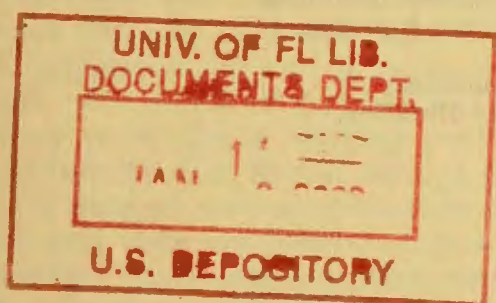
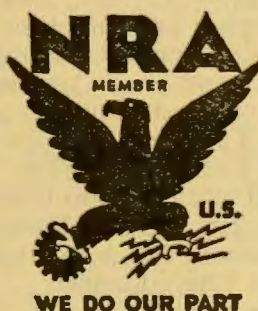


NATIONAL RECOVERY ADMINISTRATION

CODE OF FAIR COMPETITION
FOR THE
TRANSPARENT MATERIALS
CONVERTERS INDUSTRY

AS APPROVED ON APRIL 4, 1934

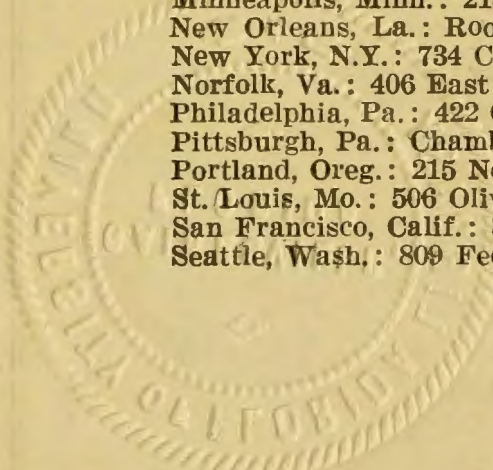


UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1934

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Approved Code No. 382

CODE OF FAIR COMPETITION

FOR THE

**TRANSPARENT MATERIALS CONVERTERS
INDUSTRY**

As Approved on April 4, 1934

ORDER

**APPROVING CODE OF FAIR COMPETITION FOR THE TRANSPARENT
MATERIALS CONVERTERS 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 Transparent Materials Converters 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; provided, however, that the provisions of Article VII, Sections 2 to 9 inclusive, insofar as they prescribe a waiting period between the filing with the Code Authority (i.e. actual receipt by the Code Authority) and the effective date of revised price lists or revised terms and conditions of sale be and they are hereby stayed pending my further order; provided further, that within ninety days I may direct that there be a further hearing on such of the provisions of said Code as I may designate, and that any order which I may make after such hearing shall have the effect of a condition on the approval of this Code.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

GEO. L. BERRY,
Division Administrator.

WASHINGTON, D.C.,
April 4, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report of the hearing on the Code of Fair Competition for the Transparent Materials Converters Industry, conducted in Washington on January 30, 1934, in accordance with the provisions of Title I of the National Industrial Recovery Act.

HOURS AND WAGES

This Code provides a 40 hour week for factory workers with a weekly tolerance of eight hours to be paid for as overtime, and limited to 12 weeks per year. The usual exceptions are made in regard to nonproductive employees. Office employees are limited to an average of 40 hours per week over an eight week period.

The minimum wage rate for hourly paid employees is 38¢ per hour for males and 33¢ per hour for females. Office employees will receive a minimum wage of \$15.00 per week in cities of over 500,000 population, \$14.50 per week in cities between 250,000 and 500,000 population, \$14.00 per week in cities between 2,500 and 250,000 population and \$12.00 per week in towns less than 2,500 population.

OPEN PRICE PLAN

An open price plan of selling is provided, and selling below cost, except to meet competition, is prohibited.

OTHER PROVISIONS

Provision is made for furnishing the Administrator with such statistical data as he may require.

ECONOMIC EFFECT OF THE CODE

In 1929, with 10 manufacturers, the Industry employed about 200 persons. In 1933 the number of manufacturers had increased to 56, employing over 2,000 persons. The effect of the Code will be to employ approximately 400 additional workers.

The increase in payrolls as a result of the Code will be about 10%.

FINDINGS

The 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 sanction 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 this Code has been approved.

Respectfully,

HUGH S. JOHNSON,
Administrator.

APRIL 4, 1934.

CODE OF FAIR COMPETITION FOR THE TRANSPARENT MATERIALS CONVERTERS INDUSTRY

To effectuate the policies of Title I of the National Industrial Recovery Act, the following is hereby established as a Code of Fair Competition for the above named Industry and shall be binding on every member thereof.

ARTICLE I—DEFINITIONS

Where used in this Code and in all Codes subordinate hereto, the following definitions shall apply:

“Industry”—The conversion for sale of transparent cellulose sheeting (such as Cellophane, Sylphrap, Kodapak, Protectoid and other similar transparent materials) into bags, envelopes and tubes, pouches, sheets and rolls (but not photographic materials), ribbons, household rolls, excelsior and such miscellaneous products of the Industry as may be brought within the Industry as hereinafter provided.

“Member”—A natural person, partnership, association, corporation, trust, trustee, trustee in bankruptcy, receiver, or other form of enterprise, engaged in such Industry.

“Division”—A division or section of the Industry recognized as such by this Code.

“Act”—Title I of the National Industrial Recovery Act.

“Administrator”—The Administrator for Industrial Recovery under Title I in the Act.

“Association”—The Transparent Materials Converters Association.

ARTICLE II—ORGANIZATION AND ADMINISTRATION

SECTION 1. The Executive Committee of the Association is hereby designated as the Code Authority for administering the provisions of this Code and is hereinafter referred to as the Code Authority. The Administrator may designate three persons as additional advisory members thereof; the member or members so designated shall have no vote but in all other respects shall be members of the said Code Authority.

