registrant, determines that it does not have jurisdiction of the appeal or that it cannot act on the appeal for any other reason, it shall forward the file to the State Director of Selective Service. If the State Director of Selective Service determines that the board of appeal to which the file was originally forwarded does not have jurisdiction, he shall transmit the file to the board of appeal having jurisdiction. If the board of appeal to which the file was originally forwarded is unable to act for any reason and there is more than one board of appeal in the State, the State Director of Selective Service shall designate one of the other boards of appeal in the State to act upon the appeal and shall transmit the file to the designated board of appeal. If the board of appeal to which the file was originally forwarded is the only board of appeal in the State, the Director of Selective Service, upon the request of the State Director of Selective Service, shall designate a board of appeal in a neighboring State to act upon the appeal, and the State Director of Selective Service shall transmit the file to the designated board of appeal. The designated board of appeal shall act on the appeal in the same manner and make the same records as in the case of an appeal from a local board whose records it normally reviews, except that all entries and records will be made in red ink. The State Director of Selective Service shall advise the local board from which the appeal was taken when a file is referred to a board of appeal other than the one normally acting on appeals from such local board and shall state the reason why the file is not being reviewed by the board of appeal for the area in which such local board is located.

5. Amend § 627.23 to read as follows:

§ 627.23 *Preliminary review.*⁷ The board of appeal will carefully check each file to determine whether all steps required by the regulations have been taken, whether the record is complete, and whether the information in the file is sufficient to enable it to determine the registrant's classification. If any steps have been omitted by the local board, if the record is incomplete, or if the information is not sufficient to enable the board of appeal to determine the classification of the registrant, the board of appeal shall return the file to the local

board with proper instructions. If the board of appeal returns the file to the local board, it shall enter the date of the return in column 4 of the Docket Book of Board of Appeal (Form 102).

6. Amend paragraph (a) of § 627.25 to read as follows:

§ 627.25 *Special provisions where appeal involves claim that registrant is a conscientious objector.*⁸ (a) If an appeal involves the question of whether or not a registrant is entitled to be sustained in his claim that he is a conscientious objector, the board of appeal shall first determine whether the registrant should be classified in one of the classes set forth in § 623.21, in the order set forth, and if it so determines, it shall place such registrant in such class. If the board of appeal does not determine that such registrant belongs in one of such classes, it shall transmit the entire file to the United States district attorney for the judicial district in which the local board of the registrant is located for the purpose of securing an advisory recommendation of the Department of Justice: *Provided*, That in a case in which the local board has classified the registrant in Class IV-E or in a case in which the registrant has claimed objection to combatant service only and the local board has classified him in Class I-A-C, the board of appeal may affirm the classification of the local board without referring the case to the Department of Justice. No registrant's file shall be forwarded to the United States district attorney by any board of appeal and any file so forwarded shall be returned, unless in the "Minutes of Other Actions" on the Selective Service Questionnaire (Form 40) the record shows and the letter of transmittal states that the board of appeal reviewed the file and determined that the registrant should not be classified in one of the classes set forth in § 623.21.

7. Amend § 627.27 to read as follows:

§ 627.27 *Record of decision on appeal.*⁹ When the board of appeal makes its classification, it shall record its decision, showing the yes and no vote, upon the Selective Service Questionnaire (Form 40) and in the Docket Book of Board of Appeal (Form 102), shall mark the case "Closed" in the "Remarks" column of the Docket Book of Board of Appeal (Form 102), and shall immediately return the record to the local board provided that the State Director of Selective Service may direct the channels through which the record shall be returned to the local board.

8. Amend § 627.31 to read as follows:

§ 627.31 *Action of local board if board of appeal does not change classification.*¹⁰ If the board of appeal affirms the local board's classification, the local board, upon receiving the file from the board of appeal, shall proceed as follows:

(a) Mail a Notice of Continuance of Classification (Form 58) to the registrant

and a Classification Advice (Form 59) to the person who made the appeal, if other than the registrant.

(b) If one or more members of the board of appeal dissented from the determination of that board, the local board shall indicate on such notice and advice the numerical division of the board of appeal.

(c) Enter on the Classification Record (Form 100) the date of mailing such notice and advice.

(d) Enter on the Classification Record (Form 100) the fact that the board of appeal affirmed the local board classification.

9. Amend § 627.32 to read as follows:

§ 627.32 *Action of local board if board of appeal changes classification.*¹¹ If the board of appeal does not affirm the local board's classification, the local board, upon receiving the file from the board of appeal, shall proceed as follows:

(a) Mail a Notice of Classification (Form 57) to the registrant and a Classification Advice (Form 59) to the person who made the appeal, if other than the registrant.

