



3 1262 08482 9729

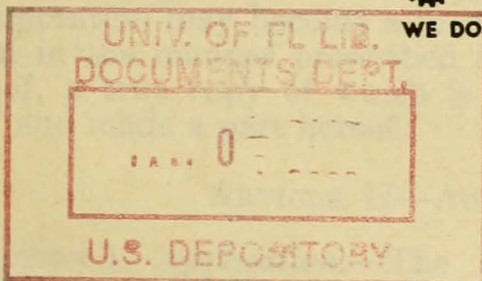
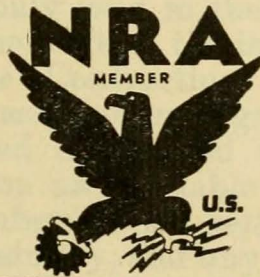
## NATIONAL RECOVERY ADMINISTRATION

CODE OF FAIR COMPETITION  
FOR THE  
PLASTERING INDUSTRY

AS SUBMITTED ON AUGUST 2, 1933

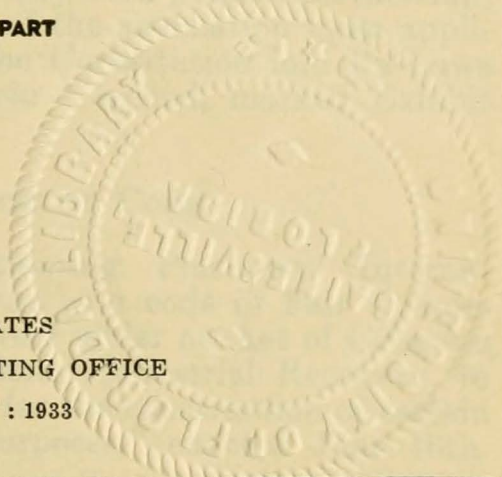
REGISTRY No. 1032—06

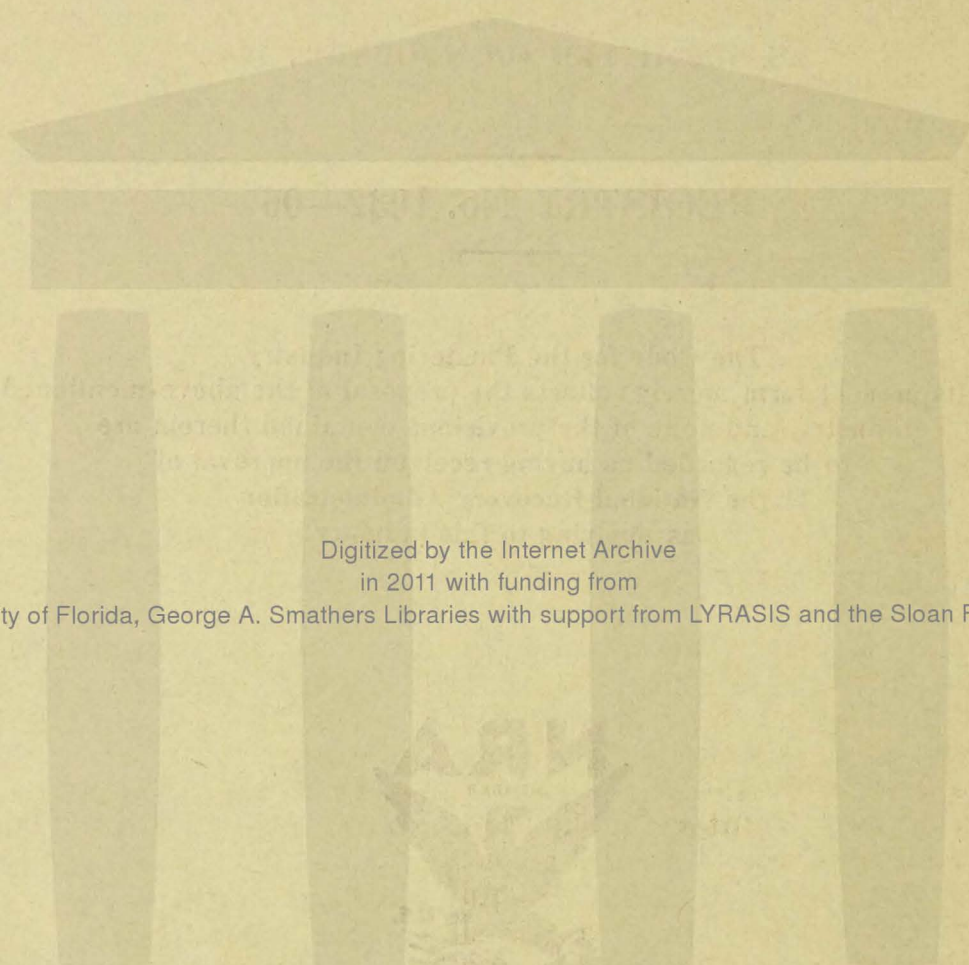
The Code for the Plastering Industry  
in its present form merely reflects the proposal of the above-mentioned  
industry, and none of the provisions contained therein are  
to be regarded as having received the approval of  
the National Recovery Administration  
as applying to this industry



