

**NATIONAL RECOVERY ADMINISTRATION**

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**CODE OF FAIR COMPETITION**

**FOR THE**

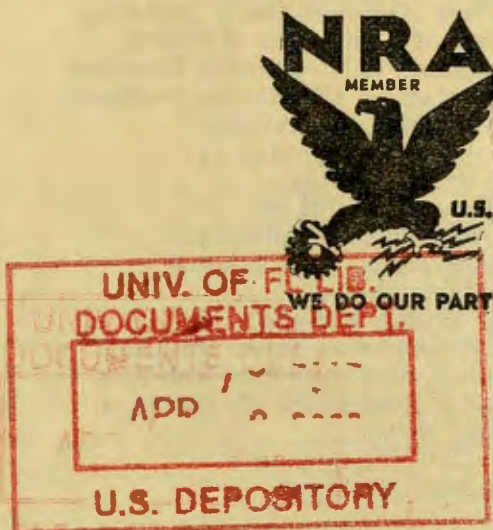
**FUR TRAPPING**

**CONTRACTORS INDUSTRY**

**AS APPROVED ON DECEMBER 15, 1933**

**BY**

**PRESIDENT ROOSEVELT**



1. Executive Order
2. Letter of Transmittal
3. Code

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Approved Code No. 160

**CODE OF FAIR COMPETITION**  
**FOR THE**  
**FUR TRAPPING CONTRACTORS INDUSTRY**

**As Approved on December 15, 1933**

**BY**  
**PRESIDENT ROOSEVELT**

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**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 Fur Trapping Contractors Industry, and hearings have been held thereon and the Administrator having rendered his report containing an analysis of the said 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 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 adopt and approve the report, recommendations, and findings of the Administrator and do order that the said code of fair competition be and is hereby approved.

**FRANKLIN D. ROOSEVELT.**

Approval recommended:

**HUGH S. JOHNSON,**  
*Administrator.*

**THE WHITE HOUSE,**  
*December 15, 1933.*



DECEMBER 13, 1933.

The PRESIDENT,  
*The White House.*

SIR: This is a report of the hearing on the Code of Fair Competition for the Fur Trapping Contractors Industry conducted in Washington on December 8th and 9th, 1933, in accordance with the provisions of the National Industrial Recovery Act.

The minimum wages provided in this code are forty cents (40¢) per hour when the employer furnishes all board, lodging, traps, and other paraphernalia and equipment necessary and generally used in successful trapping operations, or fifty cents (50¢) per hour net. On this basis the employee shall provide himself with all necessary equipment and his own board and lodging. Apprentice and other employees whose primary duty is to prepare and cure pelts shall receive not less than fifteen dollars (\$15.00) per week.

Due to the fact that this industry is purely a seasonal one, operating only three months in the year, and during this period weather conditions may either lengthen or shorten the number of hours worked in any one day, no maximum hour provisions are contained in the Code.

No person under sixteen (16) years of age shall be employed or engaged in this Industry.

This Industry is a comparatively new one. Shortly after the War there was a land boom in the State of Louisiana which encouraged purchasing of swamp lands for the oil and mineral rights. Shortly thereafter it was realized that the trapping of fur animals, primarily the muskrat, had become a genuine source of revenue from these holdings.

The owners of the land, most of whom were nonresidents of the community, then sought a way to control the fur trapping on their property and the system of leasing or licensing land to fur dealing lessees was evolved. Under this system the lessees contracted with fur trappers for the privilege of trapping on these lands.

Due to the lack of organization and the general ignorance of these fur trapping contractors many abuses have resulted. In the past few years the inequitable contracts and abuses thereof have resulted in numerous injunctions against trespassers, misunderstandings, and occasional open warfare between lessees and the fur trappers.

In 1928 approximately 7,500 trappers' licenses were issued in the muskrat breeding section of Louisiana. In 1932 it is estimated approximately 5,000 fur trapping contractors were engaged in the industry. These figures do not include apprentices and helpers, and no accurate figure is available on this number. In the opinion of the Administrator the Code as it now stands by its assurance of a fair contract, will cause the number of fur trapping contractors to reach the 1928 figure. In addition, it will greatly increase the buying power and improve the living standards of those now engaged in the industry.



## FINDINGS

The Administrator finds 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 Trappers Alliance, the applicant group herein, imposes no inequitable restrictions on admission to membership and is truly representative of the Fur Trapping Contractors 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.

This Industry has cooperated in a most satisfactory manner with the Administration in the preparation of this Code. From evidence adduced during this hearing and from recommendations and reports of the various Advisory Boards it is believed that this Code, as now proposed and revised, represents an effective, practical, equitable solution for the problems confronting the Industry and its approval as herewith submitted is recommended.

Respectfully,

HUGH S. JOHNSON,  
*Administrator.*

**CODE OF FAIR COMPETITION**  
**FOR THE**  
**FUR TRAPPING CONTRACTORS' INDUSTRY**

**ARTICLE I—PURPOSES**

To effectuate the policies of Title I of the National Industrial Recovery Act, the following provisions shall constitute the Code of Fair Competition for the Fur Trapping Contractors' Industry, and shall be binding upon every member thereof.

