

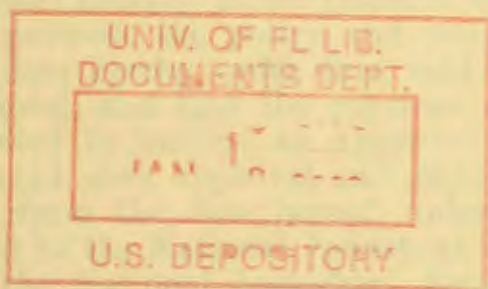
NATIONAL RECOVERY ADMINISTRATION

**AMENDMENT TO
CODE OF FAIR COMPETITION**

FOR THE

METAL TANK INDUSTRY

AS APPROVED ON APRIL 6, 1935



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AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

METAL TANK INDUSTRY

As Approved on April 6, 1935

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE
METAL TANK 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 Metal Tank Industry, and a Notice of Opportunity to be Heard having been duly given 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, 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 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 does hereby order that said amendment be and it is 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, such approval and such amendment to take effect twenty days from the date hereof, unless good cause to the contrary is shown to the National Industrial Recovery Board before that time and the National Industrial Recovery Board issues a subsequent order to that effect.

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

Approval recommended:

BARTON W. MURRAY,
Division Administrator.

WASHINGTON, D. C.,
April 6, 1935.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on an amendment to the Code of Fair Competition for the Metal Tank Industry.

This amendment is designed to exclude from the products covered by the definition of "Industry" and set forth in Schedule A, Class 2 of the Code, hot water storage tanks and hydro-pneumatic tanks of one hundred twenty (120) gallon capacity and over which are made from non-ferrous materials. An opportunity to be heard has been afforded to all interested parties.

FINDINGS

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

It is found 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 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 sub-section (a) of Section 3, sub-section (a) of Section 7, and sub-section (b) of Section 10 thereof.

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

(d) 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.

(e) 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.

APRIL 6, 1935.

AMENDMENT TO CODE OF FAIR COMPETITION FOR
THE METAL TANK INDUSTRY

SCHEDULE A—CLASS 2

Amend to read as follows:

Class 2.—Hot Water Storage Tanks and Hydro-Pneumatic Tanks,
120 gallons and over, except such tanks in this Class which are made
from non-ferrous materials.

Approved Code No. 154—Amendment No. 2.
Registry No. 1136-01.

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