

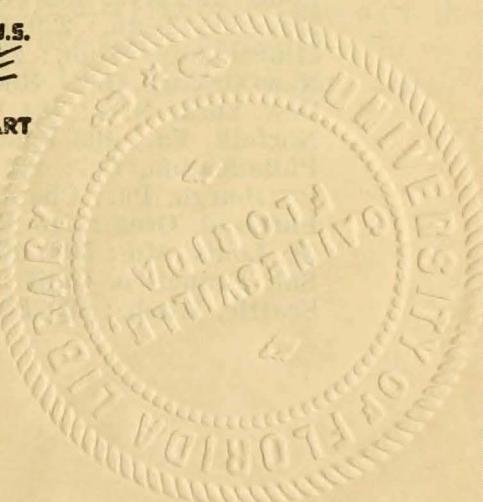
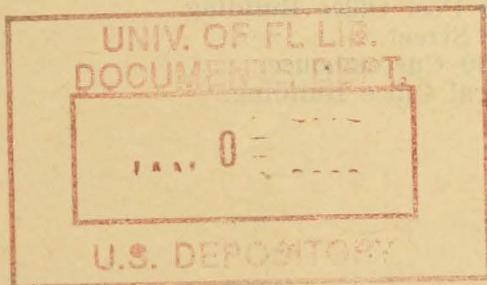
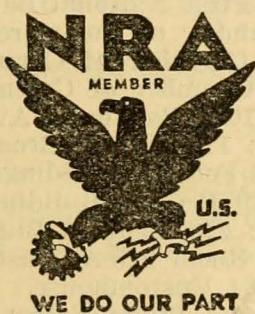
NATIONAL RECOVERY ADMINISTRATION

CODE OF FAIR COMPETITION

FOR THE

SLATE INDUSTRY

AS APPROVED ON JANUARY 22, 1934



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1934

This publication is for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C., and by district offices of the Bureau of Foreign and Domestic Commerce.

DISTRICT OFFICES OF THE DEPARTMENT OF COMMERCE

Atlanta, Ga.: 504 Post Office Building.
Birmingham, Ala.: 257 Federal Building.
Boston, Mass.: 1801 Customhouse.
Buffalo, N.Y.: Chamber of Commerce Building.
Charleston, S.C.: Chamber of Commerce Building.
Chicago, Ill.: Suite 1706, 201 North Wells Street.
Cleveland, Ohio: Chamber of Commerce.
Dallas, Tex.: Chamber of Commerce Building.
Detroit, Mich.: 801 First National Bank Building.
Houston, Tex.: Chamber of Commerce Building.
Indianapolis, Ind.: Chamber of Commerce Building.
Jacksonville, Fla.: Chamber of Commerce Building.
Kansas City, Mo.: 1028 Baltimore Avenue.
Los Angeles, Calif.: 1163 South Broadway.
Louisville, Ky.: 408 Federal Building.
Memphis, Tenn.: 229 Federal Building.
Minneapolis, Minn.: 213 Federal Building.
New Orleans, La.: Room 225-A, Customhouse.
New York, N.Y.: 734 Customhouse.
Norfolk, Va.: 406 East Plume Street.
Philadelphia, Pa.: 422 Commercial Trust Building.
Pittsburgh, Pa.: Chamber of Commerce Building.
Portland, Oreg.: 215 New Post Office Building.
St. Louis, Mo.: 506 Olive Street.
San Francisco, Calif.: 310 Customhouse.
Seattle, Wash.: 809 Federal Office Building.

