

**NATIONAL RECOVERY ADMINISTRATION**

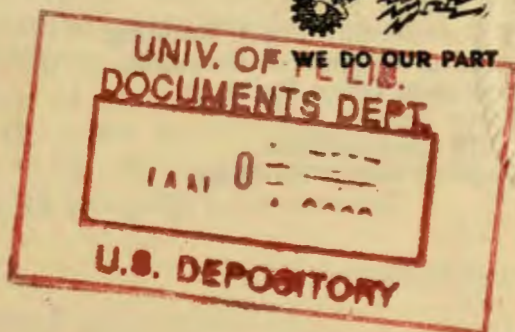
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**AMENDMENT TO  
CODE OF FAIR COMPETITION**

**FOR THE**

**LUMBER AND TIMBER  
PRODUCTS INDUSTRY**

**AS APPROVED ON JUNE 11, 1934**



**UNITED STATES  
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Approved Code No. 9—Amendment No. 12

**AMENDMENT TO CODE OF FAIR COMPETITION  
FOR THE  
LUMBER AND TIMBER PRODUCTS INDUSTRY**

**As Approved on June 11, 1934**

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**ORDER**

**APPROVING AMENDMENTS TO THE CODE OF FAIR COMPETITION FOR THE  
LUMBER AND TIMBER 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 amendments to a code of Fair Competition for the Lumber and Timber Products Industries, 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 modified to include an approval of said Code in its entirety as amended.

**HUGH S. JOHNSON,**  
*Administrator for Industrial Recovery.*

Approval recommended:

**BARTON W. MURRAY,**  
*Acting Division Administrator.*

**WASHINGTON, D.C.,**  
*June 11, 1934.*



## REPORT TO THE PRESIDENT

The PRESIDENT,  
*The White House.*

SIR: On August 19, 1933, you approved a Code of Fair Competition for the Lumber and Timber Products Industries.

This is a report on a Hearing on Amendment No. 46 to that Code conducted in the Fairfax Room of the Willard Hotel, Washington, D.C., on February 13, 1934. The Amendment contemplates the establishment of a Pole and Piling Division of the Lumber and Timber Products Code and was presented by representatives of the industry of which the contemplated Division will have jurisdiction, said to represent more than sixty (60%) percent of the value of such products manufactured and distributed in the United States.

In 1929 approximately five thousand workers were engaged in the Pole and Piling Industry and the sales for that year were estimated at 4,556,895 poles and 25,324,255 linear feet of piling. The estimated demand for poles is 3,500,000. Accurate information concerning the minimum wages now paid in the industry is unavailable, but the evidence indicates that the minimum wage scales have been decreased to a level insufficient to maintain decent standards of living. The Amendment correlates the wages and hour provisions of those employed in the Pole and Piling Industry with those who are engaged in similar occupations now under the jurisdiction of the Lumber and Timber Products Code. The Administrative Agencies for this Division are organized in accordance with geographical and species divisions.

The Deputy Administrator in his final report to me on said Amendment 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 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 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 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 Amendment on behalf of the industry as a whole.

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

(e) 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.

(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, I have approved this Amendment to the Code.

Respectfully,

HUGH S. JOHNSON,  
*Administrator.*

JUNE 11, 1934.



## AMENDMENT TO CODE OF FAIR COMPETITION FOR THE LUMBER AND TIMBER PRODUCTS INDUSTRY

AMENDMENT No. 46. In Schedule A at the end of Section 37, add the following new Subsection:

### 38. POLE AND PILING DIVISION

*Division*—(Art. II-c).—(a) The Pole and Piling Division consists of producers, manufacturers, importers, exporters, and distributors of the products hereinafter enumerated.

*Products*—(Art. II-a).—Poles, piling, posts, anchor logs and stubs, open tank treated and untreated.

*Administrative Agency*—(Art. III).—(a) The Pole and Piling Division is divided for administrative purposes into the following subdivisions:

1. Western Red and Northern White Cedar Subdivision.
2. Douglas Fir Subdivision.
3. Southern Pine Subdivision.
4. Cypress Subdivision.
5. Northeastern Subdivision.
6. Lodgepole Pine Subdivision.
7. Redwood Subdivision.
8. Hardwood Subdivision.
9. The North Central Subdivision.
10. The Northern Subdivision.
11. Western Pine Subdivision.

(b) Administrative Agencies shall be elected for each subdivision in accordance with the provisions hereinafter set forth for the respective subdivisions.