WE DO OUR PART

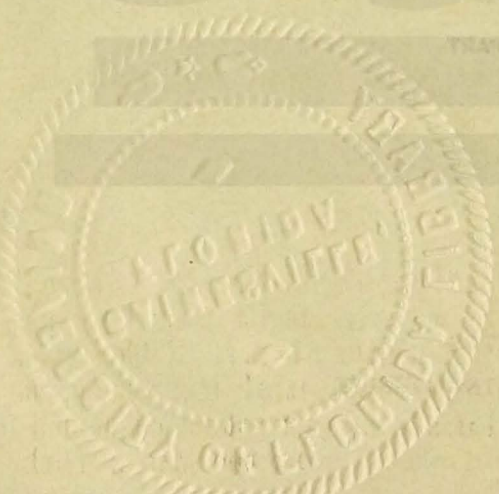
UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1933





Digitized by the Internet Archive  
in 2011 with funding from

University of Florida, George A. Smathers Libraries with support from LYRASIS and the Sloan Foundation





# CODE OF FAIR COMPETITION FOR THE PLASTERING INDUSTRY

## PREAMBLE

The Plastering Industry, owing to drastic curtailment of demand for its products, resulting from the effects of the national economic emergency, has been forced to curtail operations to a lower rate than has ever before prevailed in the history of the industry. This curtailment, together with extremely low prices, has resulted not only in substantial financial losses to practically all members of the industry but also widespread unemployment and reduction in earnings of labor.

Recognizing the existence of a grave economic emergency this industry is desirous of undertaking cooperative action under adequate government sanction and supervision, designed to eliminate unfair competitive practices, to reduce and relieve unemployment, to improve the standards and earnings of labor, to rehabilitate and stabilize the industry, and otherwise to aid in restoring normal, economic conditions.

## ARTICLE I—INDUSTRY

SECTION 1. *Definition.*—The Plastering Industry is composed of all individuals, firms, and corporations engaged in the Lathing and Plastering contracting business employing labor and materials in such business. From the nature of the business, the necessary utilization of labor both skilled and unskilled, to fabricate, mix and apply the materials commonly used in the industry, constitutes the major part of the cost in the work of the industry.

SEC. 2. *Association.*—The Contracting Plasterers' International Association is a voluntary association, organized in 1918 with members throughout the United States and Canada. Membership is now and shall be open upon an equitable basis and upon terms of equality with present members to all persons, partnerships, or corporations engaged in the industry, and any such person, partnership, or corporation may become a member of the association upon application in the manner prescribed by the Constitution and By-Laws thereof, a true copy of which is hereto attached, marked Exhibit "A," and made a part hereof.

## ARTICLE II—ADOPTION OF CODE

SECTION 1. *Application.*—The Contracting Plasterers' International Association has adopted this code as a code of Fair Competition and applies for the approval thereof under an Act of Congress entitled, "An Act to Encourage National Industrial Recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes," enacted June 16th, 1933.



This code has the unanimous endorsement of the Executive Committee of the Contracting Plasters' International Association, which said Committee is the Governing Committee of the Association in the interim between the Association's Annual Conventions. It has also the endorsement of the several International Associations of Labor whose members are in large measure employed in the industry.

