



FEDERAL REGISTER

 VOLUME 10 NUMBER 172

Washington, Friday, August 31, 1945

The President

EXECUTIVE ORDER 9607

REVOKE EXECUTIVE ORDER 9301¹ OF FEBRUARY 9, 1943, ESTABLISHING A MINIMUM WARTIME WORKWEEK OF FORTY-EIGHT HOURS

By virtue of the authority vested in me by the Constitution and statutes as President of the United States it is ordered that Executive Order 9301 of February 9, 1943, establishing a minimum wartime workweek of forty-eight hours, be, and it is hereby, revoked.

HARRY S. TRUMAN

THE WHITE HOUSE,
August 30, 1945.

[F. R. Doc 45-16281; Filed, August 30, 1945;
11:41 a. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 22—REGULATIONS GOVERNING APPEALS OF PREFERENCE ELIGIBLES UNDER THE VETERANS' PREFERENCE ACT OF 1944

APPLICABILITY OF REGULATIONS

Section 22.1 (9 F.R. 13189, 14923) is amended by the addition of the following paragraph:

§ 22.1 *Applicability of regulations.*

(e) *Notice in reduction in rank or compensation resulting from Commission's position allocation decisions.* Preference eligible employees who are to be reduced in grade or rank as a result of the Commission's position allocation decisions shall be given at least thirty (30) days' advance written notice, stating any and all reasons, specifically and in detail, for such proposed action.

Effective: September 20, 1945.

¹ 3 CFR, Cum. Supp.

By the United States Civil Service Commission.

[SEAL]

H. B. MITCHELL,
President.

JULY 30, 1945.

[F. R. Doc. 45-16289; Filed, Aug. 30, 1945;
11:08 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Commodity Credit Corporation

[Amdt. 1]

PART 260—FLUID MILK PAYMENT PROGRAM

OFFER TO MAKE FLUID MILK PAYMENTS IN NEW YORK METROPOLITAN AREA DURING JULY 1945 THROUGH JUNE 1946

In accordance with the provisions of the "Offer of the Commodity Credit Corporation to make fluid milk payments in the New York Metropolitan Area during the period July 1945 through June 1946," dated August 8, 1945 (10 F.R. 9823), such offer is hereby amended as follows:

1. By deleting § 260.20 (a), (10 F.R. 9823) and inserting in lieu thereof the following:

(a) Commodity will make payments to any handler at the rate of 20 cents per hundredweight on all Class I-A milk received from producers for which the handler is determined by the Market Administrator to be accountable to the producer settlement fund under Order No. 27 during each calendar month from August 1, 1945 to June 30, 1946, inclusive.

2. By deleting the term "Class I milk" in § 260.20 (f) (2) (10 F.R. 9823, 9825) and inserting, in lieu thereof, the term "Class I-A milk."

This amendment shall become effective as of August 1, 1945.

Issued this 30th day of August 1945.

[SEAL]

COMMODITY CREDIT CORPORATION,
T. G. STITTS,
Contracting Officer.

[F. R. Doc. 45-16288; Filed, Aug. 30, 1945;
11:06 a. m.]

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The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

1944 Supplement

Book 1 of the 1944 Supplement to the Code of Federal Regulations, containing Titles 1-10, including Presidential documents in full text, is now available from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329, E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-895]

GILBERTON CO., PHILIP SPARACINO, ISLAND PUBLISHING CO., INC., EUGENE BLUMENTHAL, AND HOWARD CUMMINGS

Albert L. Kanter, Rose E. Kanter, Raymond N. Haas and Myer Levy, partners doing business under the trade name of

Gilberton Company, are engaged in the business of publishing comic magazines at 510 6th Avenue, New York City. Among the magazines they publish is Classic Comics, a title which they own. Philip Sparacino with offices at 24 Eldridge Avenue, Hempstead, Long Island, New York, is the owner and publisher of Long Island Independent and Nassau Bulletin, suburban weekly newspapers. Island Publishing Co., Inc. is a corporation wholly owned by Eugene Blumenthal with offices at 351 W. Olive Street, Long Beach, Long Island, New York and is engaged in publishing Long Beach Life, a suburban weekly newspaper. Howard Cummings with offices at 235 Braddock Avenue, Queens Village, Long Island, New York, is the owner and publisher of Queens County Times, Queens Home News, Sunrise Times and Richmond Hill Courier, suburban weekly newspapers.