(b) If one or more members of the board of appeal dissented from the determination of that board, the local board shall indicate on such notice and advice the numerical division of the board of appeal.

(c) Enter on the Classification Record (Form 100) the date of mailing such notice and advice.

(d) Enter on the Classification Record (Form 100) the board of appeal classification and, with red ink, draw a line through the local board classification.

10. Amend § 627.41 to read as follows:

§ 627.41 *Appeal stays induction.*¹² A registrant shall not be inducted either during the period afforded him to take an appeal to the board of appeal or during the time such an appeal is pending.

11. Amend the regulations by adding a new section to be known as § 627.61 to read as follows:

Reconsideration by Board of Appeal

§ 627.61 *Reconsideration of board of appeal determination.* (a) When either the Director of Selective Service or the State Director of Selective Service deems it to be in the national interest or necessary to avoid an injustice, he may, at any time, request a board of appeal to reconsider any determination made by it, stating his reasons for requesting such reconsideration. Upon receiving such a request a board of appeal will reconsider its determination in any case.

(b) Any time before an Order to Report for Induction (Form 150) has been mailed to a registrant, the government appeal agent, if he deems it to be in the national interest or necessary to avoid an injustice, may prepare and place in the registrant's file a recommendation that the State Director of Selective Service either request the board of appeal to reconsider its determination or appeal to the President. The registrant's file

⁶ 6 F.R. 6845; 7 F.R. 2091.

⁷ 6 F.R. 6846; 7 F.R. 4155.

⁸ 6 F.R. 6846; 7 F.R. 2091.

⁹ 6 F.R. 6846; 7 F.R. 9608.

¹⁰ 6 F.R. 6846.

shall then be forwarded to the State Director of Selective Service. As soon as the State Director of Selective Service has acted upon the government appeal agent's request he shall advise the local board and, if he determines neither to request the board of appeal to reconsider its determination nor to appeal to the President, he shall return the file to the local board.

12. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

DECEMBER 12, 1942.

[F. R. Doc. 42-13365; Filed, December 15, 1942;
9:16 a. m.]

[Amendment No. 105, 2d Ed.]

PART 628¹—APPEAL TO THE PRESIDENT
MISCELLANEOUS AMENDMENTS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in an Administrative Order dated December 5, 1942, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 628.1 to read as follows:

§ 628.1 *Who may appeal to the President from any determination of a board of appeal.* (a) When either the State Director of Selective Service or the Director of Selective Service deems it to be in the national interest or necessary to avoid an injustice, he may appeal to the President from any determination of a board of appeal. He may take such an appeal at any time.

(b) An appeal to the President may be taken by the Director of Selective Service (1) by mailing to the local board through the State Director of Selective Service a written notice of appeal or (2) by placing in the registrant's file a written notice of appeal and through the State Director of Selective Service, advising the local board thereof.

(c) An appeal to the President may be taken by the State Director of Selective Service (1) by mailing to the local board a written notice of appeal and directing the local board to forward the registrant's file to him for transmittal to the Director of Selective Service or (2) by placing in the registrant's file a written notice of appeal and advising the local board thereof. Before he forwards the registrant's file to the Director of Selective Service the State Director of Selective Service shall place in such file a written statement of his reasons for taking such appeal.

2. Amend § 628.2 to read as follows:

§ 628.2 *Appeal to the President.* The registrant or any person who claims to

be a dependent of the registrant or any person who has filed written information as to the occupational status of the registrant, at any time within 10 days after the mailing by the local board of the Notice of Continuance of Classification (Form 58) or the Notice of Classification (Form 57), notifying the registrant that the local board classification has been affirmed or changed, may appeal to the President provided the registrant was classified by the board of appeal in either Class I-A, Class I-A-O, or Class IV-E and one or more members of the board of appeal dissented from such classification. The local board may permit any person who is entitled to appeal to the President under this paragraph to do so, even though the 10-day period herein provided for such an appeal has elapsed, if it is satisfied that the failure of such person to appeal within such 10-day period was due to a lack of understanding of the right to appeal or to some cause beyond the control of such person. Unless the local board permits such an appeal, the right of such persons to appeal to the President shall terminate at the end of the 10-day period herein provided.

