

M-96
JAN. 17, 1952

U. S. DEPARTMENT OF COMMERCE
NATIONAL PRODUCTION AUTHORITY

TITLE 32A—NATIONAL DEFENSE,
APPENDIX

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-96 of January 17, 1952]

M-96—SPINNING GRADES OF CHRYSOTILE
ASBESTOS FIBRE

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

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Authority: Sections 1 to 10 issued under sec. 704, 64 Stat. 514, Pub. Law 56, 82d Cong.; 50 U. S. C. App. Supp. 2124; Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 56, 82d Cong.; 50 U. S. C. App. Supp. 2071; Sec. 101, 2 U. S. C. 10161, Sept. 8, 1950, 16 P. R. 4198; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 P. R. 61; sec. 402, 403, E. O. 10281, Aug. 28, 1951, 16 P. R. 8780.

Section 1. Purpose of this order. The purpose of this order is to conserve and provide for the use of spinning grades of chrysotile asbestos fibre so that the limited supply shall be used first to fill directly military and essential civilian uses. It prohibits the use of certain grades of spinning fibre for any other than certain specified end uses, and it limits the use of such fibres in the production of certain end use products.

Sec. 2. Definitions. As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States Government or any other government.

(b) "Spinning grades of chrysotile asbestos fibre" means any one or more of the following spinning grades: (1) Rhodestan chrysotile asbestos Grade C and G1, C and GP1, C and G2, C and GP2, and C and G3; (2) Canadian Crude No. 1, Crude No. 2, Crude run of mine, crude sundry, 3F, 3K, 3R, 3T, and 3Z; (3) Arizona Crude No. 1 and Crude No.

2; and (4) chrysotile asbestos fibre from any other sources equivalent to any of the above grades.

(c) "Base period" means the period from January 1, 1948, to December 31, 1950.

(d) "NPA" means the National Production Authority.

Sec. 3. Allocations and directives. NPA from time to time may allocate one or more spinning grades of chrysotile asbestos fibre and specifically direct the manner and quantities in which deliveries to particular persons or classes of persons or for particular uses or classes of uses shall be made or suspended; and NPA from time to time may issue specific directives to any person as to the source, destination, consignee, amount, or use of such fibres to be delivered to or acquired by such person.

Sec. 4. Prohibitions on use. On and after February 1, 1952, no person shall accept delivery of or use any spinning grades of chrysotile asbestos fibre for any purpose other than processing into carded fibre, silver, revings, lappes, yarns, tapes, or cloths.

Sec. 5. Limitations on use. (a) On and after February 1, 1952, no person shall put into process or use in any month spinning grades of chrysotile asbestos fibre for any end use specified in Schedule A of this order in excess of the percentage specified in Schedule A of his average monthly use of such fibre for such end use during the base period, nor shall any person use yarn or cloth made from spinning grades of chrysotile asbestos fibre for any end use specified in Schedule A of this order in excess of the percentage specified in Schedule A of his average monthly use of such yarn or cloth for such end use during the base period.

(b) On and after February 1, 1952, no person shall put into process or use in any month Canadian grade 3Z chrysotile asbestos fibre in the production of 85 percent magnesia or other high temperature insulations in excess of his average monthly consumption of such grade for such purpose during the calendar year 1950. Each producer of such insulation shall report to NPA monthly by letter the amount of his use of Canadian grade 3Z for such manufacture during the preceding month. Such report shall be filed not later than the tenth day of the month commencing with March 1952, and not later than the tenth day of each subsequent month thereafter.

Sec. 6. Exemptions. The provisions of sections 4 and 5 of this order shall not apply to:

(a) The use of Canadian grade 3Z chrysotile asbestos fibre in the production of compressed sheet packing or electrolytic paper;

(b) Spinning grade chrysotile asbestos waste or scrap materials produced in the fabrication, spinning, or processing of such asbestos fibre which cannot be reprocessed and used in fabricating, spinning, or processing operations permitted under the provisions of this order;

(c) The acceptance of delivery of spinning grades of chrysotile asbestos fibre directly from a foreign source for the sole purpose of resale in the same form and grade;

(d) Any person who uses 100 pounds or less of spinning grades of chrysotile asbestos fibre during a calendar month.

Sec. 7. Request for adjustment or exception. Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, that any provision otherwise works an undue or exceptional hardship upon him, or that he is generally affected by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

Sec. 8. Records and reports. (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made,

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maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Authority, at the usual place of business where maintained.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139P).

Sec. 8. Communications. All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C. Ref: NPA Order M-96.

Sec. 10. Violations. Any person who wilfully violates any provision of this order, or any other order or regulation of NPA, or who wilfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

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

This order shall become effective January 17, 1952.

NATIONAL PRODUCTION
AUTHORITY.

By JOHN B. OLVERSON,
Recording Secretary.

SCHEDULE A of NPA Order M-96

End use	Percentage
Theatre safety curtains.....	50
Gun covers.....	50
Ironing board covers.....	50
Passenger car woven brake linings less than 1/4 inch thick by 2 inches wide (except for automatic transmissions).....	50
Oil burner wicking (except for direct military orders).....	70