

NATIONAL RECOVERY ADMINISTRATION

CODE OF FAIR COMPETITION

FOR THE

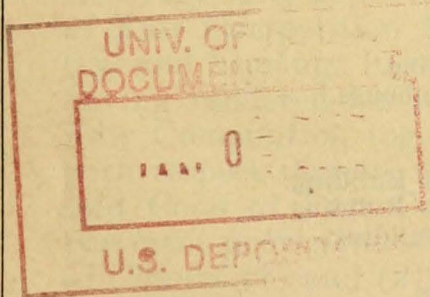
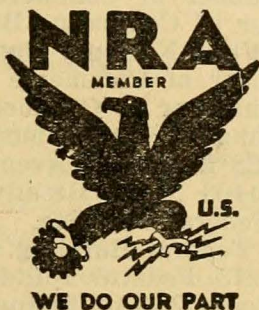
CONCRETE PIPE

MANUFACTURING INDUSTRY

AS APPROVED ON DECEMBER 30, 1933

BY

PRESIDENT ROOSEVELT



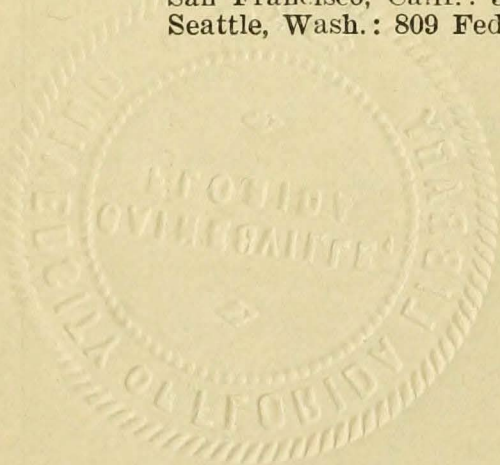
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UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1934

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Approved Code No. 185

CODE OF FAIR COMPETITION

FOR THE

CONCRETE PIPE MANUFACTURING INDUSTRY

As Approved on December 30, 1933

BY

PRESIDENT ROOSEVELT

Executive Order

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 my approval of a Code of Fair Competition for the Concrete Pipe Manufacturing Industry, and hearings having been held thereon and the Administrator having rendered his report containing an analysis of the Code of Fair Competition together with his recommendations and findings with respect thereto, and the Administrator having found that the said Code of Fair Competition complies in all respects with the pertinent provisions of Title I of said Act and that the requirements of Clauses (1) and (2) of Subsection (a) of Section 3 of the said Act have been met:

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by Title I of the National Industrial Recovery Act, approved June 16, 1933, and otherwise, do approve the report and recommendations and adopt the findings of the Administrator and do order that the said Code of Fair Competition be and it is hereby approved.

FRANKLIN D. ROOSEVELT.

Approval recommended:

HUGH S. JOHNSON,
Administrator.

THE WHITE HOUSE,
December 30, 1933.

DECEMBER 13, 1933.

The PRESIDENT,
The White House.

SIR: This is a report on the Code of Fair Competition for the Concrete Pipe Manufacturing Industry, a hearing on which was conducted in Washington on the twenty-eighth 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 as an average over any three months period, nor more than forty-eight hours in any one week. Exceptions to these limitations on working hours are provided for those engaged in managerial, executive, or supervisory capacities earning over \$30.00 or \$35.00 per week depending on population. Further exceptions are permitted for crane operators, machine operators, foremen, watchmen, truckmen, accounting, clerical and office employees, outside salesmen, and shipping clerks; for which classifications wider latitudes are permitted.

The maximum 8-hour work day and 6-day week is established and, with the exception of clerical and office employees and watchmen, all employees working longer than these limits are to be paid at the rate of time and one third therefor.

This Code provides for a minimum wage of thirty-seven cents per hour in the Northern and twenty-seven cents per hour in the Southern States; these minimum rates being in effect whether employees are compensated on a time rate, piece work, or other basis. Accounting, clerical, and office employees are to be paid not less than \$14.00, \$14.50, or \$15.00 per week, depending on population. Rates of pay in excess of the minimum are to be increased to preserve equitable differentials.

