

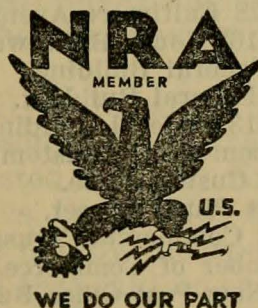
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

MEN'S GARTER
SUSPENDER AND BELT
MANUFACTURING INDUSTRY

AS APPROVED ON JUNE 5, 1934

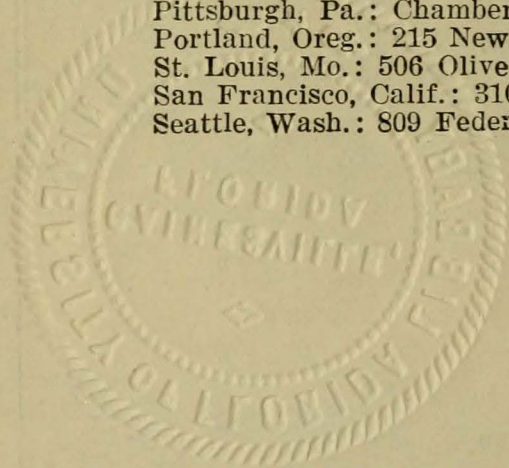


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Approved Code No. 94—Amendment No. 2

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

**MEN'S GARTER, SUSPENDER AND BELT
MANUFACTURING INDUSTRY**

As Approved on June 5, 1934

ORDER

**AMENDMENTS TO CODE OF FAIR COMPETITION FOR THE MEN'S GARTER,
SUSPENDER AND BELT 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 amendments for the Code of Fair Competition for the Men's Garter, Suspender & Belt Manufacturing Industry, and hearings having been duly held thereon and the annexed report on said amendments, 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 amendments 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 amendments be and they are 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.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

SOL A. ROSENBLATT,
Division Administrator.

WASHINGTON, D.C.,
June 5, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,

The White House.

SIR: The Public Hearing on proposed amendments to the Code of Fair Competition for the Men's Garter, Suspender and Belt Manufacturing Industry as submitted by the Code Authority was conducted on Tuesday, May 8, 1934, in Room 129 of the Willard Hotel, Washington, D.C. Every person who requested an opportunity to be heard was fairly heard in public in accordance with the requirements of the National Recovery Administration as set forth in Notice of Hearing: No. 161-B. Present at the hearing were duly authorized representatives of the Code Authority.

Article VIII, Section 2 of the Code of Fair Competition for the Men's Garter, Suspender and Belt Manufacturing Industry, approved by you on November 4, 1933, provides that the code may be modified on the basis of experience or changes in circumstances; such modification to be based upon application by the Code Authority to the Administrator. In accordance with this provision the Code Authority submitted amendments which were heard at the Public Hearing.

In final form these amendments have been approved by the Labor Advisory Board, Industrial Advisory Board, Consumers' Advisory Board, the Research and Planning Division and the Legal Division of the National Recovery Administration. The Code Authority has also indicated its assent to and approval of these amendments.

The substance of these amendments is as follows:

(1) The title of this Code is amended to read: "Code of Fair Competition for the Garter, Suspender and Belt Manufacturing Industry." The word "Men's" formerly appearing in the title of this Code has been eliminated because the definition of the Code includes articles of apparel for women and children and hence the inclusion of the word "Men's" in the title was misleading.

(2) The Labor Provisions have been amended to permit the continued employment of apprentices at less than the minimum wages during a six (6) weeks' period. This amendment being necessary because the Code, as originally approved, permitted such employment of apprentices only until June 1, 1934. The principal change therefore, is that of extending the period in which members of the Industry are allowed to employ apprentices at less than regular minimum rates of pay. These provisions relating to the employment of learners are harmonious with those of other codes for the Apparel Trades.

(3) Article V has been amended to include the substance of your Executive Order of April 14, 1934, relating to the financing of Code Authorities.

(4) Trade Practice Provisions have been amended to permit anticipation at the rate of six (6%) percent per annum, and to prohibit

the payment of commissions or other compensation to the customers or for employees in connection with purchase or sale of the products of this Industry.

(5) There has been added a provision requiring the products of the Industry to bear a special N.R.A. label and granting the Code Authority jurisdiction over the issuance of such labels subject to approval of the Administrator.

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

I find that:

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

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

(e) The amendments 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 amendments.

For these reasons, these amendments have been approved.

Respectfully,

HUGH S. JOHNSON,
Administrator.

MAY 17, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE MEN'S GARTER, SUSPENDER AND BELT MANU- FACTURING INDUSTRY

AMENDMENT I

The title of this Code as approved shall be changed to read:
"Code of Fair Competition for the Garter, Suspender and Belt
Manufacturing Industry."

AMENDMENT II

The following is to be substituted for Article III, Section 4:

"No apprentice shall be paid less than at the rate of twenty-seven and one-half ($27\frac{1}{2}\text{¢}$) cents per hour or at the rate of eleven (\$11.00) dollars per week of forty (40) hours for the first six (6) weeks of employment and thereafter not less than the minimum wages provided in Section 1, of this Article. If the operation at which any apprentice is engaged has a piece-work rate and the amount earned by any apprentice during any week at such piece-work rate exceeds the minimum wages herein provided during the period of apprenticeship, such an apprentice shall be paid on the piece-work basis. The period of apprenticeship shall be strictly limited to six (6) weeks, and in no case shall the total number of apprentices in the employ of any one (1) employer be greater than ten percent (10%) of the total employees. Any time worked by an apprentice shall be deemed a part of such apprenticeship period, whether such time is worked continuously or in more than one (1) shop, or at home work, or for more than one (1) employer. The Code Authority may require the registration of the names of all learners employed by members of the Industry, and subject to the approval of the Administrator may prescribe such other rules and regulations as may be necessary to make effective the provisions relating to employment of learners contained herein."