3. Amend § 628.3 to read as follows:

§ 628.3 *How appeal to the President is taken.* (a) An appeal to the President under the provisions of § 628.2 shall be taken (1) by mailing or delivering to the local board written notice of appeal or (2) by going to the local board and signing the appeal to the President on the Selective Service Questionnaire (Form 40). If the appeal is taken by filing a written notice of appeal, such notice need not be in any particular form but should include the name of the registrant, his serial and order numbers, the identity of the person appealing (sufficiently definite to show the right of appeal), and the fact that such person wishes the President to review the determination of the board of appeal.

4. Amend § 628.4 to read as follows:

§ 628.4 *Procedure on appeal to the President.* (a) When an appeal to the President is taken, the local board shall (1) notify the registrant that such an appeal has been taken, unless he is the person who took the appeal; (2) if the registrant's file is in its possession, forward the entire file to the State Director of Selective Service; and (3) enter on the Classification Record (Form 100) the date the file is forwarded or the date it receives notice that an appeal has been taken. The local board shall not place in the file any statement or expression of opinion concerning the information in the registrant's file or the reasons for its decision.

(b) When an appeal to the President is taken, the State Director of Selective Service shall check each file which is in his possession or which is forwarded to him to be sure that all procedural requirements have been properly complied with and, if he discovers any procedural defects, return the file for correction. If any information has been placed in the file which was not considered by the local board in making the classification from which the appeal to the President is

taken, the State Director of Selective Service shall review such information and, if he is of the opinion that such information, if true, would justify a different classification of the registrant, return the file to the local board with instructions to reopen the registrant's classification and classify the registrant anew.

(c) When the State Director of Selective Service has complied with the provisions of (b) above, he shall, unless the file is returned to the local board, forward the file to the Director of Selective Service.

5. Amend § 628.7 to read as follows:

§ 628.7 *Appeal to the President stays induction.* A registrant shall not be inducted during the time an appeal to the President is pending.

6. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

DECEMBER 12, 1942.

[F. R. Doc. 42-13366; Filed, December 15, 1942;
9:16 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1090—AGAVE FIBER, AGAVE PRODUCTS
AND CERTAIN OTHER CORDAGE

[General Preference Order M-84, as Amended
Dec. 15, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of agave fiber, agave products and certain other cordage for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1090.1 *General Preference Order M-84—(a) Definitions.* For the purposes of this order:

(1) "Agave fiber" means agave fiber of the species of agave sisalana, agave fourcroydes, and agave cantala, of all grades and qualities including tow, waste (but not including processor's mill waste) and fiber under 20" in length, commonly known in the trade as sisal, henequen, cantala, and maguey, and sometimes preceded by an adjective designating the country or district of origin.

(2) "Agave cordage" means cables and ropes 3/16" in diameter and larger, cordage or twines of any diameter used in the manufacture of any wire rope, twines used for fishing nets, and tarred marlines for use in manufacturing wire rope and for marine uses, in which agave fiber either alone or in combination with other material is used, but does not include agave cordage sold or delivered for its scrap value.

(3) "Processor" means any person who spins, twists, weaves or otherwise uses agave fiber in the production of cordage, twine or any other product.

(4) "Processing" means any use of agave fiber for the manufacture of any

¹ 6 F.R. 6846; 7 F.R. 4155, 6203, 6417, 9608, 9682.

article or commodity into which agave fiber goes or of which it becomes a part.

(5) "Dealer" means any person who procures agave cordage or agave twine for storage or for sale, and includes selling agents and other commercially recognized agents acting for their own account or for others, whether or not acquiring title to such agave cordage or agave twine, but shall not include any person who imports agave cordage, or agave twine.

(6) "Wrapping twine" means twine, including lath yarns (ply and yarn goods) as included in National Bureau of Standards Simplified Practice Recommendation R 92-38, and any other twine suitable for the same purposes for which those twines described in said Simplified Practice Recommendation R 92-38 are used, which contains agave fiber, but shall not include binder twine.

(7) "Binder twine" or "binding twine" means a single yarn twine, manufactured of agave fiber, of the type customarily heretofore manufactured, and sold in lengths measuring 500, 525, 550, 600, 630 or 650 feet to the pound, with a plus or minus tolerance of 5 per centum, containing a lubricant of not less than 10 per centum of the total weight of the twine and an insect repellent, and which is put up in balls of approximately 5 or 8 pounds each, is suitable for use with a harvesting machine, and is used in the harvesting of agricultural products.

(8) "Inventory" with respect to any person shall include all of any agave product held or controlled by such person at all warehouses, plants or places of storage, but shall not include any of such product while actually in transit or actually in use.

(9) "Supply" means the average monthly amount of any agave product withdrawn from inventory which has been resold or put into actual use.