At the close of 1943, Gilberton Company had exceeded its permissible quota of paper for the publishing of Classic Comics, by approximately 96 tons. Sparacino, Blumenthal and Cummings, who had no quotas for the publishing of magazines under Limitation Order L-244, contracted with Gilberton Company to publish reprints of Classic Comics to the extent of 90 tons annually for each of the newspapers published by each of them respectively, or 630 tons of newsprint for the seven newspapers. Pursuant to this agreement, Gilberton Company arranged for the purchase of newsprint and the printing and distribution of Classic Comics, and performed all of the functions of publisher, assuming the ultimate risk of the publishing venture. However, Sparacino, Blumenthal and Cummings lent the names of their newspapers, probably representing them to be the publishers of the various reprints of Classic Comics printed and published during the year 1944, and received financial benefits from the use of newsprint used to print and publish Classic Comics in violation of Limitation Order L-244. During the year 1944, Philip Sparacino thus caused to be used illegally 180.779 tons of newsprint; Island Publishing Co., Inc. and Eugene Blumenthal thus caused to be used illegally a total of 89.845 tons; and Howard Cummings thus caused to be used illegally a total of 350.874 tons of newsprint.

Sparacino, Blumenthal and Cummings also failed to furnish the printer with the certification required by Order L-244 but instead furnished certificates referring to Order L-241.

The Gilberton Company, through its individual partners and through Eugene Blumenthal, Island Publishing Company, Inc., Philip Sparacino and Howard Cummings and each of them individually, violated one or the other of Limitation Orders L-240, L-241, L-244, and Priorities Regulation 7A. Their actions were wilful and resulted in the diversion of critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.895 Suspension Order No. S-895. (a) Albert L. Kanter, Rose E. Kan-

ter, Raymond N. Haas, and Myer Levy, partners, doing business as Gilberton Company, Philip Sparacino, Island Publishing Co., Inc., and Eugene Blumenthal, and Howard Cummings, their respective publications, their successors, assigns, and persons or corporations acting for or on behalf of any of them, shall not use or cause to be used any newsprint for the printing or publishing of magazines, newspapers, periodicals or books so long as the allocation of such newsprint or paper is governed and controlled by any order or regulation of the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Albert L. Kanter, Rose E. Kanter, Raymond N. Haas, and Myer Levy, partners, doing business as Gilberton Company, Philip Sparacino, Island Publishing Co., Inc., and Eugene Blumenthal, and Howard Cummings, their respective publications, their successors, assigns, persons or corporations acting for or on behalf of any of them, from any restriction, prohibition contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the 29th day of August 1945.

Issued this 22d day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16234; Filed, Aug. 29, 1945;
4:41 p.m.]

any construction on the house or garage at 3419 West 67th Street, Seattle, Washington, including putting up or altering the structures, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve John Thomas or Harold Amundson, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 29th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16235; Filed, Aug. 29, 1945;
4:41 p.m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 27, Interpretation 2]

The following interpretation is issued with respect to Priorities Regulation 27:

Priorities Regulation 27 provides that under certain conditions manufacturers who need small amounts of materials may use the AA-4 rating and Z-3 allotment symbol on orders calling for delivery of controlled materials and other production materials up to December 31, 1945.

In view of the provisions of Priorities Regulation 29, which invalidate all AA ratings and allotment symbols after September 30, 1945, the rating and allotment symbol assigned in Priorities Regulation 27 will not be valid on orders calling for delivery after that date.

Any person operating under Priorities Regulation 27, who needs priorities assistance on orders calling for delivery of production materials after September 30, 1945, may apply for priorities assistance under the rules stated in Priorities Regulation 28, if he can meet the conditions stated in Priorities Regulation 28.

Issued this 30th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16277; Filed, Aug. 30, 1945;
11:32 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 31, as Amended Aug. 29, 1945, Amdt. 1]

BLANKET REVOCATION OF CERTAIN WPB ORDERS

Section 944.52, Priorities Regulation 31, is amended by adding to the list of orders revoked the following orders:

LIST OF ORDERS REVOKED AND EFFECTIVE DATE OF REVOCATION

ALUMINUM AND MAGNESIUM

Section 921.14, M-1-L, Aluminum, August 31, 1945.