No person under eighteen years of age shall be employed in the Industry, and employers are required to provide for the welfare and safety of their employees.

ECONOMIC EFFECTS OF THE CODE

The volume of concrete pipe manufactured in this country has shown a steady decline since 1928, the production during 1933 being only about half that in 1928. The number of employees engaged has likewise decreased from about 4,300 to 1,200 during this period, and in many instances very low wages have been paid.

This industry involves the making of concrete pipe and concrete drain tile; and plants are located in towns and cities in every section of the country. Any improvement in conditions in this industry

will be felt throughout the country to the extent of the size of this industry.

It is estimated that the labor provisions in the Code, coupled with improved trade practices provided for, will result in increased wages of at least 20%, and in some instances as high as 50% to 75%; and that employment will be increased by perhaps 20% with the existing volume of business.

FINDINGS

I find that:

(a) The Code as recommended complies in all respects with the pertinent provisions of Title I of the Act, including, without limitation, subsection (a) of Section 7 and subsection (b) of Section 10 thereof; and that

(b) The applicant group imposes no inequitable restrictions on admission to membership therein and is truly representative of the Concrete Pipe Manufacturing Industry; and that

(c) The Code as recommended is not designed to promote monopolies or to eliminate or oppress small enterprises and will not operate to discriminate against them, and will tend to effectuate the policy of Title I of the National Industrial Recovery Act.

It is recommended, therefore, that this Code be approved.

Respectfully,

HUGH S. JOHNSON,
Administrator.

CODE OF FAIR COMPETITION

FOR THE

CONCRETE PIPE MANUFACTURING INDUSTRY

ARTICLE I—PURPOSES

To effectuate the policies of Title I of the National Industrial Recovery Act, the following provisions are established as a Code of Fair Competition for the Concrete Pipe Manufacturing Industry and shall be the standard of fair competition for such industry and shall be binding upon every member thereof.

ARTICLE II—DEFINITIONS

The term "Concrete Pipe Manufacturing Industry" as used herein includes the manufacture, and sale by those who manufacture, of cement or concrete drain tile, cement pipe, concrete pipe, or reinforced concrete pipe of any type.

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

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

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

The terms "President", "Act", and "Administrator", as used herein shall mean, respectively, the President of the United States, Title I of the National Industrial Recovery Act, and the Administrator for Industrial Recovery.

"Crane Operators" shall be considered to include the operators of locomotive, tractor, gantry, or overhead cranes, derricks, or any other type of cranes or equipment regularly used for the handling of raw materials, work in process, or finished products in connection with concrete-pipe plants.

"Machine Operators" shall be meant to include specially skilled employees trained to operate any of the various types of machines such as tamping, centrifugal, packerhead, etc., regularly used in the manufacture of concrete pipe.

Population for the purpose of this Code shall be determined by reference to the 1930 Federal Census.

ARTICLE III—HOURS

1. No employee shall be permitted to work in excess of a maximum average of forty hours per week during any three months' calendar period nor more than forty-eight hours in any week in such period nor more than eight hours in any one day, except as provided for elsewhere in this Code.

2. The maximum hours established in the foregoing section shall not apply to the following:

(a) Persons engaged in managerial, executive, or supervisory capacities and earning regularly at least \$35.00 per week in cities of 5,000 population or over, or in the immediate trade area of such cities, or at least \$30.00 in cities of less than 5,000 population.

(b) Crane operators, machine operators, and foremen, which employees may be permitted to work an additional six hours per week.

(c) Watchmen, provided that no such employee shall be permitted to work more than sixty-four hours per week.

(d) Truckmen, provided that such employees shall not be permitted to work more than fifty-four hours per week.

3. Accounting, clerical, or office employees shall not be permitted to work in any office or any place or manner for more than forty hours in any one week, except as provided in the following section (4).