(i) In the three calendar months preceding the calendar month for which supply is being calculated; or,

(ii) In the three calendar months of the previous year which immediately followed the calendar month of that year corresponding to the said calendar month for which supply is being calculated;

whichever of the two shall be the higher.

(10) "Basic monthly poundage" with respect to any cordage processor for any month shall be the average number of pounds per month of both Manila and agave cordage sold by such processor during the period from January 1, 1939, to December 31, 1941, minus 37% of such person's Manila fiber basic monthly poundage calculated as required by General Preference Order M-36: *Provided*, That any cordage processor keeping his books on a weekly basis may calculate his basic monthly poundage from the fifty-two week period of the 1939 calendar year and adjust any other calculations or quotas under this order.

(11) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States, including the Philippine Islands. It includes shipments into a free port, free zone or bonded custody of the United

States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico or any other foreign country.

(b) *Restrictions on sales and deliveries of agave fiber.* No person shall sell, or deliver, or make or accept delivery of agave fiber of any grade or quality; except that purchases, sales and deliveries of agave fiber may be made:

(1) By and to Defense Supplies Corporation;

(2) By and to persons importing or otherwise handling agave fiber in accordance with written instructions from Defense Supplies Corporation: *Provided*, That such agave fiber is to be delivered, either processed or unprocessed, directly or through one or more other persons to Defense Supplies Corporation.

(3) By and to importers, dealers, jobbers, or processors, pursuant to contracts entered into on or before February 20, 1942, but only of agave fiber in the amounts specified in such contracts on or before the said date, or by any amendments or supplements thereto on or before August 5, 1942: *Provided, however*, That purchases, sales and deliveries under general requirements contracts or contracts to take all, or a specified percentage of a production may continue to be made until December 31, 1942: *And provided further*, That all agave fiber, except bagasse waste, imported on or after October 31, 1942, under any contract mentioned in this subparagraph (3) shall, within twenty-four hours after its arrival, be reported to the War Production Board, except such agave fiber which shall have been offered for sale to the Defense Supplies Corporation, and such reported agave fiber shall not be used or disposed of except as specifically authorized by the Director General for Operations.

(4) By and to importers, dealers, jobbers, or processors of agave fiber which has been rejected by Defense Supplies Corporation as unfit for its use.

(5) By and to importers, dealers, jobbers or processors of tow, waste, bagasse flume or fiber less than twenty inches in length: *Provided*, That such fiber was on hand in the United States on February 20, 1942, or was, or is thereafter imported pursuant to this paragraph (b).

(6) By processors to processors, whether directly or through one or more other persons, of agave fiber which was on hand in the United States on or before August 5, 1942, or which is thereafter imported pursuant to this paragraph (b).

(c) *Restrictions on the processing of agave fiber.* (1) Except as provided in paragraphs (c) (2), (3) and (4), no person shall process any agave fiber in the manufacture of any product except the products specified below, and then only from the fibers and in the amounts expressly permitted below. The quotas hereinbelow established shall include processing for delivery to or for the account of, or for physical incorporation into material or equipment to be delivered to or for the account of, the Army or Navy of the United States, the United

States Maritime Commission, or the War Shipping Administration or its operating or general agents.

(i) *Wrapping twine.* Processors may use agave fiber for the manufacture of wrapping twine in an amount in any month not in excess of the percentage for such month, of his average monthly sales for the calendar year 1941 described below:

Year 1942	Percent
February	109
March	70
April	65
May	65
June	57½
July	50
August	40
September	20
October, and each month thereafter	0

Provided, however, That this restriction shall not apply to wrapping twine commonly known as baler twine for use in machines harvesting agricultural products (except straw to be used in strawboard manufacture) other than machines using binder twine: *Provided, further*, That no processor may use agave fiber for the manufacture of baler twine during the calendar year 1943 in an amount in excess of 110% of his sales of baler twine during the calendar year 1942 minus his inventory of baler twine on hand at the close of business on December 31, 1942: *Provided, further*, That any person purchasing any such baler twine from a processor shall endorse on, or attach to, his purchase order or delivery receipt therefor, a certificate signed by such person, or his duly authorized representative, in substantially the following form:

The undersigned hereby represents to the seller and the War Production Board that the baler twine covered by this certificate will be either resold or used by the undersigned during the current harvest season for use in machines harvesting agricultural products (except straw to be used in strawboard manufacture) other than machines using binder twine in accordance with paragraph (c) (1) (i) of General Preference Order M-84.

