

MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 372

PROVIDING FOR THE LICENSING BY THE CIVILIAN EMERGENCY ADMINISTRATION OF THE SALE, DISTRIBUTION, OR OTHER DISPOSITION TO THE PUBLIC OF GAS-MASKS, RESPIRATORS, OR OTHER PROTECTIVE DEVICES AGAINST IRRITANT OR POISONOUS GASES OR SUBSTANCES, CREATING THE BOARD OF INSPECTORS FOR GAS-MASKS, AND DEFINING ITS FUNCTIONS AND DUTIES.

WHEREAS, modern warfare, as waged by the Powers now engaged in the present world conflict, appears to include not only the clash of arms between the armed forces of each nation but also attacks on the civilian population to diminish and overcome the nation's resistance and undermine its morale;

WHEREAS, irritant and poisonous gases and substances are known to have been used in the last World War and no adequate guaranty exists that the same will not be resorted to in the event that the present conflagration spreads to the Orient; and

WHEREAS, it appears necessary in the public interest and for the protection of civilian lives in case of an emergency that effective measures be adopted to insure that gas-masks, respirators, or other protective devices against irritant or poisonous gases or substances, to be sold or distributed to the public will serve the purposes for which they are intended and afford adequate and efficacious protection;

NOW, THEREFORE, I, MANUEL L. QUEZON, President of the Philippines, pursuant to the powers in me vested by Commonwealth Act Numbered Six hundred, as amended by Commonwealth Act Numbered Six hundred and twenty, and upon the recommendation of the National Emergency Commission, do hereby promulgate the following rules and regulations to govern the sale, distribution, or other disposition to the public of gas-masks, respirators, or other protective devices against irritant or poisonous gases or substances:

1. No person, firm, corporation, or other entity, whether domestic or foreign, shall sell, distribute, or otherwise dispose to the public, or offer or advertise for sale, distribution or other disposition to the public, gas-masks, respirators, or other protective devices, or parts thereof, whether of local or foreign make, intended to afford protection or immunity against gases or other substances that operate as acute lung irritants, lachrimators, paralyzants, asphyxiants, vesicants, or otherwise injuriously affect human beings, unless such person, firm, corporation, or other entity has first obtained a license for the purpose from the Civilian Emergency Administration. Such license shall be in the form of a "License to Sell Gas-Masks to the Public," signed by the Executive Officer of the National Emergency Commission, and shall be displayed prominently in the store or establishment, if there be one, maintained by such person, firm, corporation, or other entity.

2. The Executive Officer of the National Emergency Commission shall not issue the license referred to in paragraph 1 hereof, except upon certification by the Board of Inspectors for Gas-Masks, hereinafter created, that the gas-masks, respirators, or other protective devices, sought to be sold, distributed, or disposed of in any manner to the public, satisfies the minimum specifications required by said Board to insure the maximum of safety and protection against gases and/or substances that

operate as acute lung irritants, lachrimators, paralyzants, sternutators, vessicants, or otherwise injuriously affect human beings. The minimum specifications herein mentioned shall, among other things, require:

(a) That the type of the gas-mask, respirator, or other protective device, be at least similar to the Bureau of Science model with canister No. 1E-O manufactured by the National Development Company;

(b) That the specifications of the United States Army, with respect to the absorbent power of the charcoal utilized, be strictly complied with;

(c) That with respect to the soda lime used, the material should be granulated so as to pass through Sieve No. 8 and retained by Sieve No. 14 and the absorptive capacity under the same conditions should be not less than the absorptive capacity of soda lime of the following composition: Hydrated lime,  $\text{Ca}(\text{OH})_2$ , 55%; Portland Cement, 17%; Kieselguhr, 7.2%; Sodium Hydroxide, NaOH, 1.2%; Sodium permanganate,  $\text{NaMnO}_4$ , 3.8%; and Moisture, 15.7%.