AMENDMENT III

The following shall be added to Article IX, Section 5: "Anticipation may be allowed at a rate not to exceed six percent (6%) per annum."

AMENDMENT IV

The following shall be added to Article IX to become Section 16:

"No member of the Industry shall furnish sales people to such member's retail customers or pay part of the compensation of sales people employed by such member's retail customers, nor shall any member of the Industry pay to any customer or any customer's employee any commission, premium money or compensation of any

kind in connection with the purchase or sale of such member's merchandise."

AMENDMENT V

The following shall be added to become Article X of the Code:

(1) "In accordance with the provision of this Article, all products made in the industry, as defined in Article I, Section 1, shall bear an N.R.A. label or other special designation to symbolize to purchasers of said products the conditions under which they were manufactured. The Code Authority shall have the exclusive right in the Garter, Suspender and Belt Manufacturing Industry, or subdivisions thereof, to issue and furnish such labels and/or designation to the members thereof, and/or to authorize the reproduction thereof.

The Code Authority, subject to the approval of the Administrator and in accordance with his regulations on the use of such labels and/or designation, shall establish rules and regulations for the issuance of such labels and/or the authorization to reproduce such designations and for the inspection, examination and supervision of the practices of members of the industry using such label and/or designation.

(2) The Code Authority, subject to the approval of the Administrator, shall prescribe the method by which said labels shall be attached to products of the industry and/or by which said designations may be reproduced upon the product of the industry or the container thereof, to the end that such label and/or designation shall remain identified therewith when such product or products are sold, shipped or distributed by any member of the industry. Any and all members of the industry may apply to the Code Authority for a permit to use such N.R.A. label and/or reproduce such special designation, which permit shall be granted only when the applications for the use thereof shall be accompanied by a certificate of compliance with this Code, including an agreement to pay his reasonable share of the cost of the administration of the Code, signed by the applicant thereof in such manner and form as shall be determined by the rules and regulations of the Code Authority approved by the Administrator, which permit to use the label and/or authorization to reproduce the designation shall continue in force only so long as the recipient of such permit shall pay his reasonable share of the administration of the Code and shall comply with the Code and the rules and regulations of the Code Authority relating to labels and/or designations.

(3) All goods sold after but manufactured prior to the effective date of the rules and regulations of the Code Authority relating to the issuance and use of labels shall have securely attached to the box, cover, package, container, or wrapping of such product a sticker, label, and/or other designation in such form and manner as may be determined by the Code Authority in its rules and regulations.

(4) The charge made by the Code Authority for labels, stickers, and/or for the right to reproduce designations, shall at all times be subject to the supervision and regulations of the Administrator and shall be not more than an amount necessary to cover the cost of said labels and/or stickers and/or designation, including printing and distribution and the reasonable cost of administration and supervision of the cost thereof as hereinbefore set forth.

(5) The rules and regulations set up by the Code Authority pursuant to this Article shall become binding upon all members of the industry when approved by the Administrator and violation thereof shall be deemed a violation of the Code of Fair Competition of this industry.

(6) This Article shall become effective fifteen (15) days after the approval by the Administrator of the rules and regulations prescribed by the Code Authority as provided herein.

AMENDMENT VI

The following shall be added to Article V to become Section 5 thereof:

5 (a) It being found necessary in order to support the administration of this code and to maintain the standards of fair competition established hereunder and to effectuate the policy of the Act, the Code Authority is authorized:

(1) To incur such reasonable obligations as are necessary and proper for the foregoing purposes, and to meet such obligations out of funds which may be raised as hereinafter provided and which shall be held in trust for the purposes of the Code.

(2) To submit to the Administrator for his approval, subject to such notice and opportunity to be heard as he may deem necessary (1) an itemized budget of its estimated expenses for the foregoing purposes, and (2) an equitable basis upon which the funds necessary to support such budget shall be contributed by members of the trade/industry;

(3) After such budget and basis of contribution have been approved by the Administrator, to determine and obtain equitable contribution as above set forth by all members of the trade/industry, and to that end, if necessary, to institute legal proceedings therefor in its own name.

(b) Each member of the trade/industry shall pay his or its equitable contribution to the expenses of the maintenance of the Code Authority, determined as hereinabove provided, and subject to rules and regulations pertaining thereto issued by the Administrator. Only members of the trade/industry complying with the code and contributing to the expenses of its administration as hereinabove provided, shall be entitled to participate in the selection of members of the Code Authority or to receive the benefits of any of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

(c) The Code Authority shall neither incur nor pay any obligation in excess of the amount thereof as estimated in its approved budget, except upon approval of the Administrator; and no subsequent budget shall contain any deficiency item for expenditures in excess of prior budget estimates except those which the Administrator shall have so approved.

Approved Code No. 94. Amendment No. 2.
Registry No. 271-1-01.