And, provided further, That no person shall put into process after April 13, 1942 any Java agave sisalana for the manufacture of wrapping twine, or after August 5, 1942 any Java agave cantala for this purpose.

(ii) *Binder twine.* Processors may use agave fiber, in an amount not in excess of:

(a) During the eleven months ending June 30, 1942, an amount which, when added to binder twine in his stocks on November 1, 1941, equals 120% of that processor's total sales of binder twine in the United States during the twelve months ending October 31, 1941;

(b) During the four months commencing July 1, 1942, and ending October 31, 1942, an amount which equals 40% of that processor's total sales of binder twine in the United States during the twelve months ending October 31, 1941;

(c) During the two months commencing November 1, 1942 and ending December 31, 1942, an amount which equals 20% of that processor's total sales of binder twine in the United States during the twelve months ending October 31, 1941; *Provided, however*, That no person shall hereafter put into process binder twine containing any of the following kinds and grades of agave fiber:

Java sisalana.....	All grades.
Java cantala.....	All grades.
African sisalana.....	Prime, No. 1 and No. 1A.
Haitian sisalana.....	Dauphin A and X St. Marc A1, HPC No. 1 & Hacor A.

or any binder twine measuring less than 600 feet to the pound containing any of the following kinds and grades of agave fiber:

African sisalana.....	No. 2 and No. 3 long.
Haitian sisalana.....	Dauphin B & Y St. Marc A2, or Hacor B or X.

(iii) *Padding or stuffing.* Processors manufacturing padding or stuffing may use for that purpose only bagasse waste, except on orders to be delivered to or for the account of, or to be physically incorporated into material or equipment to be delivered to or for the account of, the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents, in which case tow, waste, and fibers less than twenty inches in length may be used.

(iv) *Reinforced paper, tape and plastics.* Processors manufacturing reinforced paper, tape and plastics may use agave fibers except Java sisalana and Java cantala, but only in an amount not in excess of 50% of the fiber content of their average monthly sales of such products for the twelve months ended June 30, 1942.

(v) *Agave cordage.* Processors manufacturing agave cordage shall not put into process in any of the periods listed below an amount of agave fiber in excess of the amounts hereinafter specified for such period:

Periods:	Amounts of agave fiber
July 1, 1942, through December 31, 1942....	12.2 times basic monthly poundage
Each calendar quar- terly period in 1943....	5.3 times basic monthly poundage

Provided, That the amount of agave fiber which may be put into process for this purpose by any cordage processor in any such period shall be:

(a) *Diminished* by the amount of any additional Manila fiber which may be put into process by such cordage processor during such period pursuant to any exceptions or additional authorizations issued by the Director General for Operations pursuant to General Preference Order M-36.

(b) *Increased* by the difference, if any, between the amount of Manila fiber permitted to be put into process by such cordage processor pursuant to General Preference Order M-36, and any lesser

amount of Manila fiber actually put into process by such cordage processor during such period; and

(c) *Increased* by any or all of the said processor's permitted amount of agave fiber for use in the manufacture of wrapping twine (excluding baler twine for the period October 31, 1942 through December 31, 1942), as provided in paragraph (c) (1) (i), which is not actually put into process for this use since July 1, 1942.

(2) A person may process agave fiber in the manufacture of a product not specified in paragraph (c) (1), for delivery to or for the account of, or for physical incorporation into material or equipment to be delivered to or for the account of, the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration or its operating or general agents.

(3) The prohibitions of paragraph (c) (1) shall not apply to the manufacture of wrapping twine, binder twine, agave cordage, reinforced paper, tape, or plastics from tow, waste, or fiber under twenty inches in length.

(4) The Director General for Operations may, whenever supplies of agave fiber on hand in the United States warrant, increase the amounts of agave fiber which may be entered into process for the manufacture of agave cordage or for such other products as in the judgment of the Director General for Operations may be necessary to promote the national defense and in the public interest.

(d) *Restrictions on purchases, sales and deliveries of agave cordage and wrapping twine.* (1) No dealer shall order, purchase or accept deliveries of any agave cordage which will result in such dealer having in inventory an amount thereof in excess of one month's supply.

(2) No person (other than a dealer, an importer, a wire rope manufacturer, the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal or the War Shipping Administration or its operating or general agents) shall order or accept delivery of any agave cordage which will result in such person having in inventory an amount thereof in excess of one month's supply; and no such person shall have outstanding at any one time orders for future deliveries of agave cordage in excess of one month's supply for such person.