SECTION 2. The said Association shall file with the Administrator certified copies of any amendments of its By-Laws relating to eligibility or admission to membership in said Association or relating to the method of selection of the members of such Executive Committee, which said Association may hereafter adopt.

SECTION 3. The Administrator may at any time prescribe a different method for selecting the Industry members of the Code Authority and thereafter such members shall be chosen in the manner so prescribed.

SECTION 4. The Code Authority is charged generally with the duty of administering this Code. If the Administrator shall determine that any action of the Code Authority, or any agency thereof, may be unfair or unjust or contrary to the public interest, the Administrator may require that such action be suspended to afford an opportunity for investigation of the merits of such action and further consideration by the Code Authority or agency pending final action, which shall not be effective unless the Administrator approves or unless he shall fail to disapprove after thirty (30) days' notice to him of intent to proceed with such action in its original or modified form.

SECTION 5. The expenses of administering this Code shall be apportioned among the various divisions in accordance with a formula to be adopted by the Code Authority. The expenses of administering the Subordinate Code of each Division, together with the proportion of the expense of administering this Code allocated to such Division, shall be borne pro rata in accordance with a formula to be adopted by the Executive Authority of such Division by all members of such Division who accept the benefits of the Code Authority and/or the Executive Authority of such Division or otherwise assent to this Code. Divisional Associations shall be responsible for the payment of all Code administration expense.

SECTION 6. The Code Authority shall use such trade associations and other agencies as it deems proper for the carrying out of any of its activities provided for herein, provided that nothing herein shall relieve the Code Authority of its duties or responsibilities under this Code and that such trade associations or agencies shall at all times be subject to and comply with the provisions hereof.

SECTION 7. The Industry is hereby divided into Divisions as set forth in Schedule A hereto attached. Any question as to the Division into which any particular grade, class or kind of products of the Industry may fall, shall be determined by the Code Authority.

SECTION 8. In the event that the jurisdiction of the Code shall be extended to cover the manufacture of products which do not fall within any such Division, the Code Authority may create new Divisions to include such products and the members of such Divisions may then adopt and submit Divisional Codes as provided in Article III hereof.

SECTION 9. The Code Authority may create new Divisions by the sub-division of any such Divisions or by the consolidation of any two or more of such Divisions, provided, however, that no such sub-division or consolidation shall be made without the consent of the Divisional Association of each Division affected thereby.

SECTION 10. In each Division there may be one Divisional Association to which every member of the Industry engaged in the manufacture of any product included in such Division shall be eligible for membership.

SECTION 11. The Code Authority may appoint a Trade Practice Committee which shall meet with the Trade Practice Committees under such other Codes as may be related to this Industry for the purpose of formulating Fair Trade Practices to govern the relationships between production and distribution employers under this Code and under such others to the end that such Fair Trade Prac-

tices may be proposed to the Administrator as amendments to this Code and such other Codes.

SECTION 12. Nothing contained in this Code shall constitute the members of the Code Authority partners for any purpose; nor shall any members of the Code Authority be liable in any manner to any one for any act of any other member, officer, agent or employee of the Code Authority; nor shall any member of the Code Authority, exercising reasonable diligence in the conduct of his duties hereunder, be liable to any one for any action or omission to act under this Code, except for his own willful misfeasance or non-feasance.

ARTICLE III—DIVISIONAL CODES

SECTION 1. Each such Divisional Association may adopt a Divisional Code and may either submit the same as a supplement to this Code or submit the same subsequently through the Code Authority to the President of the United States for his approval. Such Divisional Codes, when so approved, shall have the same force and effect as to the Division of the Industry affected thereby as this Code.

SECTION 2. Such Divisional Codes shall be subordinate to this Code and shall specifically recognize this Code as applicable to all members of the Industry engaged in manufacturing products falling within the Division for which such Divisional Code is submitted.

SECTION 3. Each such Divisional Code shall designate an agency for the purpose of administering such Divisional Code which shall be denominated "The Executive Authority" of such Division.

SECTION 4. Such Divisional Codes may contain such provisions relating to said Division as may be appropriate for inclusion in a Code of Fair Competition under the Act, provided that no such Code shall contain any provision contrary to or inconsistent with the provisions of this Code.

ARTICLE IV—HOURS OF LABOR

SECTION 1. Employees in the Industry shall not be required or permitted to work hours in excess of the limits prescribed in the following schedule:

SCHEDULE OF WORKING HOURS

(a) Watchmen: Fifty-six (56) hours in any one week but not more than six (6) days in any seven (7) day period; or fifty-six (56) hours in any one week but not more than eight (8) hours in any one day.

(b) Chauffeurs, truck drivers and their helpers: One hundred eighty (180) hours in any period of four consecutive weeks but not to exceed fifty-four (54) hours in any one week, provided, however, that time worked in excess of nine (9) hours in any one day or forty-five (45) hours in any one week shall be paid for as not less than time and one-third.

(c) Engineers, firemen and electrical operators: One hundred sixty-eight (168) hours in any period of four consecutive weeks but not to exceed fifty-four (54) hours in any one week, provided, however, that time worked in excess of nine (9) hours in any one

day or forty-five (45) hours in any one week shall be paid for as not less than time and one-third.

(d) All other laborers employed in any plant, mill or factory or on work connected with the operation of such plant, mill or factory: Eight (8) hours in any one day and forty (40) hours in any one week, provided, however, that these maximum limits may be exceeded in any twelve (12) weeks of each calendar year, provided, that all time worked in excess of eight (8) hours in any one day or forty (40) hours in any one week shall be paid for as not less than time and one-third and provided, further, that no employee shall be required or permitted to work in excess of ten (10) hours in any one day or forty-eight (48) hours in any one week.