**ARTICLE II—DEFINITIONS**

SECTION 1. The term "industry" as used herein is defined to mean the trapping by contractors of fur animals where the primary catch is Southern muskrat and/or preparing the pelts of said animals by said contractors.

SEC. 2. The term "owner" as used herein is defined to mean all those who own lands from which fur animals are captured.

SEC. 3. The term "lessee" as used herein is defined to include all those who lease lands from which fur animals are captured.

SEC. 4. The term "fur trapping contractor" as used herein is defined to include all those who undertake, whether by written or oral contract, to perform substantially in its entirety, either personally or by direct employment on a wage basis, the work of trapping fur animals.

SEC. 5. The term "employer" as used herein is defined to mean any fur trapping contractor as defined herein.

SEC. 6. The term "employee" as used herein is defined to mean any person employed by a fur trapping contractor.

SEC. 7. The terms "President", "Act", and "Administrator" as used herein shall mean respectively the President of the United States, Title I of the National Recovery Act, and the Administrator of said Act.

**ARTICLE III—LABOR PROVISIONS**

SECTION 1. Collective Bargaining—(a) 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.

(b) 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 choosing, and



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

SEC. 2. *Minimum Wages*.—Each employee engaged as a fur trapper shall be engaged on either of the following scales, except as otherwise herein provided:

(a) Forty cents (40¢) per hour and the furnishing by his employer of all board, lodging, traps, and other paraphernalia and equipment necessary and generally used in successful trapping operations; or

(b) Fifty cents (50¢) per hour net. On this basis the employee shall provide himself with all necessary equipment and with his own board and lodging.

(c) Apprentice and other employees whose primary duty is to prepare and cure pelts shall receive not less than fifteen dollars (\$15) per week.

(d) These minimum wages are not required to be paid to a fur-trapping contractor or to individuals employed as fur trappers on a percentage basis.

SEC. 3. *Child Labor*.—(a) No person under 16 years of age shall be employed or engaged in this industry.

(b) No person under 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 30 days after the approval of this Code a list of such occupations or operations.

SEC. 4. 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.

SEC. 5. All employers shall post complete copies of this Code in conspicuous places readily accessible to employees.

#### ARTICLE IV—ADMINISTRATION

SECTION 1. There shall be constituted a Code Authority to be selected as follows: Five persons to be selected by a representative vote of fur trapping contractors, at least two of whom shall be fur trapping contractors. Not more than three members without vote may be appointed by the Administrator.

SEC. 2. Each trade association directly or indirectly participating in the selection or activities of the Code Authority shall (1) impose no inequitable restrictions on membership, and (2) submit to the Administrator true copies of its articles of association, by-laws, regulations, and any amendments when made thereto, together with such other information as to membership, organization, and activities as the Administrator may deem necessary to effectuate the purposes of the Act.

SEC. 3. In order that the Code 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 Code Authority is not truly representative or does not in other respects comply with the provisions of the Act, he may require an appropriate modification of the membership thereof and/or of the method of selection of the Code Authority.

SEC. 4. Members of the Industry shall be entitled to participate in and share the benefits of the activities of the Code Authority and to participate in the selection of the members thereof by assenting to and complying with the requirements of this Code and sustaining their reasonable share of the expenses of its administration. Such reasonable share of the expenses of administration shall be determined by the Code Authority, subject to review by the Administrator, on the basis of volume of business and/or such other factors as may be deemed equitable.

SEC. 5. Nothing contained in this Code shall constitute the members of the Code Authority partners for any purpose. Nor shall any member of the Code Authority be liable in any manner to anyone 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 anyone for any action or omission to act under this Code, except for his own willful misfeasance or nonfeasance.

SEC. 6. *Powers and Duties.*—The Code Authority shall have the following further powers and duties, the exercise of which shall be reported to the Administrator and shall be subject to his right, on review, to disapprove or modify any action taken by the Code Authority.

(a) To insure the execution of the provisions of this Code and provide for the compliance of the industry with the provisions of the Act.

(b) To adopt bylaws and rules and regulations for its procedure and for the administration and enforcement of this Code.

(c) To obtain from members of the Industry such information and reports as are required for the administration of the Code and to provide for submission by members of such information and reports as the Administrator may deem necessary for the purposes recited in Section 3 (a) of the Act, which information and reports shall be submitted by members to such administrative and/or Government agencies as the Administrator may designate; provided, that nothing in this Code shall relieve any member of the Industry of any existing obligations to furnish reports to any Government agency. No individual reports shall be disclosed to any other member of the Industry or any other party except to such governmental agencies as may be directed by the Administrator.

(d) To 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 and agencies shall at all times be subject to and comply with the provisions hereof.

(e) To make recommendations to the Administrator for the coordination of the administration of this Code with such other codes, if any, as may be related to the Industry.