(3) No importer shall, during the period from August 5, 1942 to October 31, 1942, sell or deliver in any calendar month agave cordage in excess of his average monthly sales of Manila and agave cordage in the calendar years 1939-1941, or in any calendar month after October 31, 1942, sell or deliver agave cordage, other than agave cordage

sold or delivered to the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the War Shipping Administration or its operating or general agents, in excess of one-third of his average monthly sales of Manila and agave cordage in the calendar years 1939-1941.

(4) On and after September 26, 1942, no processor shall process agave fiber for cordage or sell or deliver any agave cordage except for filling contracts or purchase orders therefor, for the following categories of uses:

(i) *Class One: Agave cordage other than that used in manufacture of wire rope.* (a) Use for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal or the War Shipping Administration or its operating or general agents;

(b) Use upon any contract or order placed by any department or agency of the United States Government for delivery of agave cordage to or for the account of the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to promote the Defense of the United States" (Lend-Lease Act).

(c) Use for physical incorporation into material or equipment (excluding grommets and ammunition box handles) to be delivered under an order on hand to or for the account of any of the departments or agencies specified in the foregoing inferior subdivisions (a) and (b) of paragraph (d) (4) (i).

(ii) *Class Two: Agave cordage other than that used in the manufacture of wire rope.* (a) Commercial or other governmental marine, towage or lighterage uses, provided the cordage for such uses (excluding wheel rope for steering vessels) shall be one inch or more in diameter;

(b) Fishing uses for commercial fish markets or canneries;

(c) Use as catlines, spinning lines, bull-ropes and drilling cables in the operation or drilling of oil or gas wells;

(d) Use as drilling cables or scaling ropes in mines or quarries or in drilling water wells;

(e) Power transmission uses where an endless rope is used in transmitting continuous mechanical power between driver and driven grooved pulleys;

(f) Use to fill any purchase order carrying a preference rating of A-1-a or higher for the construction, maintenance or repair of any machinery equipment or structure, including public utility power lines and communications systems and shipyards, hulls and vessels;

(g) Use as grapnel cable;

(h) Use on elevators as governor rope, hawser laid, $\frac{3}{8}$ " through 1" in diameter;

(i) Use as lifeboat falls;

(j) Use as drop hammer rope on purchase orders carrying a preference rating of A-1-a or higher;

(iii) *Class Three: Agave cordage used in the manufacture of wire rope.* Use in the manufacture of component parts of wire rope: *Provided, however, That, on and after December 14, 1942, such agave cordage shall be processed only in sizes of $\frac{13}{64}$ of an inch in diameter or larger, that lesser sizes on hand or in process on said date may be sold or delivered for this use, and that lesser sizes may be processed, sold or delivered for galvanized or other corrosion resistant wire rope of sizes 6 x 12, 6 x 24, 6 x 37, or of spring-lay construction for use by any person specified in paragraph (d) (4) (i), but only to the extent that the normal specifications of such person, or a future directive of any department or agency specified in said paragraph, require such use.*

(5) Each purchaser (other than the departments or agencies specified in paragraph (d) (4) (i)) of agave cordage (excluding agave cordage in any dealer's inventory shipped to such dealer on or before September 25, 1942) shall furnish his seller a certificate as a condition to receiving said cordage, and no person shall sell or deliver any such agave cordage to such purchaser without obtaining a certificate, signed by such purchaser or his duly authorized representative, in substantially the following form:

The undersigned hereby represents to the seller and the War Production Board that the agave cordage covered by this certificate will be used or sold only for the following uses

(fill in)

authorized in paragraph (d) (4) of General Preference Order M-84, with the terms of which the undersigned is familiar.

(6) During the period beginning September 26, 1942, to and including December 31, 1942, no processor shall put into process any agave fiber for the purpose of filling purchase orders for Class Two cordage uses, as specified in paragraph (d) (4) (ii) hereof, in excess of 20% of the unprocessed balance of his processing quota, as established under paragraph (c) hereof, as said balance may appear at the close of business on September 25, 1942.

(7) During the period beginning October 31, 1942, to and including December 31, 1942, no processor shall sell or deliver any agave cordage for Class Two cordage uses, as specified in paragraph (d) (4) (ii) hereof, in excess of 20% of his inventory of agave cordage as that inventory may appear at the close of business on October 30, 1942.

(8) On and after December 15, 1942, notwithstanding the provisions of paragraphs (d) (4) and (d) (5), any person may purchase, sell or deliver any agave lariat rope in process or in inventory on or before September 25, 1942.