Approved Code No. 218

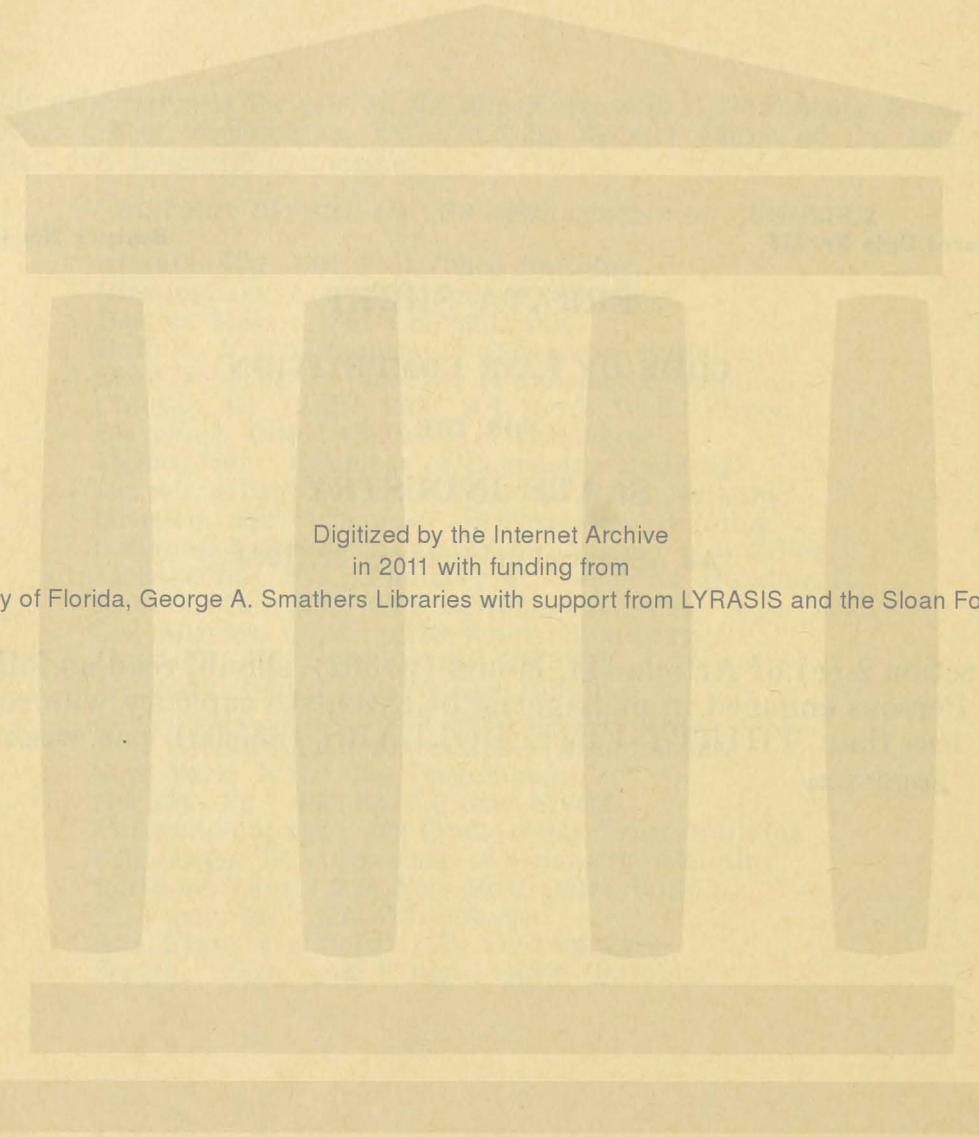
Registry No. 1023-19

ERRATA SHEET
CODE OF FAIR COMPETITION
FOR THE
SLATE INDUSTRY

As Approved on January 22, 1934

Section 2 (c) of Article III, Hours (p. 302), should read as follows:
"Persons engaged in managerial or executive capacity who receive
not less than **THIRTY-FIVE DOLLARS** (\$35.00) per week."

36629°—34



Digitized by the Internet Archive
in 2011 with funding from

University of Florida, George A. Smathers Libraries with support from LYRASIS and the Sloan Foundation

Approved Code No. 218

CODE OF FAIR COMPETITION

FOR THE

SLATE INDUSTRY

As Approved on January 22, 1934

ORDER

APPROVING CODE FOR FAIR COMPETITION

FOR THE

SLATE INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of a Code of Fair Competition for the Slate Industry, and hearings having been duly held thereon and the annexed report on said Code, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise, do hereby incorporate by reference said annexed report and do find that said Code complies in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act; and do hereby order that said Code of Fair Competition be and it is hereby approved.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval Recommended:

W. A. HARRIMAN,
Division Administrator.

WASHINGTON, D.C., January 22, 1934.

The PRESIDENT,
The White House.

SIR: This is a report on the Code of Fair Competition for the Slate Industry, a hearing on which was conducted in Washington on the ninth of November, 1933, in accordance with the provisions of the National Industrial Recovery Act.