4. The maximum hours established in the foregoing section shall not apply to:

(a) Accounting, clerical, or office employees in establishments employing not more than two persons in towns of less than 2,500 population, which towns are not part of a larger trade area.

(b) Outside salesmen.

(c) Shipping clerks, provided that no such employee shall be permitted to work in excess of fifty-two hours in any one week.

5. *Limitation on continuous work.*—No employee shall be permitted to work more than six days in any seven-day period.

6. Persons employed longer than eight consecutive hours per day, except those employed in clerical and office capacities and watchmen, shall be paid not less than one and one third times the normal rate for all hours worked in excess of eight hours per day.

7. Persons employed on Sundays or legal holidays, except those employed in clerical or office capacities and watchmen, shall be paid not less than one and one third times the normal rate for such work.

8. *Maximum hours for working employer.*—Employers who personally perform manual labor or are engaged in mechanical operations shall not exceed the above-prescribed maximum number of hours.

9. 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

1. No employee shall be paid less than thirty-seven cents per hour except in the following States: Alabama, Arkansas, Florida, Georgia,

Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Oklahoma, Tennessee, Texas, and Virginia, in which states no employee shall be paid less than twenty-seven cents per hour.

2. No accounting, clerical, or office employee shall be paid at less than the minimum rates hereby established which are as follows: \$15.00 per week in any city of over 500,000 population or in the immediate trade area of such city; \$14.50 per week in any city of between 250,000 and 500,000 population or in the immediate trade area of such city; or \$14.00 per week in any city having a population less than 250,000 or in the immediate trade area of such city.

3. This Article establishes a minimum rate of pay regardless of whether an employee is compensated on a time rate, piecework, or other basis.

4. Female employees performing substantially the same work as male employees shall receive the same rate of pay as male employees.

5. Wages shall be paid at least twice a month, and all salaries at least once a month in cash or by negotiable check.

6. To the extent practicable, earnings shall not be decreased; and rates of pay in excess of the minimum herein prescribed shall be increased so as to preserve equitable differentials.

ARTICLE V—GENERAL LABOR PROVISIONS

1. No person under eighteen years of age shall be employed in the industry.

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.

3. 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 and

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

5. Within each State this Code shall not supersede any laws of such State imposing more stringent requirements on an employer regulating the age of employees, wages, hours of work, or health, fire, or general working conditions than under this Code.

6. Employers shall not reclassify employees or duties of occupations performed by employees or engage in any other subterfuge for the purpose of defeating the purposes or provisions of the Act or of this Code.

7. Each employer shall post in conspicuous places, easily accessible to employees, full copies of this Code.

8. Each employer shall provide for the welfare and safety of his employees. He shall not be relieved from complying with all National, State, and local ordinances or provisions of safety measures referring to safety and health measures and the welfare of employees insofar as the same may apply to a special type of work, and shall

protect his employees by workmen's compensation insurance according to the amounts required in the State of jurisdiction or the United States Employees' Compensation Insurance, if that State has not established a compensation scheme for this Industry.

ARTICLE VI—ADMINISTRATION

SECTION 1.—The applicant organization (The American Concrete Pipe Institute) shall, with the approval of the President, establish and empower, in the manner hereinafter described, a suitable agency, named Concrete Pipe Code Authority, hereinafter referred to as the Code Authority, to administer this code in compliance with the provisions of the Act under the authority of the President.

SEC. 2. *Participation*.—Participation in this Code as a basis for fair trade practice shall be extended to any individual, partnership, corporation, or other person now engaged or which may hereafter engage in the manufacture of concrete pipe, and each member of the industry shall pay his fair share of the cost of administering the Code.

SEC. 3. *Districting for Purpose of Election*.—Within sixty days after the approval of this code by the President the applicant organization (The American Concrete Pipe Institute) shall, subject to the approval of the Administrator, divide the United States into nine geographical districts, to serve as districts for the election of members of the Code Authority.