SEC. 2. *No Restrictions.*—The Contracting Plasterers' International Association has no inequitable restrictions on admission to membership therein, and is truly representative of the said industry. The Code adopted by it is not designed to promote monopolies or to eliminate or oppress small enterprises, and will not operate to discriminate against them, and tends to effectuate the policy of the title of said Act.

SEC. 3. *Purpose.*—This Code is adopted for the purpose of increasing employment, establishing fair and adequate wages, affecting necessary reduction of hours, improving standards of labor and the fundamentals of good work, to make effective standards of fair competition for such industry for the protection of building ownership, competitors, employees and others, and in furtherance of the public interest in any transaction in said industry.

SEC. 4. *Registration.*—The Industry approves of a system of registration of all members of the industry. Each member of the industry shall register upon a registration form, such registration form shall be prepared and issued by the National Emergency Committee of the industry hereinafter referred to. The registrant shall state upon such registration form: (a) His name and permanent address, (b) that the registrant is or is not insuring his workmen under the provisions of the Workmen's Compensation Laws of the State or States in which he is operating, (c) his agreement to furnish the Emergency National Committee hereinafter referred to, information and reports as set forth in section 2(a) and section 3 of Article 8 of this code, as well as such other information and report that may be required by the administrator of the National Industrial Recovery Act, (d) such reports shall be made at least quarterly to the Emergency National Committee hereinafter referred to, upon forms sent to the registrant by said Committee, (e) the pledge of the registrant to support the provisions of the National Industrial Recovery Act and the provisions of this Code, (f) it shall be the duty of all members of the Industry to make written application for such registration forms to the Emergency National Committee hereinafter referred to within 40 days after the approval of this Code by the President.

### ARTICLE III—EMPLOYEES

SECTION 1. *Collective Bargaining.*—Employees in the industry shall have the right to organize and bargain collectively through representatives of their own choosing and shall be free from 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.

SEC. 2. *Freedom of Action.*—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 a labor organization of his own choosing.



## ARTICLE IV—LABOR

SECTION 1. *Maximum Hours*.—The maximum hours for all labor in the industry shall be eight hours per day or forty hours per week.

SEC. 2. *Exceptions*.—Maximum hours provided for in Section 1 of this Article shall not apply to foremen, superintendents, officials, or others compensated on a fixed weekly, monthly, or yearly salary or employed to do specific or special work for a fixed compensation.

SEC. 3. *Minimum Wage*.—Labor employed in the industry is classified under the divisions as stated in this section, which includes all labor customarily employed in the industry and is as follows:

Plasterers	Lathers' Apprentices
Lathers	Modelers
Plasterers' Laborers	Model Makers
Plasterers' Apprentices	Casters

The minimum rate of wages to be paid by all members of the industry shall be: (a) The wage called for in the collective joint arbitration wage agreement between Associations of Employers in the industry and Labor organizations and the wage and working-hour provisions in such agreements are hereby made a part of this code and shall during the time designated in such agreement be the minimum wage, and the maximum work-hours for all localities called for therein, and shall apply to all work done thereunder as a basis for fair competition.

(b) In all other localities not specifically called for under the Collective Joint Arbitration wage agreements as called for under paragraph (a) herein, the rate of wages shall be not less than a minimum of—

	<i>Per Hour</i>
Plasterers	\$1. 00
Lathers	1. 00
Plasterers' Laborers	. 70
Modelers	1. 65
Model Makers	. 85
Casters	. 75

No person under (16) sixteen years of age shall be employed in any field or shop work in the Industry.

SEC. 4. *Minimum Wage*.—No person employing labor in the work of lathing and plastering shall pay any grade or class of labor so working a smaller amount per hour than the minimum amount per hour established under this Code for such grade or Class of labor in the zone or locality where such work is being done.

SEC. 5. *Working Conditions*.—The said Emergency National Committee shall promptly undertake the formulation of such standards of conditions in the Industry, including maximum hours, minimum wages, and other conditions applying to Labor and approve such standards as may be necessary or proper for industry protection and building ownership welfare. Upon approval by the Emergency National Committee the standards formulated by it shall become a part of this Code and shall become binding upon all persons operating in the industry in the particular areas for which the same have been approved for it.

SEC. 6. *Arbitration*.—To promote the continuity of employment uninterrupted by strikes and lockouts the industry endorses the principle of mediation and arbitration as occasion arises.



