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Approved Code No. 123—Amendment No. 1

Registry No. 1013—1—03

NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

STRUCTURAL CLAY PRODUCTS
INDUSTRY

AS APPROVED ON MAY 1, 1934



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AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

STRUCTURAL CLAY PRODUCTS INDUSTRY

As Approved on May 1, 1934

ORDER

APPROVING MODIFICATION OF CODE OF FAIR COMPETITION FOR THE STRUCTURAL CLAY PRODUCTS 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 modification to the Code of Fair Competition for the Structural Clay Products Industry, and notice and an opportunity to file objections having been duly given thereon and the annexed report on said modification, 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 modification and the Code as constituted after being modified 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 modification 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 modified.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

A. R. GLANCY,
Division Administrator.

WASHINGTON, D.C.,
May 1, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on the modification of the Code of Fair Competition for the Structural Clay Products Industry as approved by you on November 27, 1933. The Code provides in Article IV, Section (b) that:

"The Code Authority as hereinafter established shall immediately make an investigation of the foregoing hourly rates and the differences therein, for the purpose of recommending to the Administrator an equitable revision of such rates should any inequity be proved to exist."

After an investigation of wage rates in Arkansas, Oklahoma, Texas and the County of Dona Ana, New Mexico, the Code Authority has come to the conclusion that the situation justifies a change in the wage rates as fixed in Article IV of the Structural Clay Products Code.

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

I find that:

(a) The modification of said Code and the Code as modified 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 modified 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 Code Authority to present the aforesaid modification on behalf of the Industry as a whole.

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

(e) The modification and the Code as modified 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 modification.

Said modification is accordingly approved.

Respectfully,

HUGH S. JOHNSON,
Administrator.

MAY 1, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE STRUCTURAL CLAY PRODUCTS INDUSTRY

The Code of Fair Competition for the Structural Clay Products Industry is hereby modified by the substitution of the following language in Article IV of the Code as approved by the President on November 27, 1933:

Sub-section (2) of Section (a) Article IV is hereby modified to read as follows:

(2) Arizona, Kentucky, and Virginia with the exception of the counties of Arlington, Fairfax, Loudon, Clarke, and Frederick, and New Mexico, with the exception of Dona Ana County: thirty (30) cents per hour.

Sub-section (5) of Section (a) Article IV is hereby modified to read as follows:

(5) Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, and that part of Arkansas, Oklahoma, and Texas south of the 35th parallel of latitude, and the county of Dona Ana, New Mexico, twenty-four (24) cents per hour.


An additional sub-section (7) section (a) Article IV shall be inserted as follows:

(7) That part of Arkansas, Oklahoma, and Texas, north of the 35th parallel of latitude; twenty-seven and one-half ($27\frac{1}{2}$) cents per hour.

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