(c) 1. A Pole and Piling Coordinating Committee shall be elected by the respective subdivision Administrative Agencies as follows: Three members of the Coordinating Committee shall be elected by the Administrative Agency of the Western Red and Northern White Cedar Subdivision, two of whom shall be members of the Western Red and Northern White Cedar Association and one of whom shall be a non-member of that Association; two members shall be elected by the Administrative Agency of the Douglas Fir Subdivision; three members shall be elected by the Administrative Agency of the Southern Pine Subdivision; one member shall be elected by the Administrative Agency of the Lodgepole Pine Subdivision; one member shall be elected jointly by the Administrative Agencies of the Cypress Subdivision and the Hardwood Subdivision; one member shall be elected jointly by the Administrative Agencies of the Northeastern Subdivision, the North Central Subdivision and the Northern Subdivision; and one member shall be elected jointly by the Administrative Agencies of the Redwood Subdivision and the Western Pine Subdivision.



2. Subject to the approval of the Authority and to the limitations contained in Article III of the Code, the Coordinating Committee is authorized to make such rules and regulations as may be necessary to administer the Code in this Division and may designate such agents and delegate such authority to them as may be necessary for this purpose, but it shall reserve final responsibility for the administration of the provisions of the Code in this Division.

3. The Committee may delegate any of its authority to its representative, elected by its membership, on the membership of the Authority, and may empower him to act for the Division conclusively in respect to all matters coming before the Authority. All matters of interest to the Division or any Subdivision requiring action by the Authority shall first be presented to the Pole and Piling Coordinating Committee.

4. Under the limitations of Article III of the Code, each Subdivision shall be independent and self-governing in respect to all conditions and problems relating to the said Subdivision exclusively. Proposals in respect of matters affecting more than one Subdivision may be initiated by any Subdivision and shall be submitted to the Pole and Piling Coordinating Committee.

5. Members of the Coordinating Committee and of the respective subdivision Administrative Agencies shall be elected for a term of one year or until their successors are elected.

(d) In order to insure the proper administration of the Code in the respective subdivisions of this Division until such time as any such subdivision Administrative Agency establishes conclusively to the Lumber Code Authority that it is able to administer all provisions of the Code in its subdivision, the Lumber Code Authority may designate existing Divisional Agencies in each region and/or locality to supervise the Administrative Agencies of the respective subdivisions of the Division as to the administration of those provisions of the Code which relate to maximum hours of labor, minimum rates of pay, the payment of code fees, the submission of code reports, and any questions of correlation and adjustment with other industries included in such Division.

(e) Within twenty days after the effective date hereof, the Western Red and Northern White Cedar Association, the Lodgepole Pine Pole Association and such divisional and/or subdivision Agencies of the Authority in the same region or locality as may be designated by the Authority, shall respectively conduct elections for the purpose of electing the Administrative Agencies of the respective subdivisions of the Pole and Piling Division. Due notice of the time and place of such elections shall be sent to every ascertainable member of the Division in writing or by such other methods as are reasonably calculated to notify all interested parties of such election. Said elections shall be conducted in a fair and equitable manner. Each person subject to the jurisdiction of the respective subdivisions shall be entitled to one vote in person, by letter or by proxy.

#### THE WESTERN RED AND NORTHERN WHITE CEDAR SUBDIVISION

*Subdivision*—(Art. II-c).—The Western Red and Northern White Cedar Subdivision consists of producers, manufacturers, im-



porters, exporters, and distributors of products of Western Red and Northern White Cedar, as hereinafter enumerated.

*Products*—(Art. II-a).—Poles, piling, posts, anchor logs and stubs, open tank treated and untreated.

*Administrative Agency*—(Art. III).—The Administrative Agency of the Western Red and Northern White Cedar Subdivision is designated as the agent of the Authority and of the Coordinating Committee for the administration of the Code in this Subdivision. Said Administrative Agency shall consist of seven (7) members, two (2) of whom shall be elected by persons subject to the jurisdiction of this Subdivision that are not members of the Western Red and Northern White Cedar Association, if there be any such, the remaining members to be elected by the members of said Association. Said Agency is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision.

#### LOGGEPOLE PINE SUBDIVISION

*Subdivision*—(Art. II-c).—The Lodgepole Pine Subdivision consists of producers, manufacturers, importers, exporters, and distributors of products of Lodgepole Pine, as hereinafter enumerated.