(9) No importer shall sell or deliver in any month listed below any wrapping twine, imported or domestic, in excess of the following percentages of his average monthly sales thereof during the calendar year 1941:

Year 1941:	Percent
July.....	65
August.....	40
September, and each month thereafter.....	20

Provided, however, That no importer shall, after September 30, 1942, import, purchase for import, offer to import, offer to purchase for import, contract or otherwise arrange to import any wrapping twine unless specifically authorized by the Director General for Operations. Authorizations will only be granted, in the absence of extraordinary circumstances, where it can clearly be demonstrated that such wrapping twine was processed only from tow, waste or fiber under 20" in length.

(e) *Importation and disposition of agave fabrics and agave carpet yarns.* In addition to all other requirements of this order, the importation and disposition of agave fabrics and agave carpet yarns shall be made in conformity with the provisions of General Imports Order M-63, as amended from time to time.

(f) *Restrictions on purchases, sales and use of binder twine.* No person shall hereafter sell, purchase, deliver, accept delivery of or use any binder twine except for the growing or harvesting of agricultural products or for sewing up bags containing such products, and any person purchasing any binder twine shall endorse on, or attach to his purchase order or delivery receipt therefor, a statement signed by such person, or on his behalf by a duly authorized individual, a certificate in substantially the following form:

The undersigned hereby represents to the seller and the War Production Board that the binder twine covered by this certificate will be either resold or used by the undersigned for the growing or harvesting of agricultural products or for sewing up bags containing such products and is not in excess of his requirements for the current harvest season, as provided in General Preference Order M-84.

(g) *Preference to agave cordage processors for cotton,istle or jute yarns.* (1) Subject to the provisions contained below in this paragraph (g) and notwithstanding the provisions of any other conservation order, preference rating A-2 is hereby assigned to any processor of agave cordage during the year 1942 to obtain delivery of cotton,istle or jute yarns for processing by him into cordage.

(2) The preference rating assigned by paragraph (g) (1) shall be applied and extended in accordance with Priorities

Regulation No. 3, as amended from time to time.

(3) During the period November 1, 1942 through December 31, 1942, no processor of agave cordage during the year 1942 shall apply the rating assigned by paragraph (g) (1) to obtain delivery of anyistle or jute yarns for such purpose in excess of an equivalent, for each yarn, of the basic monthly poundage, as established under paragraph (a) (10), and of two times said poundage for cotton yarns. Any such processor desiring additional quantities of any of said yarns may apply to the War Production Board therefor on form PD-1A or other applicable form prescribed.

(4) Each processor of agave cordage during the year 1942 shall furnish his seller a certificate as a condition to receiving any cotton,istle or jute yarns for processing by him into cordage, and no person shall sell or deliver any cotton,istle or jute yarns to such processor for such purpose without obtaining a certificate, signed by such processor or his duly authorized representative, in substantially the following form:

The undersigned hereby represents to the seller and the War Production Board that he processed agave cordage during 1942 and that the cotton,istle or jute yarns covered by this certificate will be processed by the undersigned into cordage and is not in excess of the stock authorized under paragraph (g) of General Preference Order M-84.

(h) *Control and allocations of stocks of agave fiber and agave cordage.* (1) Control is hereby taken of the disposition and use of agave fiber and agave cordage possessed by or under the control of any importer, dealer or processor. Any agave fiber or agave cordage at any time hereafter in the inventory of any such person shall be sold and delivered by such person as, and if, specifically directed in any order of the Director General for Operations which may be issued whenever the Director General for Operations shall determine that a shortage of any particular grade of agave fiber or agave cordage for defense, or for private account, or for export, renders it necessary or appropriate so to allocate such agave fiber or agave cordage in the public interest, or to promote the national defense by so directing its sale and delivery by such person. Any such sale shall be made at the established prices and terms of sale and payment therefor and shall take precedence over any preference rated orders. No person shall dispose of or use agave fiber or agave cordage in any manner inconsistent with any such order.

(2) Applications for specific authority to purchase, receive or use agave fiber or agave products otherwise than as permitted by paragraphs (b), (c), (d) or (e) may be made to the Director General for Operations by the person desiring to use such agave fiber or agave cordage on form PD-709 or such other form or forms as may be prescribed. Any such application shall, among other things, set forth a statement of the technical necessity for the use of agave fiber or agave cordage in the manner and to the extent that application therefor is made. Such application shall also summarize

the efforts made by the applicant to use substitutes and shall contain a statement of the reasons why the applicant believes the use of agave fiber or agave cordage, in the manner and the extent that application therefor is made, will promote the national defense or will be in the public interest.