PROVISIONS OF THE CODE AS TO WAGES AND HOURS

This Code provides for a work week of not more than forty hours, averaged over a six months' period, with limits of forty-eight hours for any week, six days for any week, and nine hours for any day. The following exceptions are permitted:

- (a) Employees engaged on emergency maintenance and repair work, but they will receive time and one third for overtime;
- (b) Slateloaders, shipping clerks, truck drivers, and watchmen, who are limited to fifty-six hours per week;
- (c) Those engaged in managerial or executive capacity, who receive not less than \$30.00 per week; and
- (d) Travelling salesmen.

The maximum hours apply to the total time of each employee, whether working for one or several employers.

This Code provides for a minimum wage of 35 cents per hour, except in Virginia, the only southern state producing slate, where the minimum is 30 cents. Watchmen are excepted, but must be paid at least \$15.00 per week, and with the permission of the proper authorities, handicapped persons may be excepted. These minimum wages apply whether an employee is compensated on a time rate, piecework, or other basis. Wages must be paid monthly or oftener and provision is made for equitable readjustment of wages above the minimum.

No person under eighteen years of age may be employed. Employers must endeavor to provide continuity of employment and for the safety and health of their employees.

ECONOMIC EFFECTS OF THE CODE

The value of the products covered by the Code fell from a peak of over nine million dollars in 1925 to eight and a half in 1929 and to less than two million dollars in 1932. The Slate Industry is heavily burdened by depression, by stagnant construction, by severe losses in past years, and by rival materials. Employment has dropped to about half the peak figure.

Due to these conditions, it is doubtful whether adoption of this Code will result in a large immediate increase in employment, but it is hoped that the stabilizing effect of the marketing provisions will protect the present two thousand employees and with increasing business permit of some increase.

The minimum wages are approximately double the present minima, and an increase in pay rolls of 25% to 30% is estimated by the sponsors of the Code.

FINDINGS

The Assistant Deputy Administrator in his final report to me on said Code having found as herein set forth and on the basis of all the proceedings in this matter:

I find that:

(a) Said Code is well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act, including removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among the trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanctions and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) Said Industry normally employs not more than 50,000 employees; and is not classified by me as a major industry.

(c) The Code as approved complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7, and Subsection (b) of Section 10 thereof; and that the applicant association is an industrial association truly representative of the aforesaid industry; and that said association imposes no inequitable restrictions on admission to membership therein.

(d) The Code is not designed to and will not permit monopolies or monopolistic practices.

(e) The Code is not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said Code.

For these reasons, therefore, I have approved this Code.

Respectfully,

HUGH S. JOHNSON,
Administrator.

JANUARY 22, 1934.

CODE OF FAIR COMPETITION
FOR THE
SLATE INDUSTRY

ARTICLE I—PURPOSE

To effectuate the policies of Title I of the National Industrial Recovery Act and for the purpose of conserving a natural resource in rehabilitating the Slate Industry and enabling it to do its part toward the restoration and maintenance of highest practical degree of public welfare, the following provisions are established as a Code of Fair Competition for that Industry, and shall be the standards of fair competition for that Industry and binding upon every member thereof.

ARTICLE II—DEFINITIONS

SECTION 1. The term "Slate Industry" or "Industry" as used herein means and includes the quarrying and selling, the processing and selling and/or the selling by agencies set up and controlled by a quarrier or group of quarriers of slate and slate products (excepting slate granules) and such related branches or subdivisions thereof as may from time to time be included under the provisions of this Code by the President after such notice and hearing as he may prescribe.

SEC. 2. Division of Industry. The terms "Division of Industry" or "Division" shall mean and include the following: (1) The Slate Roofing Division, which deals with slate used for roofing purposes; (2) The Structural and Electrical Division, which deals with slate used for structural and electrical purposes; (3) The Blackboard Slate Division, which deals with slate used for blackboard purposes, and also such other divisions as may be hereafter established.

SEC. 3. Regions. The term "Region" shall mean and include the following areas: (1) The Maine region, which shall include the State of Maine; (2) The New York-Vermont region, which shall include the States of New York and Vermont; (3) The Pennsylvania-Maryland region, which shall include the States of Pennsylvania and Maryland, and (4) The Virginia region, which shall include the State of Virginia; (5) other regions or areas in which quarries are worked or may be hereafter developed shall be included hereunder.

SEC. 4. District. The term "District" shall mean and include a locality in which one or more quarries are working the same or adjacent veins producing substantially the same kind of slate.