(e) Employees regularly engaged in a managerial or executive capacity and their personal secretaries, and supervisors, receiving thirty-five (\$35.00) dollars or more per week, and outside salesmen: No limitation.

(f) All other employees: An average of forty (40) hours per week in any period of eight (8) consecutive weeks, but not to exceed forty-eight (48) hours in any one week.

SECTION 2. No limitation contained in said schedule shall apply to employees of any class when engaged in emergency repairs or emergency maintenance work occasioned by break-downs or involving protection of life or property.

SECTION 3. No employee shall be permitted to work for two or more members of the Industry an aggregate number of hours in excess of the number prescribed in said schedule.

SECTION 4. At such intervals as the Code Authority shall prescribe, every member shall furnish to the Code Authority such information as it may require, in order to enable it to determine whether the limitations contained in said Schedule have been exceeded.

SECTION 5. No female employed will be required or permitted to work between 10 P.M. and 5 A.M.

SECTION 6. No employee of the classes covered by Sections 1-(b), (c), (d) and (f) shall be required or permitted to work more than six (6) days in a period of seven (7) consecutive days.

ARTICLE V—WAGES

SECTION 1. The minimum rate of wage of any employee, other than office or clerical employees, employed in any plant of the Industry, or on work connected with or incidental to the operation of such plant, shall be as follows:

Male labor 38 cents per hour

Female labor 33 cents per hour

SECTION 2. Provided, however, that in case the rate per hour for any class of labor was, on July 15, 1929, less than the minimum rate above specified for the same class of labor, then the minimum rate for such class of labor shall be the rate paid on July 15, 1929, but in no event less than ninety (90%) per cent of the rate above specified.

SECTION 3. The Code Authority shall obtain statistical data concerning the effect of the above proviso on wage rates in the Industry, and shall within ninety (90) days after the effective date of this Code make a report thereon to the Administrator.

SECTION 4. This Article establishes a minimum rate of pay which shall apply irrespective of whether an employee is actually compensated on time rate, piece work or other basis.

SECTION 5. The minimum rates of wages for all other employees, except commission salesmen, shall be as follows: Not less than \$15.00 per week in any city of over 500,000 population, nor less than \$14.50 per week in any city between 250,000 and 500,000 population, nor less than \$14.00 per week in any city between 2,500 and 250,000 population, nor less than \$12.00 per week in towns of less than 2,500 population.

SECTION 6. In the event that the wages specified for the Northern Zone in Article V, Section 1, in the Code of Fair Competition for the Paper Bag Manufacturing Industry, and Article V, Section 4, of said Code, as approved on January 26, 1934 are modified pursuant to the hearing held on February 13, 1934 for the purpose of determining the adequacy of the minimum wages established in said Code, then and in that event, such amended provision shall apply also to this Industry and this Code, and Sections 1, 2 and 5 of Article V of this Code shall be deemed to have been amended so as to conform thereto and the Administrator may direct that this Code be reprinted and republished as so amended.

SECTION 7. Female employees performing substantially the same work as male employees, shall receive the same rate of pay as male employees. The Code Authority shall, within ninety (90) days after the effective date of this Code, file with the Administrator a description of all occupations in the Industry in which both men and women are employed.

SECTION 8. On the effective date hereof, the wage rates of all employees receiving more than the minimum rates herein prescribed shall be reviewed and such adjustments made therein as are equitable, but in no case shall they be decreased, provided, however, that where such equitable adjustments have been made prior to the effective date hereof no further adjustments will be required. Within sixty (60) days after the effective date hereof, the Code Authority shall report to the Administrator the action taken by all members of the Industry under this Section.

SECTION 9. A person whose earning capacity is limited because of age, physical or mental handicap or other infirmity, 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 such person's employment at such wage and for such hours as shall be stated in the certificate. Such authority shall be guided by the instructions of the United States Department of Labor in issuing certificates to such persons. Each employer shall file monthly with the Code Authority a list of all such persons employed by him, showing the wages paid to and the maximum hours of work for such employees.

SECTION 10. Office boys and girls under 18 years of age may be employed at a wage of not less than 80% of the minimum prescribed by Section 5 hereof, provided that not more than five (5%) percent of the employees of such class may be paid as office boys and girls.

ARTICLE VI—GENERAL LABOR PROVISIONS

SECTION 1. No person under sixteen (16) years of age shall be employed in the Industry. No person under eighteen (18) years of age shall be employed at operations or occupations which are hazardous in nature or dangerous to health. The Code Authority shall submit to the Administrator within sixty (60) days after the effective date of this Code, a list of such operations or occupations. In any State an employer shall be deemed to have complied with this provision as to age if he shall have on file a certificate or permit duly signed by the authority in such State empowered to issue employment or age certificates or permits, showing that the employee is of the required age.

SECTION 2. 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. 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. Employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment approved or prescribed by the President.

SECTION 3. No provision in this Code shall supersede any State or Federal law which imposes on employers more stringent requirements as to age of employees, wages, hours of work, or as to safety, health, sanitary or general working conditions or insurance or fire protection, than are imposed by this Code.

SECTION 4. No employer shall reclassify employees or duties of occupations performed or engage in any other subterfuge for the purpose of defeating the purposes or provisions of the Act, or of this Code.

SECTION 5. All employers shall post copies of Articles IV, V, and VI of this Code in conspicuous places accessible to employees.

SECTION 6. Every employer shall make reasonable provisions for the safety and health of his employees at the place and during the hours of their employment. Standards for safety and health shall be submitted by the Code Authority to the Administrator within six (6) months after the effective date of this Code.