SEC. 4. *Election of Code Authority*.—A. Immediately after the establishment of the nine districts referred to in Section 3, the applicant organization shall for each district mail to each manufacturer, of which it has record to his last known address, notice of a meeting of the members of the industry for that district to be held at such time and place in the district as the applicant shall elect and with such notice it shall mail a copy of the code as approved by the President and a statement of the purpose of the meeting which shall be to elect a member of the Code Authority to represent that district and to serve until the first Tuesday after the second Monday in February 1935. There shall also be mailed with the notice a blank form for letter ballot for the purpose of election. At the meeting so called, nominees may be placed in nomination and a vote by written ballot shall be taken. Any manufacturer not attending the meeting may vote by letter ballot, same to be received at the office of the applicant organization up to the time of the meeting, for the nominee of his choice and the secretary of the applicant organization shall make a certified report to the meeting of the ballots cast, both by letter and at the meeting.

B. The individual receiving the majority of all the votes cast (as defined in Section 7 of this Article) shall be determined elected and shall function as the member of the Code Authority from that district until his successor has been elected and has qualified.

C. On the first Tuesday after the second Monday in February of each year beginning with 1935 a meeting of the members of the industry of each district shall be called by the Code Authority in the manner outlined in Paragraph A of this Section for the purpose of electing a member of the Code Authority for a term of one

year, and the Secretary of the said district meeting shall poll the votes and shall file a certified report thereof with the Code Authority.

SEC. 5. *Personnel of Code Authority.*—A. The Code Authority shall consist of 14 members representing the industry and from one to three members without vote to be appointed by the Administrator to represent the Government. Members so appointed by the Administrator to represent the Government are to be appointed for terms of from six months to one year and such terms of appointment are to be arranged so that they do not expire at the same time. The membership of the Code Authority representing the industry shall be determined by the election of one member from each of the nine districts referred to in Section 3 above. The nine so elected shall within two weeks after their election, hold a meeting and elect thereat five additional members from the industry at large.

B. The Code Authority first elected shall hold office until February 15, 1935; thereafter members shall hold office for one year or until their successors shall have been elected and have qualified.

C. Vacancies on the Code Authority shall be filled by special elections called for that purpose in the district for which the vacancy exists.

D. When a district fails to elect a member for the Code Authority, the members elected from other districts shall, at a meeting called for the purpose, elect a member from the district which has failed to take such action.

SEC. 6.—A. Eight of the voting members of the Code Authority shall constitute a quorum.

B. At meetings of the Code Authority all questions shall be decided by a majority vote of the members present.

SEC. 7. *Voting Power.*—A. At any meeting of the members of a district or region and for the purpose of any letter ballot, each member shall be entitled to one vote for each 5,000 tons of concrete pipe of all classes produced by him in that district during the calendar year preceding such election; provided, however, that where a member has been in business during less than one year preceding such election, he shall be entitled to $(1/12)$ one twelfth of one vote for each 417 tons produced per month during such period; and provided further, that no member shall have less than one vote. A list shall be kept by the Code Authority showing the number of votes to which each member of the industry is entitled. Fractions shall be disregarded, and in case a dispute shall arise as to the number of votes to which any member shall be entitled, the decision of the Code Authority then in power as to the number of such votes shall be final and conclusive upon such members.

B. Each member of the industry shall, upon approval of this Code by the President, file with the applicant organization (The American Concrete Pipe Institute) a sworn statement showing the amount of concrete pipe of all classes produced by him during each of the three years ending with December 31, 1932, or such part of such period as he has been in business. The number of votes for the purpose of election of the first Code Authority shall be based on the average annual tonnage for this three-year period. Where a mem-

ber has not been in business during this three-year period prior to December 31, 1932, the period over which he operated prior to this date shall be used to determine the average annual tonnage; and for a member who has operated only since December 31, 1932, his average since this date shall be used. If a manufacturer operates more than one plant, the sworn statement referred to above shall show the tonnage produced at each plant location.

C. The determining vote at any meeting of the members on any proposition shall be by a majority of the number of qualified votes, as defined in Paragraph A of this Section, present at the meeting.