GOVERNMENT SERVICES

Section 3287.11, L-60, Revolvers and Shotguns, August 30, 1945.

TEXTILE, CLOTHING AND LEATHER

Section 3290.316, L-310, Knitted Outerwear, August 30, 1945.

Issued this 30th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16278; Filed, Aug. 30, 1945;
11:32 a. m.]

PART 984—LEAD

[General Preference Order M-38, as Amended
Aug. 30, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of lead 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:

§ 984.1 General Preference Order M-38—(a) *Scope of the order.* This order controls generally the use of lead and lead products. Lead and lead products may be used only for the items and purposes set forth in the order. Other restrictions may also be found in other orders of the War Production Board relating to particular articles or parts. In such case the more restrictive provision governs. In no case shall any person use, purchase, sell, deliver or accept delivery of any lead in violation of this order.

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

(1) "Lead" means metallic lead, including any alloy containing 50% or more by weight of metallic lead. It includes soft and antimonial lead produced from foreign or domestic ores, scrap, drosses, or other lead bearing material, as well as scrap lead and alloys in which the lead content is 50% or more by weight.

(2) "Lead product" means lead in the form of sheet, pipe, ingot, castings, and foil.

(3) "Refiner" means any person who produces lead in refinery shapes, and includes any person who has such lead produced for him under toll agreement.

(4) "Dealer" means any person who procures lead either by importing or from domestic sources for sale or resale without change in form, whether or not such person receives title to or physical delivery of the material, and includes selling agents, warehousemen, and brokers.

(5) "Military order" means a specific contract or sub-contract necessitating the use of lead or lead products in the manufacture of any product, or any component to be physically incorporated into such products, produced for or for the account of the Army or Navy of the United States, Maritime Commission, War Shipping Administration, Veterans Administration or Office of Scientific Research and Development.

(6) "Implement of war" means combat end products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, ships, tanks, military vehicles and radio and radar equipment), and any parts, assemblies or materials to be in-

corporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Use" means to melt, form or alloy lead for introduction into an end product or a component thereof.

(8) "Item" means any article or component thereof.

(c) *Prohibitions on use.* On and after April 1, 1945, no person shall use lead or lead products except for the items and purposes and subject to the qualifications set forth in List I of this order, and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product or where the use of any less critical material is impracticable or when satisfactory substitutes are prohibited in other War Production Board orders.

(d) *Special directions.* The War Production Board may at any time issue special directions to any person respecting the production, distribution, delivery, or acceptance of delivery of lead.

(e) *Lead from Metals Reserve Company.* Any person unable to obtain pig lead from the regular sources of supply and wishing to procure pig lead from the Metals Reserve Company must make application in writing to the War Production Board on Form WPB-95, not later than the 20th of the month preceding that of shipment.

(f) *Inventory restrictions.* No person shall knowingly deliver to any person and no person shall accept delivery of any quantity of pig lead if the total inventory of pig lead in the hands of the person accepting delivery is, or by virtue of the acceptance will become, in excess of his reasonable anticipated requirements for permissible uses in the next 45 days (except where a minimum carload quantity requested by Office of Defense Transportation exceeds these restrictions). The restrictions of this paragraph do not apply to a refiner, dealer, or scrap dealer.

(g) [Deleted May 1, 1945]

(h) *Restrictions on sales and deliveries of lead.* No person shall sell or deliver any lead to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(i) *Appeals.* Any appeal from the restrictions of this order must be by letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal, and filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. The appeal shall contain the following information:

(1) Product in which the lead will be used.

(2) Period of time, not exceeding one calendar quarter for which relief is requested.

(3) Monthly schedule of amount of lead to be used.

(4) Prime contract numbers on military orders.

(5) If the appeal is filed because the restrictions on use of lead will prevent the filling of non-military orders of extreme urgency, give exact information

as to the use of the product in which the lead is used.

(6) Why other less critical materials cannot be used.

(7) Any other information pertinent to the appeal.