SEC. 5. The term "employee" as used herein includes anyone except a member of the industry engaged in the Slate Industry in any capacity receiving compensation for his services, irrespective of the nature or method of payment of such compensation.

SEC. 6. The term "employer" as used herein includes anyone by whom any such employee is compensated or employed.

SEC. 7. The term "member of the industry" includes anyone engaged in the Slate Industry as above defined, either as an employer or on his or its own behalf.

SEC. 8. The terms "President", "Act", and "Administrator" as used herein shall mean, respectively, the President of the United States, the National Industrial Recovery Act, and the Administrator of said Act.

SEC. 9. The terms "Code Authority", "Division Committee", and "District and Regional Committees" as used herein shall mean the administrative agency or agencies established pursuant to this Code as hereinafter provided.

SEC. 10. The term "member of the Code" includes any member of the Industry who shall expressly signify assent to this Code.

ARTICLE III—HOURS

SECTION 1. Maximum Hours. No employee shall be permitted to work in excess of forty (40) hours per week averaged over any six (6) months' period, forty-five (45) hours in any one (1) week, nine (9) hours in any one (1) day, or six (6) days in any seven (7) day period except as herein provided.

SEC. 2. Exceptions. These maximum hours fixed in Section (1) shall not apply to:

(a) Employees on emergency maintenance or emergency repair work, involving break-downs or protection of life or property, but such employees shall be paid one and one third ($1\frac{1}{3}$) times the hourly rates for time in excess of nine (9) hours per day or forty-five (45) hours per week.

(b) Slateloaders, shipping clerks, truck drivers, firemen, and watchmen, provided, however, that they shall not be permitted to work in excess of fifty-six (56) hours in any one (1) week.

(c) Persons engaged in managerial or executive capacity who receive not less than thirty dollars (\$30.00) per week.

(d) Persons engaged as traveling salesmen.

SEC. 3. Combined Time. No employer shall knowingly permit any employee to work for any time which when totaled with that already performed with another employer or employers exceeds the maximum permitted herein.

ARTICLE IV—WAGES

SECTION 1. Minimum wage. No employee except watchmen shall be paid at less than the rate of thirty-five cents (35¢) an hour, except that in Virginia employees may be paid at not less than the rate of thirty cents (30¢) an hour.

SEC. 2. Piecework. This article establishes a minimum rate of pay regardless of whether an employee is compensated on a time rate, piecework or other basis.

SEC. 3. Readjustment of Wages. Unless such readjustment has already been made because of the operation of the President's Re-employment Agreement, the wage rates of all employees receiving more than the minimum rates prescribed above, but less than thirty-five dollars (\$35.00) per week, shall be equitably readjusted.

SEC. 4. Watchmen. Watchmen shall not be paid less than at a rate of fifteen dollars (\$15.00) per week.

SEC. 5. Payment. All wages shall be paid in lawful currency or by negotiable check, at least once a month. These wages shall be exempt from any payments for pensions, insurance or sick benefits, other than those voluntarily paid by the wage earners, or required by law.

SEC. 6. Handicapped Persons. A person whose earning capacity is limited because of age or physical or mental handicap may be employed on light work at a wage below the minimum established by this Code if the employer obtains from the State Authority designated by the United States Department of Labor a certificate authorizing his employment at such wages and for such hours as shall be stated in the certificate. Each employer shall file with the Code Authority a list of all such persons employed by him.

ARTICLE V—GENERAL LABOR PROVISIONS

SECTION. 1. Rights of Labor. (a) Employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

(b) No employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing, or assisting a labor organization of his own choosing.

(c) Employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment approved or prescribed by the President.

SEC. 2. Child Labor. Employers shall not employ any persons under eighteen (18) years of age.

SEC. 3. State Laws. Within each state no provisions of this Code shall supersede any laws of such state imposing more stringent requirements regulating the age of employees, wages, hours of work, or health, fire, or general working conditions, than under the Code.

SEC. 4. Company Homes and Stores. Employees other than maintenance or supervisory men or those necessary to protect the property shall not be required as a condition of employment to live in homes rented from the employer or to trade at the store specified by the employer.

SEC. 5. Safety and Health. Each employer will use his best endeavor to so administer work in his charge as to provide a maximum practicable continuity of employment of his employees, and for their safety and health during the hours of their employment.

SEC. 6. Reclassification. No employer shall reclassify employees or duties of occupations performed or engage in any other subterfuge for the purpose of defeating the provisions of the Act or of this Code.