SECTION 7. The Code Authority shall make a study of conditions in the Industry to determine the feasibility of the adoption of a shorter working week and shall, within three (3) months after the effective date of this Code, make a report of its findings to the Administrator. The Code Authority shall also submit to the Administrator within six (6) months after the effective date of this Code, a plan for the stabilization and regularization of employment.

SECTION 8. The manufacture or partial manufacture of any product of the Industry in homes shall be prohibited.

ARTICLE VII—ACCOUNTING-SELLING¹

SECTION 1. The Code Authority shall cause to be formulated an accounting system and methods of cost finding and/or estimating capable of use by all members of the Industry. After such system and methods have been formulated and approved by the Administrator, full details concerning them shall be made available to all members. Thereafter all members shall determine and/or estimate costs in accordance with the principles of such methods.

SECTION 2. Each member shall, within twenty-four (24) hours after the effective date of this Code, file with the Executive Authority of his Division, or Divisions, in such form as such Executive Authority shall prescribe, complete lists or schedules of prices, terms and conditions of sale (including all differentials, discounts, trade allowances and special charges) of all products falling within the scope of such Division, offered for sale by such member, and shall so file all subsequent changes therein or revisions thereof at least three (3) days, but not more than five (5) days, prior to the effective date of any such changes or revisions. When any member shall file any such schedule of prices, or any revisions thereof, any other member may also file a revision of its own schedules and, if such other member shall so desire and state therein, the same shall be effective as of the same date as the schedule or revision thereof first in this sentence referred to. Each such schedule of prices shall conform to all trade practices and other provisions established in and by this Code or any Subordinate Code applicable thereto or any amendment or supplement to this Code or to such Subordinate Code.

SECTION 3. The Executive Authority of each Division shall provide each member of its Division with copies of all schedules so filed and shall upon request furnish copies thereof at cost to any interested person.

SECTION 4. The Executive Authority of any Division may, from time to time, with the approval of the Code Authority, change in respect to all or any of the products of such Division, the period of time which shall elapse between the date of filing and the effective date of any schedule; provided that such period shall not be less than twenty-four (24) hours or more than five (5) days; and provided further, that pending the holding of a meeting of the Code Authority, the Chairman thereof may grant an interim approval of such action. The Executive Authority shall give immediate notice of such change to the members of the Division.

SECTION 5. No such schedule of prices, terms and conditions of sale filed by any member, or in effect at any time in any calendar month, shall be such as to permit the sale of any product at less than the lower of the following:

(a) The cost of such product to such member, which cost shall be determined pursuant to the method of accounting and costing prescribed by the Code Authority under this Article as soon as that method is prescribed and theretofore pursuant to the method employed by such member subject to such preliminary rules as the Code Authority, with the approval of the Administrator, shall prescribe.

¹ See paragraph 2 of order approving this Code.

(b) The lowest price filed for such product under the provisions of this Article by any other member and then in effect.

SECTION 6. Each schedule filed under this Article shall state whether the prices, terms and conditions therein specified are justified under sub-division (a) or under sub-division (b) of Section 5, and in the case of justification under sub-division (b) shall identify the schedule or schedules of the other member or members of the Industry justifying such prices and conditions. A schedule justified upon the basis of the schedule or schedules of another member or members shall become void forthwith upon the cancellation or revision upward of such justifying schedule or schedules.

SECTION 7. Except in fulfillment of bona fide contracts existing on the effective date of this Code, no member of the Industry shall sell any products of the Industry for domestic consumption at a price or prices lower than or upon terms or conditions more favorable than stated in his price schedule then on file, provided, however, that discontinued lines or damaged goods or seconds of any product may be disposed of in such manner and on such terms and conditions as a member shall publish, prior to the sale thereof, with the Executive Authority of the Division into which such products fall. Within ten (10) days after the effective date of this Code, each member shall file with the Executive Authority of the interested Division complete details of all such bona fide contracts and this information shall be available to the Executive Authority of each Division.

SECTION 8. The Code Authority by and through a disinterested representative or agent shall have power on its own initiative, or on the complaint of any member, to investigate any price for any product shown in any schedule filed hereunder by any member, and for the purpose of the investigation thereof to require such member to furnish such information concerning the cost of manufacturing such product as the Code Authority shall deem necessary or proper for such purpose. Pending such investigations the Administrator may suspend any such price. If the Code Authority after such investigation shall determine that such price violates the provisions hereof, or would tend to render ineffective or seriously to endanger the maintenance of this or any Subordinate Divisional Code, the Code Authority shall so notify such member and the Executive Authority with which such price was filed, and thereupon such price shall become void and of no effect. A notice of all decisions of the Code Authority under this Section, together with the reasons therefor, shall be filed with the Administrator. All such decisions shall be subject to suspension, cancellation or modification by the Administrator.

SECTION 9. The Executive Authority of any Division may, with the approval of the Code Authority, suspend for any period of time, and from time to time, the provisions of Sections 2, 3, 4, 5 and 6 of this Article in respect of any or all of the products of such Divisions; provided, however, that pending the holding of a meeting of the Code Authority the Chairman thereof may grant an interim approval of such action.

ARTICLE VIII—REPORTS AND STATISTICS

SECTION 1. Each member shall prepare and file with the Secretary of his Division at such times and in such manner as the Code Authority may prescribe, statistics of plant capacity, volume of production, volume of sales in units and dollars, orders received, unfilled orders, stocks on hand, inventory both raw and finished, number of employees, wage rates, employee earnings, hours of work and matters as the Code Authority or the Administrator may from time to time require for the purpose of administering or enforcing the provisions of this Code.

SECTION 2. Except as otherwise provided in the Act or in this Code, all statistics, data and information filed in accordance with the provisions of Section I of this Article shall be confidential and the statistics, data and information of one member shall not be revealed to another member, except for the purpose of administering or enforcing the provisions of this Code. No such data or information shall be published except in combination with other similar data and in such a manner as to avoid the disclosure of confidential information. The Code Authority through its Secretary shall arrange in such manner as it may determine for the publication currently to members of totals of orders received, unfilled orders, shipments, stocks or unfinished goods on hand and production.