## ARTICLE V—COSTS

SECTION 1. *Cost Accounting*.—In all transactions of the industry each member of the industry must take into account all of the elements that enter into the cost thereof, including the element of overhead and profit.

SEC. 2. *Members' Costs*.—No one engaged in the industry shall contract or sell any of its said products at a price or prices below the cost thereof to such member. Every member of the industry employing annually an average of ten or more mechanics or laborers classified under Article 4, Section 3, of this Code, must set up a cost accounting system. All others shall use the Summary Estimating Sheet called for under Section 4a of Article 5 of this Code.

SEC. 3. *Sale at Cost*.—It is hereby declared to be an unfair method of competition for any one in this industry to contract or sell any of said products below its own cost.

SEC. 4. *Summary Estimating Sheet*.—The Industry recommends the use by all members of the Industry of uniform summary estimating sheets which shall set forth in detail all of the items called for in a given job, among such items cognizance shall be taken of overhead and profit, both of which elements shall be included in any estimate or bid made.

SEC. 5. The said Emergency National Committee may amend the cost accounting system as set forth under sections 1, 2, 3, and 4 of this article, by making such additions, changes, or alterations therein as the said Committee shall determine is necessary or advisable for the industry. Upon the approval of any such amendment by the President in manner as set forth in said act, the same shall become a part of this Code and binding upon this industry and for all reference in this Code to a cost accounting system shall thereafter apply to said cost accounting system as amended.

## ARTICLE VI

SECTION 1. The Plastering Industry represents a craft that has been in universal use for over fifty centuries. Health, comfort, sanitation and safety of occupants of countless homes and other structures are concerned in its proper mix, application, and workmanship. It is a commodity in which the proper and necessary utilization of labor represents two thirds of finished cost. Failure to use such necessary labor to produce mechanically sound work adds greatly to unemployment. The Contracting Plasterers' International Association, therefore, incorporates in this Code, Plastering Standards considered necessary for the fundamentals of good work which will greatly increase employment.

## PLASTERING STANDARDS

The Industry submits herewith unbiased requirements for the more generally used types of Lathing and Plastering as a potential means to establish fair competition to the Industry, to aid in the employment of labor, and to protect building ownership.

The Industry has no intention or desire to usurp the well recognized right of Architects and Engineers to prepare their own specifications for a project at hand.



The Industry feels, however, that the outline requirements for standardization of work which represents the coordination of the experience of the leading men in the Industry upon fundamental requirements for sound work is necessary for the many speculative homes and other buildings where the professional services of architects are not utilized.

#### WIRE LATH AND METAL LATH

*Wire or Metal Lath.*—All wire cloth lath to be No. 18 gauge .0475— $\frac{3}{8}$ " mesh painted wire lath, weighing 3.3 lbs. per square yard, or No. 24 gauge metal lath painted, weighing no less than 3.4 lbs. per square yard.

#### WOOD LATH

All wood lath to be No. 1 grade lath,  $\frac{3}{8}$ " thick, and  $1\frac{1}{2}$ " wide.

#### GYPSUM LATH

Gypsum lath to be a brand that shall meet the requirements of the tentative specifications for Gypsum lath of the American Society for Testing Materials, as revised to date by said Society. Such gypsum lath shall not be less than  $\frac{3}{8}$ " in thickness.

#### FIBROUS INSULATING LATH

Shall be a type made by fitting or weaving strong fibrous material such as cane, wood or vegetable pulp fibre into sheet lath 18" wide and 48" long, and not less than  $\frac{3}{8}$ " thick.

#### NAILS AND STAPLES

Nails for wood lath to be 3 penny fine 16 gauge blued wire nails.

Nails for gypsum and fibrous insulating lath shall not be less than  $1\frac{1}{8}$ " in length, to be of 13 gauge with  $\frac{3}{8}$ " heads.

Nails for wire and metal lath shall not be less than 6 penny for ceilings, and not less than 4 penny for walls, or in lieu thereof one-inch blued staples shall be used.

#### LATHING

All wood lath to be nailed to each stud joist or bearing, with joints broken, not over seven lath to a break, no diagonal nor vertical lathing allowed, a full  $\frac{3}{8}$ " key to be left for lime and mortar, and not less than a full  $\frac{1}{4}$ " for gypsum plaster.