Attention is called to the requirement of Priorities Regulation No. 16 with respect to the statement of manpower requirements which must be submitted with any appeal.

(j) *Priorities Regulation No. 25.* Requests for exceptions from the restrictions of this order may not be made under the provisions of Priorities Regulation No. 25. The use of lead for production authorized under Priorities Regulation No. 25 prior to January 1, 1945, will be subject to the restrictions of this order.

(k) *Records.* All persons affected by this order must maintain accurate and complete records of all transactions as required by Priorities Regulation No. 1, 944.15. Such records must include complete statements of the amounts of lead consumed for the items specified in this order, and the amount of inventory on hand.

(l) *Required reports.* (1) On or before the 20th day of each calendar month each person who purchased or consumed 10 tons or more of lead during the preceding calendar month, or had in his possession or under his control 20 tons or more of lead, shall report such purchases, consumption and stocks on hand at the end of the preceding month to the War Production Board on Form WPB-95.

(2) The War Production Board may from time to time issue special directions requiring any refiner or dealer to file a report showing a schedule of his proposed deliveries of lead.

(3) All persons affected by this order shall execute and file with the War Production Board such other reports as may be required subject to the approval of the Bureau of the Budget.

(4) The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *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.

(n) *Communications of the War Production Board.* All communications and reports dealing with this order shall be addressed to: War Production Board, Tin, Lead and Zinc Division, Washington 25, D. C., Ref. M-38

Issued this 30th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

Pursuant to the foregoing order, lead and lead products may be used only for the following items and purposes subject to such qualifications on use as are set forth next to the item or purpose; and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product or where the use of any less critical material is impracticable or when satisfactory substitutes are prohibited in other War Production Board orders.

1. Ammunition for Military Orders.
2. Anchorages for military and industrial equipment and components, including expansion bolts and shields.
3. Anodes for electrolytic refining, chromium plating and for lead plating as permitted in Item 40 of this list.
4. Anti-vibration mats.
5. Babbitt for abrasives and grinding wheels and for securing hardware to radio insulators and for securing end connections of windings and/or for securing enclosures of wire wound resistors.
6. Ballast for implements of war where available space does not permit the use of material of lower density, for submarines and for surface craft of sizes up to and including destroyers.
7. Bearing Metal.
8. Bolster metal for surgical, table and industrial cutlery.
9. Brake lining and clutch facings.
10. Brass and bronze.
11. Cable covering as permitted by Direction 63 of CMP Regulation #1.
12. Cable sleeving and other accessories necessary for the maintenance, repair and installation of lead covered cable.
13. Cable terminals and bushings for storage batteries.
14. Cames.
15. Caulking of cast iron pipelines (including lead wool) where other material such as sulphur compounds or cement does not provide a leak proof joint.
16. Chemicals subject to the restrictions of Conservation Order M-384.
17. Closure Spouts for drugs and chemicals.
18. Coating of wire and zinc plated sheet, including sheathing.
19. Collapsible tubes, subject to the restrictions of Conservation Order M-115.
20. Counterweights, weights and sliding poises for Military, industrial and laboratory equipment, and implements of war where available space does not permit the use of material of lower density, other than automotive wheel balancing weights.
21. Foil:
 - (a) Military orders to the extent that Method IA (not dehydrated) and/or Method II (dehydrated) packaging, as presently defined in the U. S. Army Specification 100-14, U. S. Navy Specification 39-P-16 and British Standard Packaging Code BS-1133, or any new specifications covering the above are expressly specified in the prime contract.
 - (b) For component ammunition for military only.
 - (c) Electrotypes subject to the restrictions of Order M-43.
 - (d) Condensers.
 - (e) Cap Liners for packaging drugs.
 - (f) Electrostatic shielding of transformer coils and cores.
22. Fire extinguisher and decontaminator components.
23. Gaskets, locknuts and shims.
24. Heat equalization in galvanizing pots and for molten zinc operations.
25. Heat treating and annealing.
26. Implements of War, as defined in Section (b) (6) of the Order.
27. Impression lead.
28. Inserts for treads on non-sparking ladders and stairs.