*Products*—(Art. II-a).—Poles, piling, posts, anchor logs and stubs, open tank treated and untreated.

*Administrative Agency*—(Art. III).—The Administrative Agency of this Subdivision is designated as the agent of the Authority and of the Coordinating Committee for the administration of the Code in this Subdivision. Said Administrative Agency shall consist of four (4) members, one (1) of whom shall be elected by persons subject to the jurisdiction of this Subdivision that are not members of the Lodgepole Pine Pole Association, if there be any such, the remaining members to be elected by the members of said Association. Said Agency is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision.

#### DOUGLAS FIR SUBDIVISION

*Subdivision*—(Art. II-c).—The Douglas Fir Subdivision consists of producers, manufacturers, importers, exporters, and distributors of products of Douglas Fir, Sitka Spruce and Western Hemlock, as hereinafter enumerated.

*Products*—(Art. II-a).—Poles, piling, posts, anchor logs and stubs, open tank treated and untreated.

*Administrative Agency*—(Art. III).—The Administrative Agency of this Subdivision shall consist of four (4) members, elected by the vote of persons subject to the jurisdiction of this Subdivision, and is designated as the agent of the Authority, and is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision. The West Coast Logging and Lumber Division Agency is designated by the Authority to conduct the election in this Subdivision.

#### SOUTHERN PINE SUBDIVISION

*Subdivision*—(Art. II-c).—The Southern Pine Subdivision consists of producers, manufacturers, importers, exporters, and dis-



tributors of products of Southern Yellow Pine, as hereinafter enumerated.

*Products*.—(Art. II-a).—Poles, piling, posts, anchor logs and stubs, open tank treated and untreated.

*Administrative Agency*.—(Art. III).—The Administrative Agency of this Subdivision shall consist of six (6) members, elected by the vote of persons subject to the jurisdiction of this Subdivision, and is designated as the agent of the Authority, and is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision. The Southern Pine Division Agency is designated by the Authority to conduct the election in this Subdivision.

#### CYPRESS SUBDIVISION

*Subdivision*.—(Art. II-c).—The Cypress Subdivision consists of producers, manufacturers, importers, exporters, and distributors of products of Tidewater Red Cypress, as hereinafter enumerated.

*Products*.—(Art. II-a).—Poles, piling, posts, anchor logs and stubs, open tank treated and untreated.

*Administrative Agency*.—(Art. III).—The Administrative Agency of this Subdivision shall consist of four (4) members, elected by the vote of persons subject to the jurisdiction of this Subdivision, and is designated as the agent of the Authority and is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision. The Cypress Division Agency is designated by the Authority to conduct the election in this Subdivision.

#### NORTHEASTERN SUBDIVISION

*Subdivision*.—(Art. II-c).—The Northeastern Subdivision consists of producers, manufacturers, importers, exporters, and distributors of products of Softwoods and Hardwoods produced in the New England states, New York, Pennsylvania and New Jersey, as hereinafter enumerated.

*Products*.—(Art. II-a).—Poles, piling, posts, anchor logs and stubs, open tank treated and untreated.

*Administrative Agency*.—(Art. III).—The Administrative Agency of this Subdivision shall consist of four (4) members, elected by the vote of persons subject to the jurisdiction of this Subdivision, and is designated as the agent of the Authority, and is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision. The Northeastern Softwood Division Agency is designated by the Authority to conduct the election in this Subdivision.

#### REDWOOD SUBDIVISION

*Subdivision*.—(Art. II-c).—The Redwood Subdivision consists of producers, manufacturers, importers, exporters, and distributors of products of Redwood, as hereinafter enumerated.

*Products*.—Art. II-a).—Poles, piling, posts, anchor logs and stubs, open tank treated and untreated.

*Administrative Agency*.—(Art. III).—The Administrative Agency of this Subdivision shall consist of four (4) members, elected by the vote of persons subject to the jurisdiction of this Subdivision, and is



designated as the agent of the Authority, and is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision. The Redwood Division Agency is designated by the Authority to conduct the election in this Subdivision.

#### HARDWOOD SUBDIVISION

*Subdivision*—(Art. II-c).—The Hardwood Subdivision consists of producers, manufacturers, importers, exporters, and distributors of products of Oak, Gum, Red Cedar, White Cedar (Juniper), White and Yellow Cypress, Chestnut and other Hardwoods, produced in the Appalachian and Southern territory, as hereinafter enumerated.

*Products*—(Art. II-a).—Poles, piling, posts, anchor logs and stubs, open tank treated and untreated.