SECTION 3. The Code Authority shall make and file with the Administration such reports as the Administrator may from time to time require.

SECTION 4. In addition to information required to be submitted to the Code Authority there shall be furnished to Government agencies such statistical information as the Administrator may deem necessary for the purposes recited in Section 3 (a) of the Act. Nothing contained in this Code shall relieve any member of any existing obligations to furnish reports to any Governmental agency.

ARTICLE IX—TRADE PRACTICES

No member shall:

(a) Induce or attempt to induce the breach of a contract between a competitor and his customers.

(b) Imitate the trade marks or the trade names of a competitor.

(c) Defame a competitor by falsely implying to him inability to perform contracts or questionable credit standing, or by spreading false reports concerning his transactions with others.

(d) Falsely disparage the weight, substance, strength, grade or quality of a competitor's goods.

(e) Pay or allow secret rebates, refunds, credits or unearned discounts, whether in the form of money, advertising allowances, or otherwise, or extend to certain purchasers special prices, concessions or privileges not extended to all purchasers under like terms and conditions.

(f) No member 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 princi-

pal of such agent or the represented party, without the knowledge of such employer, principal or party. The foregoing 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 herein defined.

ARTICLE X—MONOPOLIES

SECTION 1. No provision 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—RECOMMENDATIONS

SECTION 1. The Code Authority may, from time to time, present to the Administrator recommendations based on conditions in the Industry which will tend to effectuate the operation of this Code and the policy of the Act, and in particular along the following lines:

(a) For the establishment of additional rules of fair trade practice for the Industry and for the codification of its trade customs, and the enforcement thereof.

Such recommendations, when approved by the Administrator after such notice and hearing as he shall prescribe, shall have the same force and effect as other provisions of this Code.

ARTICLE XII—GENERAL PROVISIONS

SECTION 1. If any member is also a member of another industry, the provisions of this Code shall apply to and affect only that part of his business which is included in this Industry.

SECTION 2. Any work or process incidental to and carried on by a member at his plant as a part of the manufacture of any product of the Industry, shall be regarded as a part of this Industry.

SECTION 3. Such of the provisions of this Code or Divisional Codes as are not required to be included therein by the Act, may, with the approval of the Administrator be modified or eliminated as changes in circumstances or experience may indicate.

SECTION 4. This Code and the Divisional Codes and all the provisions thereof are expressly made subject to the right of the President, in accordance with the provisions of Section 10 (b) of the 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 such Codes or any conditions imposed by him upon his approval thereof.

SECTION 5. This Code shall become effective on the second Monday after the date upon which it shall be approved by the President of the United States.

SCHEDULE A

Transparent Bag and Envelope (plain and processed) Division.
Transparent Sheet and Roll (processed) Division.
Cellulose Ribbon (plain and processed) Division.
Transparent Household Rolls (plain and processed) Division.

SUBORDINATE CODE OF FAIR COMPETITION FOR THE TRANSPARENT BAG AND ENVELOPE (PLAIN AND PROCESSED) DIVISION OF THE TRANSPARENT MATERIALS CONVERTERS INDUSTRY

To effectuate the policies of Title I of the National Industrial Recovery Act the following is hereby established as the Subordinate Code of Fair Competition of the Transparent Bag & Envelope (Plain and Processed) Division of the Transparent Materials Converters Industry, and shall be binding on every member thereof.

ARTICLE I—DEFINITIONS

The words used herein are hereby defined as follows:

“General Code”—The General Code of the Transparent Materials Converters Industry.

“This Division”—The products of the Industry coming within this Division shall be transparent bags, envelopes and tubes, plain and processed.

“Executive Authority”—The body created by Section 1, Article III hereof.

“Code Authority”—The body created by Section 1, Article II of the General Code.

The definitions contained in Article I of the General Code apply also to this Code.

ARTICLE II—SUBORDINATION

SECTION 1. This Code is subordinate to the General Code and is submitted pursuant to the provisions of Article III of the General Code.

SECTION 2. The General Code is hereby recognized as binding on this Division and all members of the Industry included in this Division.

SECTION 3. In the event that any provision of this Code shall be found to be inconsistent with the provisions of the General Code, the provisions of the General Code shall prevail.

ARTICLE III—ADMINISTRATION

SECTION 1. There is hereby created a body to be known as the “Executive Authority” of the Transparent Bag and Envelope (Plain and Processed) Division, which shall consist of the Executive Committee of the Transparent Bag and Envelope Association, together with such person or persons as may be designated by the Administrator pursuant to Section 1 of Article II of the General Code. The person or persons so designated by the Administrator shall have no vote.

SECTION 2. Within ninety (90) days after the effective date hereof the Executive Authority shall call a meeting of all members of the Division to review the method of selection of the Executive Authority, and shall report to the Administrator the proposals made thereat.

SECTION 3. The said Association shall file with the Administrator certified copies of any amendments of its By-Laws relating to eligibility or admission to membership in said Association, or relating to the method of selection of the members of said Executive Committee, which said Association may hereafter adopt.

SECTION 4. In order that the Executive 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 prescribe such hearings as he may deem proper; and thereafter, if he shall find that the Executive 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 Executive Authority.

SECTION 5. The Executive Authority is charged generally with the duty of administering this Code. If the Administrator shall determine that any action of the Executive Authority, or any agency thereof, may be unfair or unjust or contrary to the public interest, the Administrator may require that such action be suspended to afford an opportunity for investigation of the merits of such action and further consideration by the Executive Authority or agency pending final action which shall not be effective unless the Administrator approves or unless he shall fail to disapprove after thirty (30) days' notice to him of intention to proceed with such action in its original or modified form.