SEC. 7. Posting.—All employers shall post complete copies of this Code in conspicuous places accessible to employees.

ARTICLE VI—MARKETING PRACTICES

SECTION 1. Open Price Policy.—(a) Within twenty (20) days after approval of the code by the President all members of the Industry shall publish, and from time to time thereafter, as conditions require, may revise their price lists, including list prices, terms of delivery, and cash discounts, together with trade discount sheets applying to each class of customer, for each recognized standard classification of slate and slate products which they offer for sale. They shall deliver such price lists and trade discount sheets and revisions thereof to the Slate Industry Code Authority ten (10) days in advance of the effective date thereof, unless the Slate Industry Code Authority shall authorize a shorter period. Sufficient copies of such price lists, and revisions thereof, together with discount sheets and any changes therein, with notice of effective date specified, shall be delivered to the Code Authority to permit of immediate sending of same to all known Members of the Industry, selling the same slate products, who thereupon may file, if they so desire, revisions of their price list and/or discount sheets to meet the price first filed which shall become effective upon the date when the revised price list or discount sheet first filed goes into effect.

(b) No Member of the Industry shall sell directly or indirectly by any means whatsoever any product of the industry covered by the provisions of this Article at a price lower or at discounts greater or on more favorable terms of payment than those provided in his current price lists and trade discount sheets for respective classes of customers.

SEC. 2. No Member of the Industry shall by means of any secret rebate, special discount or by selling or offering for sale nonstandard grades, sizes, dimensions or classifications of slate and slate products, or other means attempt to violate or evade the terms of the Code set forth in this Article.

SEC. 3. Liquidation of Stocks. Inventories of slate which must be liquidated by any Member of the Industry may be sold at such prices as are necessary to move slate into buyers' hands; however, all such stocks must be reported to the Slate Industry Code Authority and disposed of subject to the approval of that Authority.

SEC. 4. Selling Below Cost. (a) Except as specified in Section 3 of this Article no Member of the Industry shall sell or exchange any slate or slate products at a price or upon such terms or conditions as will result in the purchaser paying for such product less than the average district cost of that Member of the Industry's district for that product.

(b) The methods of determining, and the agencies who determine, the average district cost shall be established by the Code Authority

subject to the approval of the Administrator; but in computing the average district costs from individual members' cost records the costs of at least that 40% of the Members of the Industry of each particular district having the highest costs shall be excluded. Until his average district cost is available, no Member of the Industry shall sell or exchange any product below his own individual cost, computed by accounting methods established by the Code Authority and approved by the Administrator, except to meet the competition of a Member of the Industry having a lower cost for the same product.

(c) The Code Authority shall establish a uniform method of accounting suitable for the Industry subject to the approval of the Administrator. Each Member of the Industry shall use a cost accounting system at least as detailed as that so established by the Code Authority. But the determination of a Member's average cost for the purposes set forth in Subsections (a) and (b) of this Section shall not include: depreciation, interest on capital, and reserves for contingencies, or other purposes.

(d) The provisions of this Article shall apply to all stocks of Members of the Industry now on hand, as well as to future production, except that all contracts for delivery of slate entered into prior to the approval of this Code by the President shall be executed as per agreed terms, unless by voluntary agreement the contracting parties set new terms.

SEC. 5. *Sales Terms and Conditions.*—(a) All members of the Industry shall adopt and maintain such uniform credit and contract terms and other uniform, fair, and equitable sales practices as established by the Code Authority with the approval of the Administrator.

(b) Within ten (10) days after the effective date of this Code, each Member of the Industry shall publish and file with the Code Authority all qualifications which have been established by him to determine the prices, terms, or conditions of sale made applicable by him to the different classes of his trade or customers, for products covered by this Code. He shall publish and file promptly with the Code Authority any changes made by him in such qualifications and any additional qualifications.

(c) Each member shall file at such times, in such manner, and at such places as may be designated by the Code Authority the names and locations of all direct sales agents, branch offices, commission representatives, and salesmen with whom they have contracted for sale of their product.

ARTICLE VII—ADMINISTRATION

A Code Authority is hereby constituted to administer this Code in accordance with the provisions of the Act.

SECTION 1. Organization and constitution of the Code Authority.