All nails to be full driven.

Wire and metal lath shall be overlapped at each joint or seam with not less than a one-inch lap, and shall be securely nailed or stapled every six inches to each stud, joist, or bearing.

End joints of metal lath shall be broken at each sheet.

Gypsum and fibrous insulating lath shall be laid with broken joints and securely nailed every four inches to each stud, joist, or bearing.



## BAND IRON FURRING

*Band Iron Furring.*—As specified to be  $\frac{1}{2}$ " ,  $\frac{3}{4}$ " or 1" crimped and painted band iron of No. 22 gauge metal, such furring to be stapled to bearing, and the wire or metal lath to be applied and nailed or stapled over such band iron furring. Nails or staples used to be increased in size to accommodate the width of the band iron furring used.

## SUSPENDED CEILINGS

*Suspended Ceilings.*—To be constructed of standard hot rolled steel shapes of  $1\frac{1}{2}$ " or 2" flat bars, angles, tees or channels of the weights specified or called for. Such purlins or principals shall be spaced not over 4'0" on centers, hung with flat bar hangers or with  $\frac{1}{4}$ " galvanized rod hangers, not over 4'0" on centers, securely fastened with approved clips to the structural framing or through the floor construction; in the event these hangers go through the floor construction, they shall be provided with 6" channel or flat bar anchors. No hanger shall be attached to or be supported from the bottom flange of a tile arch. Where cold rolled channels are used, spacing of same to be not more than 3' on centers.

The flat bar, angle, tee, or channel purlins shall be cross furred with  $\frac{3}{4}$ " steel channel furring members of the weight specified; such furring members shall be spaced 12" on centers, securely fastened to the purlins with No. 9 gauge galvanized mild steel clips to a double tie of No. 14 gauge galvanized wire.

## FURRED CONCRETE JOIST CEILINGS

Furred or attached ceilings to concrete construction shall have not less than No. 9 gauge galvanized hangers with a loop embedment into such concrete, hangers to be placed on 12" x 4'0" centers.

To such hangers attach  $\frac{3}{4}$ " steel channels spaced 12" on centers and laid with wire or metal lath as specified. Such lath to be laid with lapped joints and to be tied to the furring members every six inches with No. 18 gauge galvanized tie wire; or, in lieu thereof,  $\frac{3}{4}$ " steel channels supported by hangers 2'6" on centers through the center of the concrete and made as a purlin, cross furred with  $\frac{3}{4}$ " channels 12" on centers, may be used. Hangers to be suspended through arch or through side beams.

## FURRING

*Furring.*—All false beams or cornice furring to be constructed of  $\frac{3}{4}$ " channel or 1" flat bar brackets not over 2'0" apart lined with intermediate furring supports not over 12" apart, and anchored or toggle-bolted into the construction, to be made to conform to the design so as to allow for a minimum of plaster, such brackets to be covered with 18 gauge wire or 24 gauge metal painted lath secured with 18 gauge galvanized wire, such furring to conform to the latest and best practice as to durability of construction.



## METAL CORNER BEADS

Metal Corner Beads to be of 24 gauge and galvanized.

All beads to be erected plumb level and lined in accord with the best trade practice; nailed or tied not over 2'0" apart. Beads to extend full height.

## LATHING FOR EXTERIOR STUCCO WORK ON FRAME CONSTRUCTION

Lath with No. 18 gauge galvanized wire lath or No. 24 gauge metal lath, galvanized after expansion, of the quality and weights herein called for, direct to the wood construction, or over  $\frac{1}{2}$ ", or  $\frac{3}{4}$ ", or 1" galvanized crimped band iron as specified, stapled or nailed with galvanized staples every six inches. All lath to be lapped at least 2" at each joint or joining.

## SAND

All sand to be clean, sharp sand, free from loam and well graded.

## LIME

All lime shall meet the standard specification of the American Society for Testing Materials for plasterers quick or hydrated finishing lime.

## HAIR AND FIBER

Hair to be well whipped cattle hair. Fiber to be long well whipped vegetable fiber.

## GAUGING PLASTER

All Plaster of Paris to be fresh.

