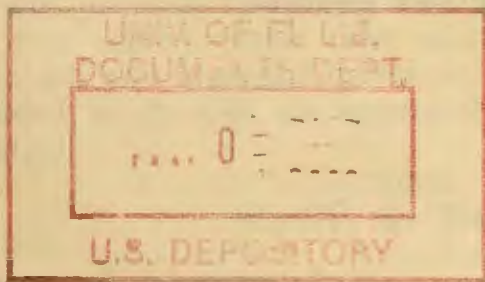
**NATIONAL RECOVERY ADMINISTRATION****AMENDMENT TO
CODE OF FAIR COMPETITION**

FOR THE

**RETAIL MONUMENT
INDUSTRY**

AS APPROVED ON JANUARY 15, 1935



UNITED STATES
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Approved Code No. 366—Amendment No. 3

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

RETAIL MONUMENT INDUSTRY

As Approved on January 15, 1935

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE RETAIL MONUMENT 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 an amendment to the Code of Fair Competition for the Retail Monument Industry, and notice of opportunity to be heard having been given and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order Number 6859, dated September 27, 1934, and otherwise; does hereby incorporate by reference, said annexed report and does find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By W. A. HARRIMAN, *Administrative Officer.*

Approval recommended:

HARRY C. CARR,
Acting Division Administrator.

WASHINGTON, D. C.,
January 15, 1935.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on an Amendment to the Code of Fair Competition for the Retail Monument Industry. This Amendment was proposed by the Code Authority in accordance with Article X of the Code, approved March 26, 1934, and provides for incorporation of the Code Authority. Notice of Opportunity to be Heard has been issued to all interested parties and no objections have been filed against the proposed Amendment.

The Deputy Administrator in his final report to the National Industrial Recovery Board on said Amendment to said Code having found as herein set forth and on the basis of all the proceedings in this matter;

It finds that:

(a) The Amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the 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 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) The Code as amended complies in all respects with the pertinent provision 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.

(c) The Code empowers the Code Authority to present the aforesaid amendment on behalf of the Industry as a whole.

(d) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are 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 amendment.

For these reasons it has approved this amendment.

For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

JANUARY 15, 1935.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE RETAIL MONUMENT INDUSTRY

Article VI is hereby amended by the addition of a new last paragraph numbered "12" and reading as follows:

"SECTION 12. Incorporation of Code Authority. The Code Authority may incorporate under the laws of any State of the United States or the District of Columbia, or may assume or adopt such existing corporate form under any of such laws as it may deem appropriate for the proper performance of its activities, powers and duties under this Code. Such corporation or corporate form shall be not for profit and it is to be known as 'Retail Monument Code Authority, Inc.'; provided, however, that the powers, duties, objects and purposes of said corporation shall be limited to the powers, duties, objects and purposes of the Code Authority, as provided in this Code; and provided further that the Code Authority shall submit to the National Industrial Recovery Board, for its approval, its proposed Certificate of Incorporation and proposed By-Laws, and no amendment of either shall be made without the like prior approval of the National Industrial Recovery Board; and provided further, that the Code Authority shall submit, with its proposed Certificate of Incorporation and By-Laws, the written opinion of an attorney at law qualified in and conversant with the laws of the jurisdiction in which the Code Authority seeks to be incorporated, as to the nature and extent of the jurisdiction, powers and authorities exercisable by the State in question, and its agencies over the activities of the Code Authority as a corporation.

"If at any time the National Industrial Recovery Board shall determine that the corporate status assumed by the Code Authority is interfering with the proper exercise of its powers and duties under this Code, or with the effectuation of the policies or purposes of the Act, it may, after such notice and hearing as it may deem necessary, require an appropriate modification of the structure of the Corporation (if consistent with the law of the State of Incorporation), the substitution of a corporation created under the laws of another State in the same manner as the existing Code Authority, the substitution of a non-corporate Code Authority truly representative of the Industry, or such other actions as it may deem expedient."

Approved Code No. 366—Amendment No. 3.
Registry No. 1030-12.

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