(a) The Code Authority shall consist of the President of the National Slate Association, from time to time in office, two (2) individuals from each division of the industry elected by and from members of the Code in each respective division by a fair method of selection approved by the Administrator. But in no event, so long as there are only three (3) divisions, shall the division representatives on Code Authority consist of more than three (3) from the Pennsyl-

vania-Maryland Region or two (2) from the New York-Vermont Region, or one (1) from the Maine Region. When matters pertaining to the roofing-slate division of the Industry are brought before the Code Authority an individual elected by and from the members of the Code in the Virginia Region shall sit with the Code Authority with full voting power. The Administrator, in his discretion, may appoint not more than three (3) additional members, without vote, to represent the Administrator or such groups or interests as he may specify or approve, to serve for terms of twelve months.

(b) In each region there shall be selected, by methods approved by the Administrator, such regional and district committees as may be required, to assist the Code Authority in the administration of the Code under such regulations as the Code Authority may provide.

(c) The National Slate Association shall: (1) Impose no inequitable restrictions on membership, and (2) submit to the Administrator true copies of its articles of association, bylaws, regulations, and any amendments when made thereto, together with such other information as to membership, organization, and activities, as the Administrator may deem necessary to effectuate the purposes of the Act.

(d) In order that the Slate Industry Code Authority shall at all times be truly representative of the Industry and in other respects comply with the provisions of the Act, the Administrator may provide such hearings as he may deem proper; and thereafter if he shall find that the Slate Industry Code Authority is not truly representative or does not in other respects comply with the provisions of the Act, may require an appropriate modification in the method of selection of the Slate Industry Code Authority.

SEC. 2. Powers and Duties. The Slate Industry Code Authority shall have the following duties and powers to the extent permitted by the Act, subject to the right of the Administrator on review to disapprove any action taken by it.

(a) To use such trade associations and other agencies as it deems proper for the carrying out of any of its activities provided for herein and to pay such trade associations and agencies the cost hereof, provided that nothing herein shall relieve the Code Authority of its duties or responsibilities under this Code and that such trade associations and agencies shall at all times be subject to and comply with provisions hereof.

(b) To obtain from members of the industry such information and reports as are required for the Administration of the Code and to provide for submission by members of such information and reports as the Administrator may deem necessary for the purposes recited in Section 3 (a) of the Act, which information and reports shall be submitted by members to such administrative and/or government agencies as the Administrator may designate; provided that nothing in this Code shall relieve any member of the industry of any existing obligations to furnish reports to any government agency. No individual reports shall be disclosed to any other members of the industry or any other party except to such governmental agencies as may be designated by the Administrator.

(c) The Code Authority may designate a planning board or committee whose function and duties shall be the betterment of the In-

dustry, through improvement of conditions within the Industry and through cooperative action with other industrial groups, subject to the approval of the Code Authority.

(d) The Code Authority, upon its own initiative, upon request of the Administrator, or upon complaint in writing by an interested party or group, may make such inquiries or investigations as may be necessary to administer effectively the provisions of this Code.

(e) Members of the Industry shall be entitled to participate in and share the benefits of the activities of the Code Authority and to participate in the selection of the members thereof by assenting to and complying with the requirements of this Code and sustaining their reasonable share of the expenses of its initiation and administration. The reasonable share of the expenses of its initiation and administration shall be determined by the Code Authority, subject to review by the Administrator, on the basis of volume of business and/or such other factors as may be deemed equitable to be taken into consideration.

(f) Any interested party shall have the right of complaint to the Code Authority and a prompt hearing and decision thereon, under such rules and regulations as it shall prescribe, in respect to any act of any agent or agency designated by the Code Authority to act in its behalf.

(g) Nothing contained in the Code shall be deemed to constitute any of the members thereof partners for any purpose. No member of the Code shall be liable in any manner to anyone for the act of any member or agent of the Code Authority performed pursuant to the provisions of this Code. No member of the Code and no member or agency of the Code Authority shall be liable to anyone or in any manner other than as provided in the act, or in the Code, for any act performed in accordance with, or for any failure to act required by, the provisions of the Code.

ARTICLE VIII—TRADE PRACTICES

The following practices constitute unfair methods of competition for members of the Slate Industry and are prohibited:

SECTION 1. False Marking or Branding.—The false marking or branding of any product of the Slate Industry which has the tendency to mislead or deceive customers or prospective customers, whether as to the grade, quality, quantity, substance, character, nature, origin, size, finish, or preparation of any product of the Slate Industry.