29. Lead hammers.
30. Lead-headed nails only to the extent that the use of springhead or flathead nails is impracticable.
31. Fusible alloys.
32. Lead lined bowls for centrifugal oil purifiers.
33. Lead wire for determining gear bearing clearances.
34. Lining for acid lockers.
35. Lubricant for cold drawing of steel products.
36. Manufacture and moulding of plastics.
37. Medical, dental and veterinarian equipment and instruments.
38. Metallic and semi-metallic packing.
39. Patterns and dies.
40. Plating or coating where lead is used in place of either cadmium or tin, or where corrosion makes the use of any other material impractical.
41. Powder for military uses, powder metallurgy and gear lubricants.
42. Production of rayon.
43. Refining of platinum group metals, gold and silver, and metallic sodium.
44. Repair of existing lead construction.
45. Seals for pilfering and tampering protection.
46. Sheath for curing process of rubber.
47. Sheet, pipe (including lead lined pipe), valves, fittings, burning bars and castings to be used.
 - (a) in chemical and processing equipment to the extent that corrosion makes the use of any other material impractical.
 - (b) in water service lines to the extent that municipal, state or Federal regulations permit no substitutes or sound water works practice requires its use.
48. Sinkers for military requirements and commercial fishing.
49. Solder subject to the restrictions of Order M-43.
50. Sounding Leads.
51. Spectrographs and spectrophotometers.
52. Storage batteries, including lead content of oxide and cell covers. *Provided*, That the antimony content in any antimonial lead used for grids, connecting parts or components for storage batteries shall not exceed nine (9%) percent, except where specified for contracts of the Army or Navy of the United States, the U. S. Maritime Commission or the War Shipping Administration where an alloy with a higher content of antimony is mandatory, for:
 - (a) Military orders.
 - (b) Original equipment.
 - (c) Industrial type, for the third quarter of 1945, 25% of the amount of lead used for the same purpose during the calendar year of 1944.
 - (d) Automotive SLI type, for replacement purposes, for the third quarter of 1945, 25% of the amount of lead used for the same purpose during the calendar year of 1944.
53. Terne plate and Terne metal subject to restrictions of Conservation Order M-43.

¹ An Industrial Storage Battery means an electric storage battery of other than SLI type which has been completely assembled and sealed, whether charged or uncharged and which is designed and built for industrial applications such as, but not confined to, railway signaling and lighting, mine locomotives, industrial trucks, farm lighting, public utilities stand-by equipment, commercial radio installations, airplane and commercial boat installations and components thereof.

54. Tetra ethyl subject to the restrictions of PAW directives.
55. Turbine and gear bearing oil deflectors.
56. Turbine gland labyrinth and diaphragm packing.
57. Type metal for use in printing trade.
58. Vocational purposes where lead is reused and in laboratories for analytical purposes and research.
59. X-ray purposes and Radiography.
60. Zinc production.
61. For use to comply with safety regulations issued under Government authority which requires the use of lead to the extent employed, or in safety equipment.

[F. R. Doc. 45-16274; Filed, Aug. 30, 1945; 11:32 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-698, Revocation]

HAWKINS HARDWARE CO.

Suspension Order No. S-698 was issued January 22, 1945, against Hawkins Hardware Company of Hebron, Nebraska, for violation of Limitation Orders L-79 and L-86 and Conservation Order L-41. In view of the recent revocation of Limitation Orders L-79 and L-86 and the recent amendment to Conservation Order L-41, the Chief Compliance Commissioner has directed that Suspension Order No. S-698 be revoked forthwith.

In view of the foregoing, it is hereby ordered, that: § 1010.698 Suspension Order No. S-698 be revoked, effective August 30, 1945.

Issued this 30th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16279; Filed, Aug. 30, 1945; 11:32 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 77]

The following direction is issued pursuant to CMP Regulation 1:

Manufacturers need not return any allotments to their claimant agency or the War Production Board when they no longer need the allotments. The provisions of this Direction supersede contrary provisions in paragraphs (e), (u), (w) and Interpretation 31 of CMP Regulation 1.

Issued this 30th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16272; Filed, Aug. 30, 1945; 11:32 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-241, as Amended Aug. 30, 1945]

PAPER AND PAPERBOARD

§ 3281.63 General Conservation Order M-241—(a) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production