SECTION 6. The Executive Authority shall cooperate with and assist the Code Authority in administering the General Code and shall obtain from members within this Division such reports, statistics and other data as the Code Authority may require.

SECTION 7. The Executive Authority shall have power to investigate alleged violations of this Code and acts or courses of conduct by any member which are or appear to be contrary to the policy of the Act or which tend or may tend to render ineffective this Code, and to report the same with recommendations to the Code Authority.

SECTION 8. Subject to the same restrictions and safeguards as provided in Article VIII of the General Code, members shall furnish such information and statistics as may from time to time be required by the Executive Authority.

SECTION 9. The Executive Authority shall use such trade associations and other agencies as it deems proper for the carrying out of any of its activities, provided for herein, provided that nothing herein shall relieve the Executive Authority of its duties or responsibilities under this Code, and that such trade associations or agencies shall at all times be subject to and comply with the provisions hereof.

SECTION 10. Nothing contained in this Code shall constitute the members of the Executive Authority partners for any purpose; nor shall any member of the Executive Authority be liable in any manner to anyone for any act of any other member, officer, agent, or employee of the Executive Authority; nor shall any member of the Executive Authority, exercising reasonable diligence in the conduct of his duties hereunder, be liable to anyone for any action or omission to act under this Code, except for his own willful misfeasance or non-feasance.

ARTICLE IV—TRADE CUSTOMS

SECTION 1. The Executive Authority shall formulate the recognized Trade Customs and Fair Trade Practices of this Division and may from time to time submit any such Trade Customs or Fair Trade Practices through the Code Authority to the Administrator for approval and the same when approved shall have the same force and effect as if incorporated in this Code.

ARTICLE V—AMENDMENTS

SECTION 1. The provisions of this Code may with the approval of the Administrator be modified or eliminated as changes in circumstances or experience may indicate. It is contemplated that from time to time supplementary provisions of this Code to prevent unfair competition in price and other unfair and destructive competitive practices and to effectuate the other provisions and policies of the Act will be submitted for the approval of the Administrator.

ARTICLE VI—EFFECTIVE DATE

SECTION 1. This Code shall become effective on the second Monday after the date upon which it shall be approved by the President of the United States.

SUBORDINATE CODE OF FAIR COMPETITION FOR THE TRANSPARENT SHEET AND ROLL (PROCESSED) DIVISION OF THE TRANSPARENT MATERIALS CONVERTERS INDUSTRY

To effectuate the policies of Title I of the National Industrial Recovery Act the following is hereby established as the Subordinate Code of Fair Competition of the Transparent Sheet and Roll (Processed) Division of the Transparent Materials Converters Industry, and shall be binding on every member thereof.

ARTICLE I—DEFINITIONS

The words used herein are hereby defined as follows:

“General Code”—The General Code of the Transparent Materials Converters Industry.

“This Division”—The products of the Industry coming within this Division shall be transparent processed sheets and rolls, but not photographic materials.

“Executive Authority”—The body created by Section 1, Article III hereof.

“Code Authority”—The body created by Section 1, Article II of the General Code.

The definitions contained in Article I of the General Code apply also to this Code.

ARTICLE II—SUBORDINATION

SECTION 1. This Code is subordinate to the General Code and is submitted pursuant to the provisions of Article III of the General Code.

SECTION 2. The General Code is hereby recognized as binding on this Division and all members of the Industry included in this Division.

SECTION 3. In the event that any provision of this Code shall be found to be inconsistent with the provisions of the General Code, the provisions of the General Code shall prevail.

ARTICLE III—ADMINISTRATION

SECTION 1. There is hereby created a body to be known as the “Executive Authority” of the Transparent Sheet and Roll (Processed) Division, which shall consist of the Executive Committee of the National Converters Institute, together with such person or persons as may be designated by the Administrator pursuant to Section 1 of Article II of the General Code. The person or persons so designated by the Administrator shall have no vote.

SECTION 2. Within ninety (90) days after the effective date hereof the Executive Authority shall call a meeting of all members of the Division to review the method of selection of the Executive Authority, and shall report to the Administrator the proposals made thereat.

SECTION 3. The said Association shall file with the Administrator certified copies of any amendments of its By-Laws relating to eligibility or admission to membership in said Association, or relating to the method of selection of the members of said Executive Committee, which said Association may hereafter adopt.

SECTION 4. In order that the Executive 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 prescribe such hearings as he may deem proper; and thereafter, if he shall find that the Executive 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 Executive Authority.

SECTION 5. The Executive Authority is charged generally with the duty of administering this Code. If the Administrator shall determine that any action of the Executive Authority, or any agency thereof, may be unfair or unjust or contrary to the public interest, the Administrator may require that such action be suspended to afford an opportunity for investigation of the merits of such action and further consideration by the Executive Authority or agency pending final action which shall not be effective unless the Administrator approves or unless he shall fail to disapprove after thirty (30) days' notice to him of intention to proceed with such action in its original or modified form.

SECTION 6. The Executive Authority shall cooperate with and assist the Code Authority in administering the General Code and shall obtain from members within this Division such reports, statistics and other data as the Code Authority may require.

SECTION 7. The Executive Authority shall have power to investigate alleged violations of this Code and acts or courses of conduct by any member which are or appear to be contrary to the policy of the Act or which tend or may tend to render ineffective this Code, and to report the same with recommendations to the Code Authority.

SECTION 8. Subject to the same restrictions and safeguards as provided in Article VIII of the General Code, members shall furnish such information and statistics as may from time to time be required by the Executive Authority.