SEC. 8. *Duties.*—The Code Authority shall be the general planning and coordinating agency for the industry. It shall be empowered by the industry to act for it conclusively in respect to all matters before the Code Authority for consideration and within its jurisdiction. It shall have powers and duties as provided herein, and, in addition thereto, it shall:

A. From time to time require such reports from members as in its judgment, subject to the right of the Administrator on review to disapprove; or in the judgment of the President may be necessary to advise it adequately of the administration and enforcement of the provisions of this Code.

B. Upon complaint of interested parties or on its own initiative, make such inquiry and investigation into the operation of the code as may be necessary.

C. Elect such officers and, subject to the right of the Administrator on review to disapprove its action, make such rules and regulations as are necessary for the administration and enforcement of this Code, including the appointment of such subcommittees and agents as are required to properly effectuate the purposes of the Code, provided, however, that the Code Authority shall not be relieved of its responsibility and that such subcommittees or agents shall comply with all applicable provisions of this Code.

D. With the approval of the President, organize such regions as the manufacturers within a given territory shall elect and provide that each region shall administer within its confines this Code and any supplemental code that may be adopted therefor.

E. Prepare, with the approval of the Administrator after such notice and hearing as he may require, the uniform system or systems of cost accounting for the use of manufacturers to enable them to work effectively under Article VIII, Section 8.

SEC. 9. *Regional Organizations.*—Each region which shall be established under the provisions of Section 8, Paragraph D, of this Article shall organize and function as follows:

A. *Regional Administrative Committee.*—The Code Authority shall call a meeting in each region by giving at least ten days written notice thereof to be held at such convenient location within the region as it may decide for the purpose of electing a Regional Administrative Committee of five individuals representing members of the industry, to be elected as provided for hereafter. The initial members of each Regional Administrative Committee shall serve until January 15, 1935. Thereafter, the Regional Administrative Committee shall cause to be called on or before January 15 of each year an annual meeting of the members of the industry within the

region for the purpose of electing a Regional Administrative Committee.

B. All voting at meetings of members of regional organizations for purposes of election shall be by written ballot and members not in attendance shall submit their ballot by letter.

C. For the purpose of electing members of the Regional Administrative Committee or for any other purpose requiring the vote of the members within a region, the voting power shall be as provided for in Article VI, Section 7. The Code Authority shall certify to the Regional Administrative Committee the number of votes to which each member of the Industry is entitled.

D. The Regional Administrative Committee may, where desirable, prepare a supplemental code covering such fair trade practices and regulations as pertain to the particular region. After preparation, such code shall be submitted to the Code Authority for approval and forwarded by it to the Administration. Upon its final approval by the President such supplemental code shall become the supplemental rules of fair practice for the region for which it is intended.

E. The Regional Administrative Committee, subject to appeal to the Code Authority and to the Administrator, shall administer this National Code and any supplemental code which may be later approved for a particular region.

F. A Regional Administrative Committee shall elect such officers and make such rules and regulations as are necessary for the administration and enforcement of this Code and any supplemental code. All such rules and regulations shall be approved by the Code Authority, and may be reviewed and disapproved by the Administrator.

G. If for any required purpose a Regional Administrative Committee fails to call a meeting of the members from that region, thirty percent on a tonnage basis of the manufacturers of the region may call a meeting by giving ten days written notice of the time, place, and purpose of such meeting to each member of the industry within the region.

SEC. 10. *Assessments and Expenses.*—A. The cost of operation of the Code Authority shall be paid from monies collected by assessments made at such times as the Code Authority shall prescribe, the assessment to be made on the following basis:

The basis for the first assessment shall be the average annual tonnage produced for the three-year period ending December 31, 1932, or such part thereof as he has been engaged in this Industry as provided for in Article VI, Section 7, Paragraph B, and thereafter at the end of each calendar year each member of the industry shall file a sworn statement of the amount, on a tonnage basis, of concrete pipe of all classes produced by him during the preceding calendar year. In levying the assessment, the Code Authority shall divide the amount of money required by the total tonnage of members of the industry as at the end of the preceding calendar year, and each member shall pay his proportion, which shall be arrived at by multiplying his total tonnage by the quotient.