SEC. 2. Misrepresentation or False or Misleading Advertising.—The making or causing or knowingly permitting to be made or published any false, materially inaccurate, or deceptive statement by way of advertisement or otherwise, whether concerning the grade, quality, quantity, substance, character, nature, origin, size, finish, or preparation of any product of the Slate Industry or the credit terms, values, policies, or services of any member of the Slate Industry, having the tendency or capacity to mislead or deceive customers or prospective customers.

SEC. 3. Commercial Bribery.—No member of the Industry shall give, permit to be given, or directly offer to give, anything of value

for the purpose of influencing or rewarding the action of any employee, agent, or representative of another in relation to the business of the employer of such employee, the principal of such agent or the represented party, without the knowledge of such employer, principal or party. Commercial bribery provisions shall not be construed to prohibit free and general distribution of articles commonly used for advertising except so far as such articles are actually used for commercial bribery as hereinabove defined.

SEC. 4. Interference with Contractual Relations. Maliciously inducing or attempting to induce the breach of an existing oral or written contract between a competitor and his customer or source of supply, or interfering with or obstructing the performance of any such contractual duties or services.

SEC. 5. Secret Rebates. The secret payment or allowance of rebates, refunds, commissions, credits, or unearned discounts, whether in the form of money or otherwise, or the secret extension to certain purchasers of special services or privileges not extended to all purchasers on like terms and conditions.

SEC. 6. Defamation. The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations or by the false disparagement of the grade or quality of their goods.

SEC. 7. Substitution. The furnishing of slate not suitable for a purpose ordered or the shipping of products which do not conform to the samples submitted or representations or change in specification upon which order was placed, made prior to securing the order, without the consent of the purchaser to such substitution.

SEC. 8. Espionage of Competitors. Securing confidential information concerning the business of a competitor by a false or misleading statement or representation, by a false impersonation of one in authority, by bribery, or by any other unfair method.

SEC. 9. Infringement of Patents. Imitating trade marks, trade names, slogans, or other marks of identification of competitors and the appropriation of catalog and advertising forms, constitute a violation of this Code.

SEC. 10. To aid and abet the practice known as "bid peddling."

SEC. 11. Consigned Goods. The shipping of slate or slate products on consignment.

SEC. 12. Other Unfair Practices. Nothing in this Code shall limit the effect of any adjudication by the Courts or holding by the Federal Trade Commission on complaint, finding, and order, that any practice or method is unfair, providing that such adjudication or holding is not inconsistent with any provision of the Act or of this Code.

SEC. 13. As far as possible, employers in the Slate Industry will promote employment by following the Simplified Practice Recommendations of the Department of Commerce R13-28 on Structural Slate, R14-28 on Roofing Slate, and R15 on Blackboard Slate, in their production and sales promotion efforts and endeavor to have specifiers of slate require the sizes provided in these recommendations.

ARTICLE IX—MODIFICATION

SECTION 1. This Code and all the provisions thereof are expressly made subject to the right of the President, in accordance with the provisions of subsection (b) of Section 10 of the National Industrial Recovery Act, from time to time to cancel or modify any order, approval, license, rule, or regulation issued under Title I of said Act, and specifically, but without limitation, to the right of the President to cancel or modify his approval of this Code or any conditions imposed by him upon his approval thereof.

SEC. 2. This Code, except as to provisions required by the Act, may be modified on the basis of experience or changes in circumstances or supplemented to meet marketing needs of this natural-resource industry, such modification to be based upon application to the Administrator and such notice and hearing as he shall specify, and to become effective on approval of the President.

ARTICLE X—MONOPOLIES, ETC.

No provisions of this Code shall be so applied as to permit monopolies or monopolistic practices, or to eliminate, oppress, or discriminate against small enterprises.

ARTICLE XI—PRICE INCREASES

Whereas the policy of the Act to increase real purchasing power will be made impossible of consummation if prices of goods and services increase as rapidly as wages, it is recognized that price increases should be delayed and that, when made, the same should, so far as reasonably possible, be limited to actual increases in the seller's costs.

ARTICLE XII—EFFECTIVE DATE

This Code shall become effective ten (10) days after its approval by the President.

Approved Code No. 218.
Registry No. 1023-19.



UNIVERSITY OF FLORIDA



3 1262 08486 8743