## GYPSUM PLASTER

Gypsum Plaster shall conform to the American Society for Testing Materials Standard Specification for Gypsum Plaster.

## KEENE'S CEMENT

Keene's Cement to be a brand that shall meet the requirements of the Standard Specifications for Keene's Cement of the American Society for Testing Materials, as revised to date by said Society.

## PORTLAND CEMENT

Portland Cement to be a brand that shall conform to the requirements of the Standard Specification for Portland Cement of the American Society for Testing Materials, as revised to date by said Society.

## LIME MORTAR

Lime Mortar to be composed of clean sharp sand and plasterers quick or finishing hydrated lime, and hair and fiber in proper proportions. All such lime mortar to be well slaked and protected.



## GYPSUM MORTAR

Gypsum Mortar to be composed of clean sharp sand and fresh gypsum plaster mixed in accordance with the Manufacturers' specifications. No "set" or "dead" mortar to be retempered or used.

## KEENE'S CEMENT

Keene's Cement shall be mixed and applied in accordance with the Manufacturers' specifications for all base and finish coats.

## PORTLAND CEMENT PLASTERING

Portland Cement mortar shall be composed of clean sharp sand and fresh Portland Cement with 10% of rich lime mortar added to a mix that shall not be poorer than 3 volumes of sand to one volume of Portland.

## LIME PUTTY

Lime Putty when made from lump lime to be run off in a tight putty box thoroughly slaked and screened through a fine No. 10 mesh putty screen. Finishing lime putty made from finishing hydrated lime shall be soaked with water in a tight box for not less than 24 hours before being used.

## WHITE COAT FINISH

White Coat Finish to be composed of lime putty gauged with not less than 25% of fresh gauging plaster laid on in two coats and troweled to a smooth even surface, free from blisters, checks, and other imperfections. In no case is ungauged lime putty to be run on and worked over with gauged putty.

## SAND FINISH

All float sand finish to be composed of lime and sand; gypsum and sand; Keene's Cement and sand, or Keene's Cement, lime, and sand; to be water floated with cork or carpet floats to an even granular surface.

## SCRATCH COAT

*Scratch Coat.*—All scratch coating to be well laid on and surface covered with a full coat which is to be well scratched, to be well undercut for the brown coat; all lime mortar scratch coating to be dry before applying the brown coat. All gypsum mortar to be set before applying second coat.

## BROWN COAT

Brown Coat to be applied so as to insure the adhesion of the second coat to first coat. It is to be applied in such thickness that the first coat when dry, together with the lath base used, may be strong enough to resist the pressure of applying the second coat. The surface of second coat must be made true and even and brought flush within  $\frac{1}{8}$ " of face of grounds.



## CORNICE WORK

*Cornice Work.*—All moulded beams and cornices will be screeded and run in place with moulds, with true lines and accurate mitres.

## ORNAMENTAL WORK

*Ornamental Work.*—All patterns to be turned out by skilled mechanics with true and accurate lines. All models for ornamental work shall be satisfactory to the architect.

## CASTS

*Casts.*—All casts to be well made, the contractor to supply a sufficient number to meet the requirements of the job, all casts to be made in line, well and truly undercut and free from warps and other irregularities, supplying all necessary shrinkers and stretchers.

## PALM FINISH AND TEXTURED FINISHES

*Palm Finish and Textured Finishes.*—All palm and textured finishes shall be executed in a first class and artistic way, so as to conform to effect specified and called for.

## EXTERIOR PORTLAND CEMENT STUCCO AND ROUGH CASTING

*Scratch Coat.*—With mortar composed of 3 volumes of clean sharp sand to one volume of Portland Cement; to this mix add hair and fibre and 10% of rich lime mortar; apply a scratch coat thoroughly covered and undercut, care being taken to first thoroughly cover the lath joints or laps, when the scratch coat is dry.

*Brown Coat.*—With mortar composed of three volumes of clean sharp sand and one volume of Portland Cement, to which mix add 10% of rich lime mortar. Rod and straighten all surfaces, and when the brown coat is dry, rough cast with a dash coat composed of two volumes of Portland Cement to three volumes of selected torpedo sand, gravel, or other aggregate, dashed over the surface with a scoop or paddle to an even, uniform, artistic surface.