(d) That the percentage composition of the fillings of the canister should be approximately 15 to 25% soda lime and 85 to 75% activated charcoal; and

(e) That the gas-mask, respirator, or other protective device, shall be, as much as possible, small in weight, admit of easy carriage and rapid adjustment, offer little resistance to breathing, be comfortable to wear, and interfere as little as possible with vision and hearing.

3. For the purpose of determining as to whether the gas-masks, respirators, or other protective devices, sought to be sold, distributed, or disposed of in any manner to the public, satisfy the minimum specifications by it set in accordance with this Executive Order, and to exercise the functions and perform the duties herein specified, a board is hereby created and constituted, to be known as the Board of Inspectors for Gas Masks. The Board shall consist of five members, with the National Aid-Raid Warden as Chairman, and shall be appointed by the President of the Philippines to hold office for the duration of the national emergency unless sooner removed. The Secretary of the Civilian Emergency Administration shall be *ex-officio* Secretary of the Board. The Board shall prescribe the minimum specifications mentioned in Paragraph 2 of this Order; prescribe the procedure to be followed in order to obtain the certification mentioned in the above-mentioned paragraph and the certification mentioned in paragraph 5 of this Order; and in general, exercise such functions, perform such duties and issue such rules and regulations as would best effectuate the purposes of this Order.

4. It shall be the duty of the person, firm, corporation, or other entity who shall have obtained the license mentioned in paragraph 1 of this Order, to print legibly in any portion of the gas-mask, respirator, or other protective device, sought to be sold, distributed, or otherwise disposed of to the public, the following words: "Approved by the CEA," together with the name of the person, firm, corporation, or other entity selling, distributing, or otherwise disposing of the same to the public. In case the gas-mask, respirator, or other protective device, or parts thereof, are of foreign origin, manufacture, or make, and the manufacturer, producer, or maker thereof has no authorized agent in the Philippines licensed to do business in this jurisdiction in accordance with the Corporation Law, as amended, the local importer, dealer, or distributor of such products shall place his or its name therein and shall be liable and responsible for any violation of this Executive Order.

5. The Insular Collector of Customs and the Collectors of Customs in all ports of entry in the Philippines are hereby directed to notify immediately the Executive Officer of the National Emergency

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Commission of consignments from abroad of gas-masks, respirators, or other protective devices, or parts thereof, landed in the Philippines for any person, firm, corporation, or other entity, and shall not allow the entry thereof into the Philippines unless the consignee produces, upon claiming the consignment, the certification of the Board of Inspectors for Gas-Masks mentioned in paragraph 2 of this Order covering such consignment.

6. Any person, firm, corporation or other entity, whether domestic or foreign, who sells, distributes, or otherwise disposes to the public, or offers or advertises for sale, distribution, or other disposition, gas-masks, respirators, or other protective devices, or parts thereof, without first having obtained the license mentioned in paragraph 1 of this Order, or without such license, marks such articles with the words, "Approved by the CEA," or violates in any manner the provisions of this Executive Order, shall be subject to the penalty prescribed in Section 3 of Commonwealth Act Numbered Six hundred. If such violation is committed by a firm, corporation, or other entity, the manager, managing director, or person charged with the management of the business of such firm, corporation or other entity shall be criminally responsible therefor.

7. The provisions of this Order shall not apply to gas-masks, respirators, or other protective devices against irritant or poisonous gases or substances, distributed by, or consigned from abroad to, the Commonwealth of the Philippines, or the armed forces of the United States or of the Philippines.

Done at the City of Manila, this 15th day of October, in the year of Our Lord, nineteen hundred and forty-one, and of the Commonwealth of the Philippines, the sixth.

(SGD.) MANUEL L. QUEZON

By the President:  
(SGD.) JORGE B. VARGAS  
Secretary to the President

Source: Presidential Museum and Library

Office of the President of the Philippines. (1941). [Executive Order Nos.: 335 - 400]. Manila: Presidential Museum and Library.