*Administrative Agency*—(Art. III).—The Administrative Agency of this Subdivision shall consist of four (4) members, elected by the vote of persons subject to the jurisdiction of this Subdivision, and is designated as the agent of the Authority, and is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision. The Appalachian and Southern Hardwood Subdivision Agency is designated by the Authority to conduct the election in this Subdivision.

#### NORTH CENTRAL SUBDIVISION

*Subdivision*—(Art. II-c).—The North Central Subdivision consists of producers, manufacturers, importers, exporters, and distributors of Hardwood products produced in Ohio, Indiana, Illinois and Iowa, as hereinafter enumerated.

*Products*—(Art. II-c).—Poles, piling, posts, anchor logs and stubs, open tank treated and untreated.

*Administrative Agency*—(Art. III).—The Administrative Agency of this Subdivision shall consist of four (4) members, elected by the vote of persons subject to the jurisdiction of this Subdivision, and is designated as the agent of the Authority, and is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision. The North Central Hardwood Subdivision Agency is designated by the Authority to conduct the election in this Subdivision.

#### NORTHERN SUBDIVISION

*Subdivision*—(Art. II-c).—The Northern Subdivision consists of producers, manufacturers, importers, exporters, and distributors of products of all species of timber under the jurisdiction of the Northern Hardwood Subdivision and the Northern Hemlock Division, as hereinafter enumerated, excepting, however, Northern White Cedar.

*Products*—(Art. II-a).—Poles, piling, posts, anchor logs and stubs, open tank treated and untreated.

*Administrative Agency*—(Art. III).—The Administrative Agency of this Subdivision shall consist of four (4) members, elected by the vote of persons subject to the jurisdiction of this Subdivision, and is designated as the agent of the Authority, and is authorized to make such rules and regulations as are necessary to administer



the Code in this Subdivision. The Northern Hemlock Division Agency is designated by the Authority to conduct the election in this Subdivision.

### WESTERN PINE SUBDIVISION

*Subdivision*—(Art. II-c).—The Western Pine Subdivision consists of producers, manufacturers, importers, exporters, and distributors of all species of timber in the Western Pine Division, as hereinafter enumerated, excepting, however, Western Red Cedar and Northern White Cedar and Lodgepole Pine.

*Products*—(Art. II-a).—Poles, piling, posts, anchor logs and stubs, open tank treated and untreated.

*Administrative Agency*—(Art. III).—The Administrative Agency of this Subdivision shall consist of four (4) members, elected by the vote of persons subject to the jurisdiction of this Subdivision, and is designated as the agent of the Authority, and is authorized to make such rules and regulations as are necessary to administer the Code in this Subdivision. The Western Pine Division Agency is designated by the Authority to conduct the election in this Subdivision.

*Jurisdiction*.—On and after the effective date hereof, jurisdiction over persons and products enumerated respectively under Article II (c) and Article II (a) of this Division shall be transferred to this Division. Wherever any product enumerated under Article II (a) of this Division appears under Article II (a) of any other division and/or subdivision of this Code, it shall be stricken out. No product enumerated under Article II (a) of this Division shall be included under Article II (a) of any other division and/or subdivision of this Code by inference or otherwise.

*Minimum Wages*.—In Article VII, subsection (d) at the end of the paragraph headed "Railroad Cross Tie", insert the following new section:

"Pole and Piling \* \* \* The minimum wage in this Division shall be not less than that hereinabove specified for employees in other divisions and subdivisions of this Code in the same region and/or locality performing work similar to that performed by employees in this Division. Said minimum wages are as follows:

	Cents
Washington, Oregon, California (except certain counties included in the Redwood District), Idaho, Montana, Nevada, Utah, Wyoming, South Dakota and Colorado north of 38 degrees north latitude	42½
Redwood District (the counties of Del Norte, Humboldt, Mendocino, Sonoma, Marin, San Mateo, Santa Cruz, Monterey, Contra Costa) in the State of California	35
Ohio, Indiana, Illinois, Iowa	32½
Appalachian territory	28½
North Dakota, Minnesota, Wisconsin, Michigan, Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey	27
Colorado (south of 38 degrees north latitude), Arizona, New Mexico, Texas, Louisiana, Mississippi, Alabama, Arkansas, Missouri, Oklahoma, Florida, Tennessee, Georgia, Kentucky, South Carolina, North Carolina, Virginia, West Virginia, Maryland, Delaware, District of Columbia, (excepting the Appalachian territory)	24 "



**Schedule B.**—In Article XVI add the following:

“Subsection (e). The provisions of Schedule B shall be inoperative with respect to the Pole and Piling Division until such time as the Coordinating Committee of that Division shall submit and secure the approval of appropriate rules of fair trade practice for that Division.”