As specified, textured finishes in endless variety may be substituted for rough cast finish.

## STUCCO ON MASONRY SURFACES

Brush all such masonry surfaces carefully, removing all dirt and dust, and plaster as above with scratch, brown, and finish coat.

## CONCRETE SURFACES

All work on concrete walls, columns, and ceilings shall be well brushed with steel brushes and shall then be washed with a 10% solution of muriatic acid in water. Such solution of acid to be washed off the concrete surfaces with clean water before applying the plastering and shall be prepared by dashing a mixture of coarse sand and cement in proportion of one and one, to be applied with a whisk broom, using a whipping motion. After set or dry, apply a thin coat of rich mortar; or shall be prepared by the use of a sand aggregate



applied under air pressure to create a mechanical bond, to which a thin coat of rich mortar shall be applied for brown coat.

#### PATCHING OF PLASTERING

All patching of plastering after other trades shall be paid for and shall not be included in the contract price.

#### TOOLS AND SCAFFOLD

The Contractor shall supply all necessary tools, scaffolding, and appliances necessary to fulfill the requirements of his work on the job. All scaffolding to be erected and maintained in accordance with the laws of the state relating to scaffolds.

#### GROUNDINGS

A minimum thickness of  $\frac{1}{2}$ " of plaster over any lathing base for two-coat work and a minimum thickness of  $\frac{5}{8}$ " of plaster is necessary where three-coat plaster is applied over any lathing base. It is therefore necessary that groundings of the following thickness be specified and provided in order to secure good work. All groundings listed below contemplate the actual thickness for the various classes of work. Width of jambs should be specified and used to obtain such necessary thickness of plastering:

	Inch
Groundings for 2-coat lath work.....	$\frac{7}{8}$
Groundings for 3-coat lath work.....	1
Groundings for 3-coat wire or metal lath work.....	$\frac{3}{4}$
Groundings for 2-coat work on tile, brick or concrete.....	$\frac{5}{8}$

#### ARTICLE VII—TRADE PRACTICES

SECTION 1. *Inferior Work*.—The substitution of inferior materials, improper mix, or use of materials or any misrepresentation in connection with the sale or use of such products for the purpose or with the effect of misleading or deceiving purchasers with respect to the quantity, quality, or grade thereof is an unfair trade practice.

SEC. 1a. *Lumping of Labor*.—The "lumping" of labor by a contractor or other person to a journeyman so employed is an unfair trade practice.

SEC. 2. *False Representations*.—False representations made either directly or indirectly or by inference by a member of the industry that a competing member has quoted or is quoting different prices for his products or terms and conditions of sale than those actually quoted by such competing member is an unfair competition.

SEC. 3. *Defamation*.—The defamation of a competitor by words or acts which untruthfully call in question his business integrity, his ability to perform his contracts, or his credit standing is an unfair practice.

SEC. 4. *Rebates*.—The taking of rebates, gifts, refunds, or otherwise cheating upon agreed wage scales under any form of subterfuge is an unfair competition.

SEC. 5. *Contracts*.—The Industry hereby records its approval of the policy of adopting standard and equitable contract forms, with clearly written and commonly understood provisions fair to buyers



and sellers. The said Emergency National Committee may prepare standard forms of orders or contracts to be used by the members of the industry in selling their commodities or in taking contracts to do so.

SEC. 6. *Fair Bidding Practices*.—No one in the Plastering Industry shall be a party to the unfair competitive practice known throughout the construction industry as “Bid Peddling” or “Bid Chiseling”—the industry reserving to itself, locally or nationally, the right to legally formulate such rules and regulations as will eliminate such or other unfair competitive bidding practices.

The Plastering Industry records its approval of the principle of prequalification of all contractors engaged in the industry as a means of establishing ethics, responsibility, and fair treatment in competitive practices in the industry.

## ARTICLE VIII—EMERGENCY NATIONAL COMMITTEE

SECTION 1. *Representation*.—There shall be an Emergency National Committee of this industry composed of twelve members, ten of such members shall be the selection of the local affiliated associations of the Contracting Plasters’ International Association and two members who shall be selected by the president of the American Institute of Architects.

