

NATIONAL RECOVERY ADMINISTRATION

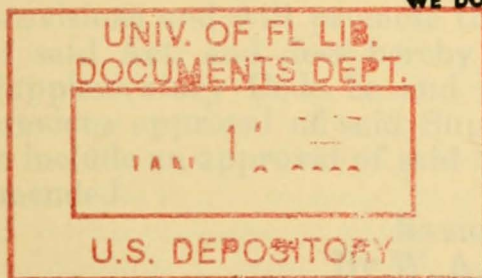
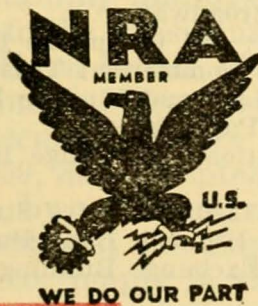
**AMENDMENT TO SUPPLEMENTARY
CODE OF FAIR COMPETITION**

FOR THE

**LEAF SPRING
MANUFACTURING INDUSTRY**

(A Product Group of the Original Equipment and Replacement
Parts Divisions of the Automotive Parts and
Equipment Manufacturing Industry)

AS APPROVED ON MAY 11, 1935



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AMENDMENT TO SUPPLEMENTARY CODE OF FAIR
COMPETITION

FOR THE

LEAF SPRING MANUFACTURING INDUSTRY

As Approved on May 11, 1935

ORDER

APPROVING AMENDMENT OF SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE LEAF SPRING MANUFACTURING INDUSTRY

A PRODUCT GROUP OF THE ORIGINAL EQUIPMENT AND REPLACEMENT PARTS DIVISIONS OF THE AUTOMOTIVE PARTS AND EQUIPMENT 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 the Supplementary Code of Fair Competition for the Leaf Spring Manufacturing Industry, and Opportunity to be Heard having been noticed to all interested persons, 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 No. 6859, dated September 27, 1934, and otherwise, does hereby incorporate, by reference, said annexed report and does find that said amendment and the Supplementary Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policies and purposes of said Title of said Act, and does hereby order that said amendment of said Supplementary Code be and it is hereby approved, and that the previous approval of said Supplementary Code is hereby amended to include an approval of said Supplementary Code in its entirety as amended.

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

Approval recommended:

BARTON W. MURRAY,
Division Administrator.

WASHINGTON, D. C.,
May 11, 1935.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: An application has been duly made pursuant to and in full compliance with the provisions of the National Industrial Recovery Act, for an Amendment to the Supplementary Code of Fair Competition for the Leaf Spring Manufacturing Industry, a Product Group of the Original Equipment and the Replacement Parts Divisions of the Automotive Parts and Equipment Manufacturing Industry, submitted by the Code Authority Committee for the Automotive Parts and Equipment Manufacturing Industry, on behalf of the Administrative Committee of the Leaf Spring Manufacturing Industry.

The purpose and the effect of the Amendment are to permit Open Price Filing in the Industry, in accordance with Office Memorandum Number 228. To that end, paragraphs 8, 16-c, 19 and 20 of Article IV are deleted and paragraph 15 of said Article is entirely revised by this Amendment.

FINDINGS

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

It is found that:

(a) The Amendment to said Supplementary Code and the Supplementary 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 restrictions 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 Supplementary 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 Supplementary Code empowers the Administrative Committee to present the aforesaid Amendment through the Code Authority on behalf of the industry as a whole.

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

(e) The Amendment and the Supplementary 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, therefore, this Amendment has been approved. For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

MAY 11, 1935.

AMENDMENT TO SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE LEAF SPRING MANUFACTURING INDUSTRY

A PRODUCT GROUP OF THE ORIGINAL EQUIPMENT AND THE REPLACEMENT PARTS DIVISIONS OF THE AUTOMOTIVE PARTS AND EQUIPMENT MANUFACTURING INDUSTRY

Delete Paragraphs 8, 15, 16c, 19, and 20, of Article IV. Substitute in lieu of the deleted Paragraph 15 a new paragraph to be numbered 14 and to read as follows:

“(14) (a) Each member of the industry shall file with a confidential and disinterested agent of the Administrative Committee or, if none, then with such an agent designated by the Administrator, identified lists of all of his prices, discounts, rebates, allowances, and all other terms or conditions of sale, hereinafter in this article referred to as “price terms,” which lists shall completely and accurately conform to and represent the individual pricing practices of said member. Such lists shall contain the price terms for all products of the industry as are sold or offered for sale by said member. Said price terms shall in the first instance be filed within 15 days after the date of approval of this provision. Price terms and revised price terms shall become effective immediately upon receipt thereof by said agent. Immediately upon receipt thereof, said agent shall by telegraph or other equally prompt means notify said member of the time of such receipt. Such lists and revisions, together with the effective time thereof, shall upon receipt be immediately and simultaneously distributed to all members of the industry and to all of their customers who have applied therefor and have offered to defray the cost actually incurred by the Code Authority in the preparation and distribution thereof and be available for inspection by any of their customers at the office of such agent. Said lists or revisions or any part thereof shall not be made available to any person until released to all members of the Industry and their customers, as aforesaid; provided, that prices filed in the first instance shall not be released until the expiration of the aforesaid 15 day period after the approval of this provision. The Administrative Committee shall maintain a permanent file of all price terms filed as herein provided, and shall not destroy any part of such records except upon written consent of the Administrator. Upon request the Administrative Committee shall furnish to the Administrator or any duly designated agent of the Administrator copies of any such lists or revisions of price terms.

“This section shall specifically apply to Class ‘A’ members as well as to the other members of the Industry with this exception: that Class ‘A’ members shall forward to the impartial agency of the

Administrative Committee immediately after selling or offering to sell any products of the Industry, the price terms at which such products were sold or offered for sale.

“(b) When any member of the industry has filed any revision, such member shall not file a higher price within forty-eight (48) hours.

“(c) No member of the industry shall sell or offer to sell any products/services of the industry, for which price terms have been filed pursuant to the provisions of this article, except in accordance with such price terms.

“(d) No member of the industry shall enter into any agreement, understanding, combination or conspiracy to fix or maintain price terms, nor cause or attempt to cause any member of the industry to change his price terms by the use of intimidation, coercion, or any other influence inconsistent with the maintenance of the free and open market which it is the purpose of this Article to create.”

Renumber old Sections 9, 10, 11, 12, 13, 14, 16, 17, 18, and 21, of Article IV to read, respectively, 8, 9, 10, 11, 12, 13, 15, 16, 17, and 18. Reletter old Subsection 16 (d) of Article IV to read 15 (c).

Approved Code No. 105C—Amendment No. 1.
Registry No. 1404-36.