(i) *Reports.* Every importer of agave fiber shall file a report on Form PD-129 and every processor of agave fiber shall file a report on form PD-128 with the U. S. Tariff Commission, acting for the War Production Board, not later than the tenth day of the following month, and all persons affected by this order shall file with the War Production Board such reports as may from time to time be required by said Board.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production, sales and other transactions pursuant to this order, and shall from time to time, upon request, submit all records required to be kept by this order to audit and inspection by duly authorized representatives of the War Production Board.

(k) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of agave fiber conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference M-84, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(l) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M-84.

(m) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th

Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of December 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-13370; Filed, December 15, 1942; 11:45 a. m.]

PART 1165—CORSETS, COMBINATIONS AND BRASSIERES

[Limitation Order L-90 as Amended December 15, 1942]

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

§ 1165.1 *General Limitation Order L-90—(a) Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

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

(1) "Elastic fabric" means any fabric in which rubber thread is used (i) in either warp or filling (or both) of a woven fabric; (ii) in either the knit-in thread or lay-in thread (or both) of a knitted fabric.

(2) "Long line brassiere" means a breast supporting garment extending more than two inches below the base of the breast.

(3) "Bandeau" means a breast supporting garment extending not more than two inches below the base of the breast.

(4) "Panel" means a section of non-elastic cloth or elastic fabric running from the bottom to the top of a corset, girdle or combination, either in the front or back.

(5) "Gore" means any tapering, triangular or rectangular piece of elastic fabric set in at either the top or the bottom of a corset, girdle or combination for the purpose of providing a horizontal stretch.

(6) "Side section" means a strip of elastic fabric running the full length of the corset or girdle, or from the bottom to the approximate waist line of a combination,—or in the case of Leno (see Class IV), to the top of a combination and so placed to provide for a horizontal stretch.

(7) "Class I garments" means corsets, jackets, combinations, or belts, shaped to support and control the back, abdomen and/or breast, with bonings or stays placed at intervals to preserve their designed shape, made to effect improvement in faulty posture or to provide safe and effective support for a specific disability, or for maternity use.

(8) "Class II garments" means corsets or combinations, shaped to support the

back and abdomen and/or breast, and made to provide support for sagging muscles and to relieve strain.

(9) "Scrap elastic fabric" means the pieces of elastic fabric resulting from the cutting of gores, side sections, or panels in the manufacture of corsets, girdles or combinations, which are unsuitable for use as such gores, side sections or panels.

(c) *Restrictions on the use of elastic fabrics in the manufacture of corsets, girdles, panty girdles and combination.*

(1) Except as specifically authorized by the Director General for Operations, no person shall, after April 23, 1942, use any elastic fabrics in the manufacture of corsets, girdles, panty girdles, belts or combinations except as follows:

(i) *Class I garments.* In the manufacture of Class I garments, elastic fabric may be used for gores to the extent of but not exceeding 36 square inches per garment.

(ii) *Class II garments.* In the manufacture of Class II garments, elastic fabric may be used for gores to the extent of but not exceeding 36 square inches per garment, and elastic fabric, not exceeding ten inches in length measured horizontally and not exceeding three inches measured vertically may be used in the waist line of such garments.

(iii) *Class III garments.* In the manufacture of corsets, girdles, panty girdles and combinations, elastic fabrics (such as flat knit and woven) unsuitable for Class I and too wide to be cut into gores for Class I and Class II garments, without excessive waste may be used for side sections to the extent of but not exceeding 8 inches measured horizontally and 20 inches measured vertically per garment up to and including size 30 waist or 9 inches measured horizontally and 20 inches measured vertically per garment for sizes above 30 waist and elastic fabrics may be used for gores to the extent of but not exceeding 27 square inches.

(iv) *Class IV garments.* In the manufacture of corsets, girdles, panty girdles and combinations, woven and knitted fabrics not suitable for gores in Class I garments (such as light weight woven, power net, flat knit or circular knit material, elastic laces, and elastic nets, broad loom such as elastic satin and elastic batiste) may be used for side sections to the extent of but not exceeding twelve inches in width measured horizontally and 17 inches measured vertically per garment up to and including size 30 waist, and fourteen inches measured horizontally and 17 inches measured vertically per garment for sizes above 30 waist, and elastic fabrics may be used for gores to the extent of but not exceeding 27 square inches. Leno fabrics to the extent of but not exceeding 20 inches measured vertically may be used for side sections in such garments. Elastic binding, banding or facing may be used on the unfinished edges of elastic fabric sections in the manufacture of such garments. Light weight woven elastic fabrics such as satin and batiste and faille not suitable for side sections may be used for up and down stretch front