SEC. 2. *Powers*.—The Emergency National Committee shall be the general planning and coordinating agency for the industry. Its members shall be empowered to act for the industry conclusively in respect to all matters before the Committee for consideration and within its jurisdiction. The Committee shall have the powers and duties specifically provided herein, and in addition thereto it may exercise any of the following powers:

(a) From time to time require such reports from those in the Industry as in its judgment may be necessary to advise it adequately of the administration and enforcement of the provision of this Code.

(b) Upon complaint of interested parties or upon its own initiative make such inquiry and investigation into the operation of the Code as may be necessary.

(c) Make rules and regulations necessary for the administration and enforcement of this Code.

(d) Hold a trade practice conference to establish rules of fair trade practice for the Industry not already specifically established in this Code.

SEC. 3. *Statistics*.—The Committee shall gather from the members of the Industry data necessary for the administration of the National Industrial Recovery Act, which data include:

(a) Number of persons employed

(b) Wage rates, earnings, and hours worked

(c) Price, costs, and

(d) Other items at the option of the Industry

SEC. 4. *Delegation of Power*.—The Committee may delegate any of its authority to the National Control Committee, hereinafter provided, and may designate such agents as it shall determine.



## ARTICLE IX—NATIONAL CONTROL COMMITTEE

SECTION 1. *Appointment*.—The Emergency National Committee of this Industry shall appoint from its own membership a National Control Committee of three members. The National Control Committee shall exercise such authority as may have been delegated to it by the said Emergency National Committee.

SEC. 2. *Communications and Conferences*.—All communications and conferences of this Industry with the President or with his agents concerning the approval or amendment of this Code, or any of its provisions or any matters relating thereto shall be through the said National Control Committee. The National Control Committee shall serve as an executive agency for the Emergency National Committee of this Industry, and shall be charged with the enforcement of the provisions of this Code and with the duties, through agents or otherwise, of hearing and adjusting complaints, considering proposals for amendments, and making recommendations thereon, approving recommendations for exceptions to the provisions of this Code and otherwise administering its provisions.

SEC. 3. *Appeal*.—Any member of the Industry shall have the right to appeal to the Emergency National Committee from decisions of the National Control Committee, and the decisions of the Emergency National Committee on said appeals shall be final.

SEC. 4. *Function*.—The function of this Committee shall be the general planning and coordination for this Industry, and cooperation with similar boards of other industries, to the end of affecting a balanced national economy.

SEC. 5. *Cost of Administering the Code*.—Expenses involved in administering this Code shall be determined by the Emergency National Committee and prorated equitably among all members of the industry, on the basis of a percentage upon the volume of work done by each member of the industry. Such percentage payments shall be due and payable monthly during the period of the National Industrial Recovery Act. No part of such percentage payments shall be used for any purpose other than the necessary incidental expenses incurred in the administration of this Code or the National Industrial Recovery Act.

## ARTICLE X—GENERAL

SECTION 1. *Interpretation*.—No provision of this Code shall be interpreted or applied in such a manner as to promote monopolies; permit or encourage unfair competition; eliminate or oppress small enterprises; or discriminate against small enterprises.

SEC. 2. *Cancellation or Modification*.—This Code or any of its provisions may be cancelled or modified, and any approved rule issued thereunder, shall be ineffective to the extent necessary to conform to any action by the President under Section 10 of the National Industrial Recovery Act.



SEC. 3. *Recommendations*.—The Emergency National Committee of this Industry and National Control Committee shall, from time to time, make to the members of the industry such recommendations, including amendments of the Code, as in their judgment will aid the effective administration of this Code or may be necessary to effectuate within this Industry the purpose of the National Industrial Recovery Act as administered.

SEC. 4. *Amendments*.—Amendments to this Code may be proposed by any three local member associations of the industry to the Emergency National Committee or may be initiated by the Committee, and when approved by the President shall become a part of this Code, and effective as such.

SEC. 5. *Violation*.—Violation by any member of this Industry of any of the provisions of this Code, or any rule issued thereunder, or any approved amendment thereof, is an unfair method of competition.

SEC. 6. *Approval*.—This Code shall be in effect beginning the second Monday after its approval by the President.

Dated at -----, -----1933.  
NATIONAL CONTROL COMMITTEE.

Approved-----  
For the President.

○