B. Where a member of the industry fails to file a statement of the tonnage produced as required in Article VI, Section 7, B, or to make payment of an assessment levied by the Code Authority or by a regional administrative committee, as provided for herein within

sixty days from the date on which written notice is mailed, stating the amount of the assessment, such failure to make payment shall be considered a violation of this Code.

SEC. 11. *Regional Administration Expenses.*—All expenditures for administration of this National Code shall be approved by the Code Authority. Regional Administrative Committees shall provide ways and means of meeting their regional expenses and such provisions as they make therefor shall be subject to the approval of the Code Authority and all assessments levied by a Regional Administrative Committee shall be levied equitably upon all manufacturers on the basis of each manufacturer's tonnage as certified to the Code Authority.

ARTICLE VII—NATIONAL CONTROL COMMITTEE

A. The Code Authority shall appoint from the industry a National Control Committee of three members. The members of the Code Authority appointed by the Administrator pursuant to Article VI, Section 5-A, may sit with this Committee in an advisory capacity without the power to vote. The National Control Committee shall exercise such authority as may be, or may have been delegated to it by the Code Authority.

B. All communications and conferences of the Concrete Pipe Industry with the President or with his agents concerning the approval or amendments of this Code or any of its provisions or any matters relating thereto shall be through the said National Control Committee which shall be charged with the duties, through agents or otherwise, of considering proposals for amendment and making recommendations thereon and approving recommendations for exceptions to provisions of the Code.

C. The functions of this committee shall be the general planning and coordinating for the concrete pipe industry and the cooperation with similar boards of any other industry to the end of effecting a balanced national economy.

ARTICLE VIII—TRADE PRACTICES

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

1. *False Marking or Branding.*—The false marking or branding of any product of the 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 industry, or otherwise.

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 industry, or the credit terms, values, policies, or services of any member of the industry, or otherwise, having the tendency or capacity to mislead or deceive customers or prospective customers.

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. This provision 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.

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.

5. *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.

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

7. Shipping or delivering products which do not conform to the samples submitted or representations made prior to securing the orders or in case of public work to published specifications covering the purchase of such products with the effect of deceiving or misleading purchasers or competitors.

8. The selling of or quoting on industry products at prices and on such terms that the prices of such products at the manufacturer's plant are below such manufacturer's cost. Such cost shall be determined by the uniform system of cost accounting referred to in Article VI, Section 8, subsection E, except that any manufacturer may sell at a price lower than such cost if necessary to meet a competitive quotation. Such minimum prices shall not be established so as to include more than the out-of-pocket cost for direct labor and material at cost, plus charges to be determined by calculating the percentage of plant utilization to capacity during the years 1929 to 1932, inclusive, and multiplying that percentage by the total overhead cost. Such total overhead cost shall not, however, include the following items:

Any reserves other than for depreciation and/or depletion.

Interest Paid.

Executive Salaries in excess of \$10,000 per annum for each executive.

Salesmen's Salaries and Expenses.

Commissions.

Advertising.

Other selling expenses.

9-A. The quoting on or selling of concrete pipe on any other price basis than per lineal foot.

B. In conformity with existing practice, paragraph A shall not apply to cases where the manufacturer quotes or sells under pub-

lished specifications which do not permit option to the bidder as to the form of his bid.

10. The renting or leasing by a member of the industry of forms or other equipment for the purpose of manufacturing concrete pipe to anyone except to another member of the industry.

11. *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.

ARTICLE IX—MODIFICATION

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 condition imposed by him upon his approval thereof.

2. This Code, except as to provisions required by the Act, may be modified on the basis of experience or changes in circumstances, 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 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—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 on the fifteenth day after its approval by the President.

Approved Code No. 185.
Registry No. 1014-1-01.