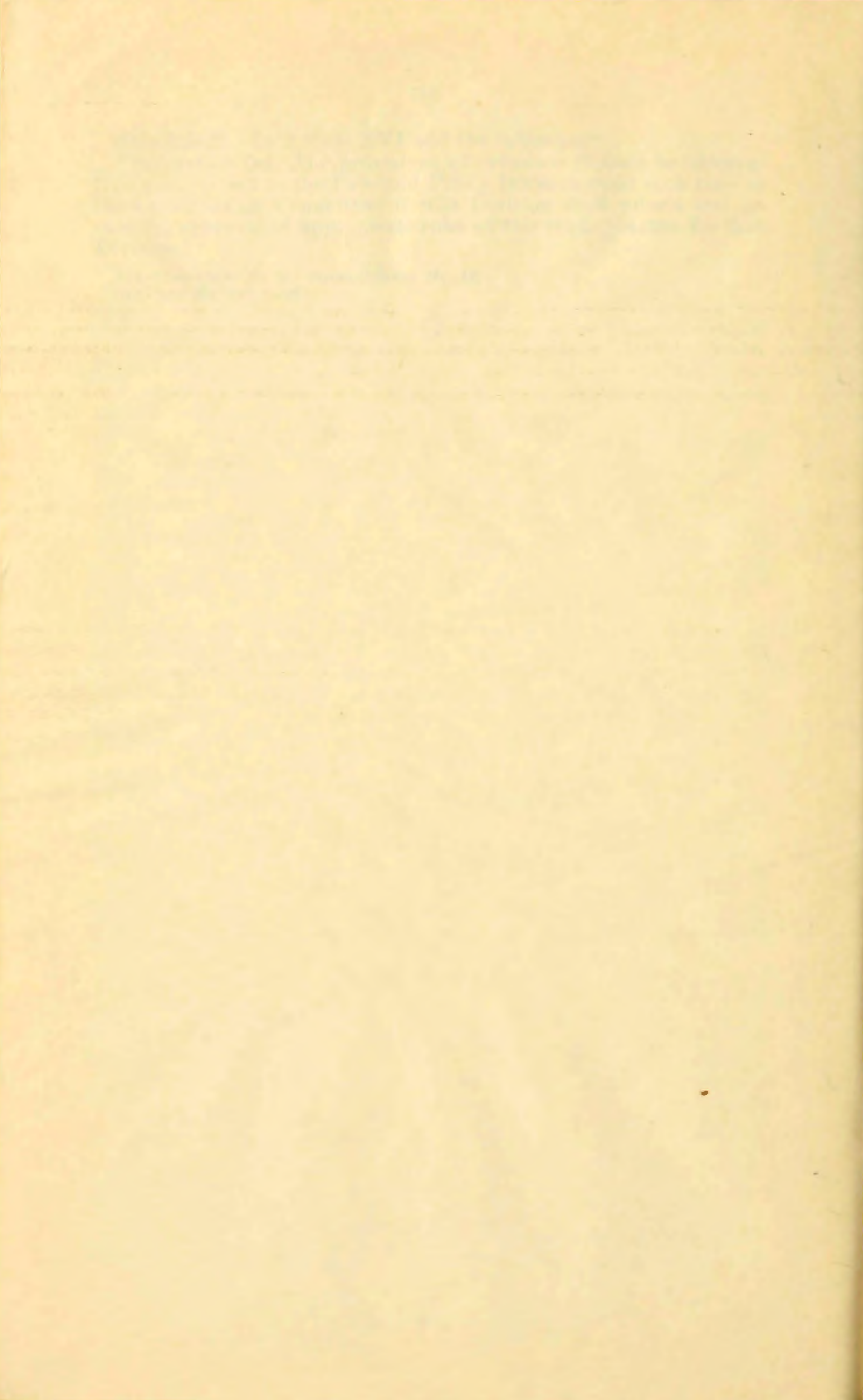
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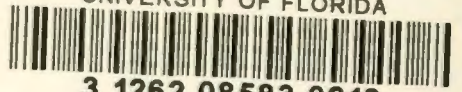








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