SECTION 9. The Executive Authority shall use such trade associations and other agencies as it deems proper for the carrying out of any of its activities, provided for herein, provided that nothing herein shall relieve the Executive Authority of its duties or responsibilities under this Code, and that such trade associations or agencies shall at all times be subject to and comply with the provisions hereof.

SECTION 10. Nothing contained in this Code shall constitute the members of the Executive Authority partners for any purpose; nor shall any members of the Executive Authority be liable in any manner to anyone for any act of any other member, officer, agent, or employee of the Executive Authority; nor shall any member of the Executive Authority, exercising reasonable diligence in the conduct of his duties hereunder, be liable to anyone for any action or omission to act under this Code, except for his own willful misfeasance or non-feasance.

ARTICLE IV—TRADE CUSTOMS

SECTION 1. The Executive Authority shall formulate the recognized Trade Customs and Fair Trade Practices of this Division and may from time to time submit any such Trade Customs or Fair Trade Practices through the Code Authority to the Administrator for approval and the same when approved shall have the same force and effect as if incorporated in this Code.

ARTICLE V—AMENDMENTS

SECTION 1. The provisions of this Code may with the approval of the Administrator be modified or eliminated as changes in circumstances or experience may indicate. It is contemplated that from time to time supplementary provisions of this Code to prevent unfair competition in price and other unfair and destructive competitive practices and to effectuate the other provisions and policies of the Act will be submitted for the approval of the Administrator.

ARTICLE VI—EFFECTIVE DATE

SECTION 1. This Code shall become effective on the second Monday after the date upon which it shall be approved by the President of the United States.

SUBORDINATE CODE OF FAIR COMPETITION FOR THE CELLULOSE RIBBON (PLAIN AND PROCESSED) DIVISION OF THE TRANSPARENT MATERIALS CONVERTERS INDUSTRY

To effectuate the policies of Title I of the National Industrial Recovery Act the following is hereby established as the Subordinate Code of Fair Competition of the Cellulose Ribbon (Plain and Processed) Division of the Transparent Materials Converters Industry, and shall be binding on every member thereof.

ARTICLE I—DEFINITIONS

The words used herein are hereby defined as follows:

“General Code”—The General Code of the Transparent Materials Converters Industry.

"This Division"—The products of the Industry coming within this Division shall be plain and processed transparent ribbons.

"Executive Authority"—The body created by Section 1, Article III hereof.

"Code Authority"—The body created by Section 1, Article II of the General Code.

The definitions contained in Article I of the General Code apply also to this Code.

ARTICLE II—SUBORDINATION

SECTION 1. This Code is subordinate to the General Code and is submitted pursuant to the provisions of Article III of the General Code.

SECTION 2. The General Code is hereby recognized as binding on this Division and all members of the Industry included in this Division.

SECTION 3. In the event that any provision of this Code shall be found to be inconsistent with the provisions of the General Code, the provisions of the General Code shall prevail.

ARTICLE III—ADMINISTRATION

SECTION 1. There is hereby created a body to be known as the "Executive Authority" of the Cellulose Ribbon (Plain and Processed) Division, which shall consist of the Executive Committee of the Cellulose Ribbon Association, together with such person or persons as may be designated by the Administrator pursuant to Section 1, of Article II of the General Code. The person or persons so designated by the Administrator shall have no vote.

SECTION 2. Within ninety (90) days after the effective date hereof the Executive Authority shall call a meeting of all members of the Division to review the method of selection of the Executive Authority, and shall report to the Administrator the proposals made thereat.

SECTION 3. The said Association shall file with the Administrator certified copies of any amendments of its By-Laws relating to eligibility or admission to membership in said Association, or relating to the method of selection of the members of said Executive Committee, which said Association may hereafter adopt.

SECTION 4. In order that the Executive 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 prescribe such hearings as he may deem proper; and thereafter, if he shall find that the Executive 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 Executive Authority.

SECTION 5. The Executive Authority is charged generally with the duty of administering this Code. If the Administrator shall determine that any action of the Executive Authority, or any agency thereof, may be unfair or unjust or contrary to the public interest, the Administrator may require that such action be suspended to afford an opportunity for investigation of the merits of such action and further consideration by the Executive Authority or agency pending final action which shall not be effective unless the Administrator approves or unless he shall fail to disapprove after thirty (30) days' notice to him of intention to proceed with such action in its original or modified form.

SECTION 6. The Executive Authority shall cooperate with and assist the Code Authority in administering the General Code and shall obtain from members within this Division such reports, statistics and other data as the Code Authority may require.

SECTION 7. The Executive Authority shall have power to investigate alleged violations of this Code and acts or courses of conduct by any member which are or appear to be contrary to the policy of the Act or which tend or may tend to render ineffective this Code, and to report the same with recommendations to the Code Authority.

SECTION 8. Subject to the same restrictions and safeguards as provided in Article VIII of the General Code, members shall furnish such information and statistics as may from time to time be required by the Executive Authority.

SECTION 9. The Executive Authority shall use such trade associations and other agencies as it deems proper for the carrying out of any of its activities, provided for herein, provided that nothing herein shall relieve the Executive Authority of its duties or responsibilities under this Code, and that such trade

associations or agencies shall at all time be subject to and comply with the provisions hereof.

SECTION 10. Nothing contained in this Code shall constitute the members of the Executive Authority partners for any purpose; nor shall any member of the Executive Authority be liable in any manner to anyone for any act of any other member, officer, agent, or employee of the Executive Authority; nor shall any member of the Executive Authority, exercising reasonable diligence in the conduct of his duties hereunder, be liable to anyone for any action or omission to act under this Code, except for his own willful misfeasance or non-feasance.