(f) To secure from members of the Industry an equitable and proportionate payment of the reasonable expenses of maintaining the Code Authority and its activities.

(g) To cooperate with the Administrator in regulating the use of any N.R.A. insignia solely by those members of the Industry who have assented to, and are complying with this Code.

(h) To recommend to the Administrator further fair-trade practice provisions to govern members of the Industry in their relations with each other or with other trades and to recommend to the Administrator measures for industrial planning, including stabilization of employment.

(i) To support and aid in the enforcement of all State and Federal conservation laws.

SEC. 7. Branches or subdivisions of the Industry, including product divisions and/or geographical sections of the Industry, may, when approved by the President or his authorized representative, establish their own planning and fair-practice agencies, which shall be self-governing in respect to conditions or problems relating exclusively to said branches or subdivisions, providing that no action of any such agency shall be inconsistent with the purposes and provisions of this Code or the Act; and provided further that no supplemental agreements, recommendations, or provisions shall be submitted to the President by the Code Authority or planning and fair-practice agency without first having been approved by duly recorded votes of branches or subdivisions concerned. The method in voting in each branch or subdivision shall be fair and equitable and subject to the approval of the Administrator. Members of each branch or subdivision shall bear their proportionate shares of the expenses of maintenance of such branch or subdivision. Application for the establishment of any planning and fair-practice agency, and any recommendations or reports by such agency when established, shall be transmitted promptly to the President or his authorized representative through the Code Authority.

#### ARTICLE V—FAIR TRADE PRACTICES

SECTION 1. No fur trapping contractor shall enter into any contract involving the work of trapping fur animals on a percentage basis, by or through which, directly or indirectly, he shall receive, or retain, less than 70 percent of his catch. Provided, however, that if the other party to the contract provides without cost to the contractor equipment, lodging, medical treatment, or assistants to aid in the fulfillment of the contract, the fur-trapping contractor may agree to receive less than 70 percent of his catch, but such contract shall be subject to the approval of the Code Authority, which approval or disapproval shall be subject to review by the Administrator.

SEC. 2. No fur-trapping contractor shall enter into any contract involving the work of trapping fur animals which does not provide that the division of said catch shall be made by either of the following methods:

(a) All furs, skins, or pelts trapped by the fur-trapping contractor shall be graded promptly by the fur-trapping contractor, and division shall be made by the proper owner or lessee or agent thereof, or



(b) All furs, skins, or pelts shall be graded by the proper owner or lessee, or agent thereof, and division shall be made by the fur-trapping contractor.

(c) Such division by whomsoever effected shall be made on the same percentage basis for each respective grade.

SEC. 3. No fur-trapping contractor shall enter into any contract involving the work of trapping fur animals which does not contain a provision whereby the contractor retains the right to sell his percentage of the catch in the open market or at public auction or otherwise.

SEC. 4. No fur-trapping contractor shall publish or circulate unjustified or unwarranted threats of legal proceedings which tend to have the effect of harassing or intimidating competitors. Failure to prosecute in due course shall be prima facie evidence that any such threat is unwarranted or unjustified.

SEC. 5. No fur-trapping contractor shall join or participate with another contractor who with such contractors constitute a substantial number of members of the industry, or who together control a substantial percentage of the industry, in any transaction known in law as a blacklist, including any practice or device (such as a whitelist) which accomplishes the purpose of a blacklist.

SEC. 6. No fur-trapping contractor shall enter into any contract by or through which he shall agree to run more than 250 traps per day.

SEC. 7. All contract forms entered into or to be entered into by any member of the fur-trapping industry shall be approved by the Code Authority, subject to review by the Administrator, at the request of any party at interest.

SEC. 8. It shall be the duty of the Code Authority to use its best efforts to provide measures preventing poaching, trespassing, or bootlegging of pelts, and poaching, trespassing, and bootlegging of pelts is hereby declared detrimental and injurious to the fur-trapping industry generally. Furthermore, each contractor assenting to this Code expressly agrees that in so doing he pledges himself directly to aid in every way possible to stamp out from the industry these illegal practices.

SEC. 9. Any fur trapping contractor, who prior to the effective date of this Code, entered into a contract, the provisions of which are not in conformity with the provisions hereof, shall make a bona fide effort to arrive at an equitable adjustment of the terms and conditions fixed by said contract; and in the event such effort fails to result in a mutually satisfactory adjustment, either party to said contract may refer the same for adjustment to the Code Authority of the industry, which said Code Authority with the aid and assistance of the Administrator or his properly designated agent or agents shall endeavor to arrive at an equitable adjustment thereof.

## ARTICLE VI—GENERAL

SECTION 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 Act, from time to time to cancel or modify any order, approval, license, rule, or regulation issued under said Act.



SEC. 2. This Code, except as to provisions required by the Act, may be modified on the basis of experience or changes in circumstances, such modifications 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.

SEC. 3. 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 VII—EFFECTIVE DATE

This Code shall become effective five days after its approval by the President.

Approved Code No. 160.

Registry No. 917-09.





