

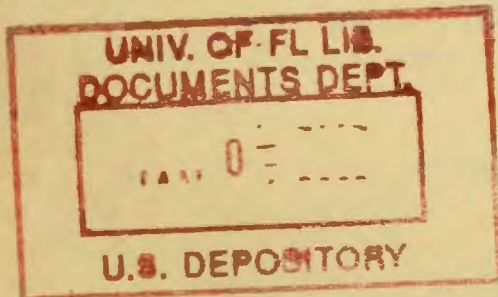
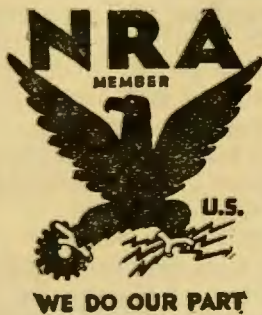
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

RUBBER MANUFACTURING
INDUSTRY

AS APPROVED ON APRIL 30, 1934

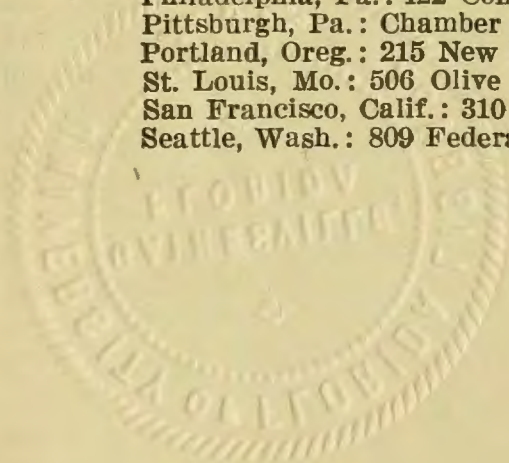


UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1934

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

DISTRICT OFFICES OF THE DEPARTMENT OF COMMERCE

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



Approved Code No. 156—Amendment No. 1

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

RUBBER MANUFACTURING INDUSTRY

As Approved on April 30, 1934

ORDER

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE RUBBER MANUFACTURING 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 a Code of Fair Competition for the Rubber Manufacturing Industry, and hearings having been duly held thereon 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, 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 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 do hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

K. M. SIMPSON,
Division Administrator.

WASHINGTON, D.C.,
April 30, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: The Public Hearing on an amendment to Chapter X of the Code of Fair Competition for the Rubber Manufacturing Industry, as proposed by the Divisional Code Authority for the Rainwear Division of this Industry, was conducted on Tuesday, March 20, 1934, in Room 3208, Department of Commerce Building, Washington, D.C. Every person who requested an appearance was properly heard in accordance with the regulations of the National Recovery Administration. There were present duly authorized representatives of the Divisional Code Authority.

Chapter X of the Code of Fair Competition for the Rubber Manufacturing Industry, approved December 15, 1933, provided for the submission of a label clause at a later date. The Divisional Code Authority for the Rainwear Division submitted an amendment embodying such a clause.

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

I find 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 among 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) The Code as amended 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.

(c) The Code empowers the Divisional Code Authority to present the aforesaid amendment on behalf of the Division 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, this amendment has been approved.

Respectfully,

HUGH S. JOHNSON,
Administrator.

APRIL 30, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE RUBBER MANUFACTURING INDUSTRY

CHAPTER X

ARTICLE IV

F. Use of Labels

SECTION 1. In accordance with the provisions of this Article IV-F, no product of the Division shall be sold or shipped by any member of the Division unless said product bears an N.R.A. label as hereinafter provided, to indicate that said product has been manufactured and sold or shipped in compliance with the provisions of this Code. Except in the case of products manufactured prior to the effective date, such label shall be conspicuously sewn on or otherwise firmly affixed to such product at the time when and place where said product is manufactured, and shall remain affixed thereto when said product is sold or shipped by the member of the Division. In the case of products manufactured prior to the effective date, each such label shall be conspicuously sewn on or otherwise affixed to said product prior to the sale or shipment thereof by the member of the Division, and shall remain affixed thereto when said product is sold or shipped by said member. For the purpose of identifying the source of manufacture of said product, each such label shall bear a registration number in such manner and form as shall be determined by the Divisional Authority. A record of all registration numbers issued shall be maintained by the Divisional Authority in the custody of the Rubber Manufacturers' Association. Such record shall not be disclosed except to the Administrator or other governmental authority, or to the Divisional Authority or any duly appointed agent or agency thereof.

SECTION 2. (a) The Divisional Authority shall have exclusive authority to grant permits to use such N.R.A. labels and to issue such labels. No member of the Division shall affix any such label to any product of the Division unless the same shall have been duly issued to him by the Divisional Authority, and except in accordance with the terms of a permit to use such labels granted to him by the Divisional Authority. Upon application by any member of the Division for such a permit and for such labels, such permit shall be granted and such labels issued to him, but only if and for so long as he complies with the provisions of this Code, and with all rules and regulations adopted hereunder.

(b) The Divisional Authority, with the approval of the Administrator, shall determine the form of such permits and labels and shall establish rules and regulations and appropriate machinery for the granting of such permits and the issuance of such labels. In such rules and regulations, the Divisional Authority shall provide for the inspection and supervision of the practices of members of

the Division using such labels in complying with the provisions of the Code, for the purposes of ascertaining whether such members are entitled to the continued use of said labels, and protecting purchasers in their reliance upon said labels. In such rules and regulations, the Divisional Authority shall likewise provide for a reasonable charge for such labels, which charge shall not exceed an amount necessary to cover the cost thereof, including cost of printing, distribution, administration and supervision, and the cost of reimbursing the Rubber Manufacturers Association, Inc., in assisting the Divisional Authority in such supervision as hereinabove set forth. The charge made for such labels shall at all times be subject to the supervision and orders of the Administrator.

(c) The Divisional Authority shall not deny any such permit or refuse to issue any such labels to any member of the industry applying therefor, on the ground of non-compliance by said member with any provision of this Code or any rule or regulation duly adopted hereunder, unless said Divisional Authority is, at the time of the refusal, prepared to certify to the Administrator a prima facie case of such non-compliance by said member. In the event that the Divisional Authority denies any such permit or refuses to issue such labels, a complete file showing the alleged non-compliance by said member shall be certified to the Administrator not later than the day following said refusal for action by such governmental or administrative agency as the Administrator may direct.

SECTION 3. Members of the Division shall not let out work to or cause products to be made by contractors unless the contractors agree to conform to and be bound by, and do in practice comply with, the provisions of this Article IV-F as to N. R. A. labels. Each member shall procure from the Divisional Authority such labels for use by all contractors to whom he lets out work or by whom he causes products to be made. Each member shall keep a complete and accurate record of the registration numbers of all labels furnished by him to contractors as aforesaid, and shall at all times maintain a duplicate of such record on file with the Rubber Manufacturers' Association. Such duplicate shall not be disclosed except to the Administrator or other governmental agency, or to the Divisional Authority, or any duly appointed agent or agency thereof.

SECTION 4. Upon demand by the Divisional Authority, any unused labels in the possession of any member of the Division or any contractor who shall have ceased to be entitled to use the same, whether because of retirement from operation or because of non-compliance with this Code or any rule or regulation duly adopted thereunder, shall be immediately returned to said Divisional Authority, which shall redeem the same at the price at which such labels were originally issued.

SECTION 5. This Article IV-F shall become effective twenty (20) days after the date of approval thereof by the Administrator.

Approved Code No. 156 Amendment No. 1.
Registry No. 899-04.