ARTICLE IV—TRADE CUSTOMS

SECTION 1. The Executive Authority shall formulate the recognized Trade Customs and Fair Trade Practices of this Division and may from time to time submit any such Trade Customs or Fair Trade Practices through the Code Authority to the Administrator for approval and the same when approved shall have the same force and effect as if incorporated in this Code.

ARTICLE V—AMENDMENTS

SECTION 1. The provisions of this Code may with the approval of the Administrator be modified or eliminated as changes in circumstances or experience may indicate. It is contemplated that from time to time supplementary provisions of this Code to prevent unfair competition in price and other unfair and destructive competitive practices and to effectuate the other provisions and policies of the Act will be submitted for the approval of the Administrator.

ARTICLE VI—EFFECTIVE DATE

SECTION 1. This Code shall become effective on the second Monday after the date upon which it shall be approved by the President of the United States.

SUBORDINATE CODE OF FAIR COMPETITION FOR THE TRANSPARENT HOUSEHOLD ROLLS (PLAIN AND PROCESSED) DIVISION OF THE TRANSPARENT MATERIALS CONVERTERS INDUSTRY

To effectuate the policies of Title I of the National Industrial Recovery Act the following is hereby established as the Subordinate Code of Fair Competition of the Transparent Household Rolls (Plain and Processed) Division of the Transparent Materials Converters Industry and shall be binding on every member thereof.

ARTICLE I—DEFINITIONS

The words used herein are hereby defined as follows:

"General Code"—The General Code of the Transparent Materials Converters Industry.

"This Division"—The products of the Industry coming within this Division shall be plain and processed cellulose sold in rolls and commonly termed household rolls.

"Executive Authority"—The body created by Section 1, Article III hereof.

"Code Authority"—The body created by Section 1, Article II of the General Code.

The definitions contained in Article I of the General Code apply also to this Code.

ARTICLE II—SUBORDINATION

SECTION 1. This Code is subordinate to the General Code and is submitted pursuant to the provisions of Article III of the General Code.

SECTION 2. The General Code is hereby recognized as binding on this Division and all members of the Industry included in this Division.

SECTION 3. In the event that any provision of this Code shall be found to be inconsistent with the provisions of the General Code, the provisions of the General Code shall prevail.

ARTICLE III—ADMINISTRATION

SECTION 1. There is hereby created a body to be known as the "Executive Authority" of the Transparent Household Rolls (Plain and Processed) Division, which shall consist of the Executive Committee of the Transparent Household Rolls (Plain and Processed) Association, together with such person or persons as may be designated by the Administrator pursuant to Section 1 of Article II of the General Code. The person or persons so designated by the Administrator shall have no vote.

SECTION 2. Within ninety (90) days after the effective date hereof the Executive Authority shall call a meeting of all members of the Division to review the method of selection of the Executive Authority, and shall report to the Administrator the proposals made thereat.

SECTION 3. The said Association shall file with the Administrator certified copies of any amendments of its By-Laws relating to eligibility or admission to membership in said Association, or relating to the method of selection of the members of said Executive Committee, which said Association may hereafter adopt.

SECTION 4. In order that the Executive 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 prescribe such hearings as he may deem proper; and thereafter, if he shall find that the Executive 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 Executive Authority.

SECTION 5. The Executive Authority is charged generally with the duty of administering this Code. If the Administrator shall determine that any action of the Executive Authority or any agency thereof may be unfair or unjust or contrary to the public interest, the Administrator may require that such action be suspended to afford an opportunity for investigation of the merits of such action and further consideration by the Executive Authority or agency pending final action which shall not be effective unless the Administrator approves or unless he shall fail to disapprove after thirty (30) days' notice to him of intention to proceed with such action in its original or modified form.

SECTION 6. The Executive Authority shall cooperate with and assist the Code Authority in administering the General Code and shall obtain from members within this Division such reports, statistics and other data as the Code Authority may require.

SECTION 7. The Executive Authority shall have power to investigate alleged violations of this Code and acts or courses of conduct by any member which are or appear to be contrary to the policy of the Act or which tend or may tend to render ineffective this Code, and to report the same with recommendations to the Code Authority.

SECTION 8. Subject to the same restrictions and safeguards as provided in Article VIII of the General Code, members shall furnish such information and statistics as may from time to time be required by the Executive Authority.

SECTION 9. The Executive Authority shall use such trade associations and other agencies as it deems proper for the carrying out of any of its activities, provided for herein, provided that nothing herein shall relieve the Executive Authority of its duties or responsibilities under this Code, and that such trade associations or agencies shall at all times be subject to and comply with the provisions hereof.

SECTION 10. Nothing contained in this Code shall constitute the members of the Executive Authority partners for any purpose; nor shall any member of the Executive Authority be liable in any manner to anyone for any act of any other member, officer, agent, or employee of the Executive Authority; nor shall any member of the Executive Authority, exercising reasonable diligence in the conduct of his duties hereunder, be liable to anyone for any action or omission to act under this Code, except for his own willful misfeasance or non-feasance.

ARTICLE IV—TRADE CUSTOMS

SECTION 1. The Executive Authority shall formulate the recognized Trade Customs and Fair Trade Practices of this Division and may from time to time submit any such Trade Customs or Fair Trade Practices through the Code Authority to the Administrator for approval and the same when approved shall have the same force and effect as if incorporated in this Code.

ARTICLE V—AMENDMENTS

SECTION 1. The provisions of this Code may with the approval of the Administrator be modified or eliminated as changes in circumstances or experience may indicate. It is contemplated that from time to time supplementary provisions of this Code to prevent unfair competition in price and other unfair and destructive competitive practices and to effectuate the other provisions and policies of the Act will be submitted for the approval of the Administrator.

ARTICLE VI—EFFECTIVE DATE

SECTION 1. This Code shall become effective on the second Monday after the date upon which it shall be approved by the President of the United States.



