

NATIONAL RECOVERY ADMINISTRATION

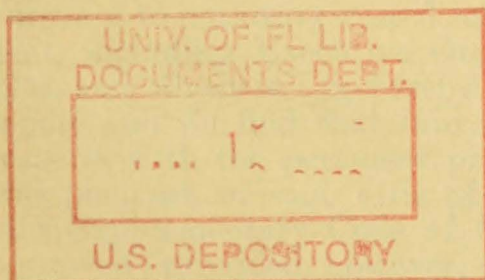
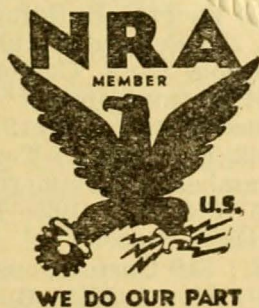
**SUPPLEMENTARY
CODE OF FAIR COMPETITION**

FOR THE

**TOOL AND IMPLEMENT
MANUFACTURING INDUSTRY**

(A Division of the Fabricated Metal Products
Manufacturing and Metal Finishing
and Metal Coating Industry)

AS APPROVED ON MARCH 15, 1934



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Approved Code No. 84—Supplement No. 7

SUPPLEMENTARY CODE OF FAIR COMPETITION
FOR THE
TOOL AND IMPLEMENT MANUFACTURING
INDUSTRY

As Approved on March 15, 1934

ORDER

**APPROVING SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE TOOL
AND IMPLEMENT MANUFACTURING INDUSTRY**

**A DIVISION OF THE FABRICATED METAL PRODUCTS MANUFACTURING AND
METAL FINISHING AND METAL COATING 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, and in accordance with the provisions of Section I of Article VI of the Basic Code for the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry, approved November 2, 1933, for approval of a Supplementary Code of Fair Competition for the Tool and Implement Manufacturing Industry; and hearing having been duly held thereon; and the annexed report on said Supplementary Code, 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 Supplementary Code complies 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 Supplementary Code of Fair Competition be and it is hereby approved; provided, however, that the provisions of Article V, Rule 1, insofar as they prescribe a waiting period between the filing with the Code Authority and the effective date of revised price lists or revised terms and conditions of sale be and they are hereby stayed pending my further Order either within a period of sixty days from

the effective date of this Code or after the completion of a study of open price associations now being conducted by the National Recovery Administration.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

W. A. HARRIMAN,
Division Administrator.

MARCH 15, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on the Supplementary Code of Fair Competition for the Tool and Implement Manufacturing Industry, a division of the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry, the hearing having been conducted thereon in Washington, D.C., December 18, 1933, in accordance with the provisions of Title I of the National Industrial Recovery Act.

GENERAL STATEMENT

The Tool and Implement Manufacturing Industry, being truly representative of this division of the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry, has elected to avail itself of the option of submitting a Supplementary Code of Fair Practice, as provided for in Section 1 of Article VI of the Basic Code, for the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry approved by you on the second day of November, 1933.

RÉSUMÉ OF THE CODE

Article I states the purpose of the Supplementary Code.

Article II accurately defines specific terms employed in the Supplementary Code.

Article III. This Industry is a division of the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry and the labor provisions of its Basic Code, as approved November 2, 1933, are the labor provisions of this Supplementary Code.

Article IV establishes a Supplementary Code Authority consisting of seven (7) members elected by the members of the Industry at a meeting called by the Supplementary Code Authority, and gives the Administrator the authority to appoint one additional member without vote and provides machinery for obtaining statistics and the administration of the Supplementary Code.

Article V sets forth the unfair trade practices of this Supplementary Code which has been especially designed to offset unfair competition in this division of the Industry.

Article VI provides against monopolies and monopolistic practices.

Article VII contains the mandatory provisions contained in Section 10 (b) of the Act and also provides for the submission of proposed amendments to the Supplementary Code.

Article VIII recognizes that price increases except such as may be required to meet individual costs should be delayed.

Article IX sets forth that assent to this Supplementary Code does not involve the waiving of any constitutional rights.

Article X states the effective date and duration of this Supplementary Code.

FINDINGS

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

I find that:

(a) Said Supplementary Code is well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act, including 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 purposes of cooperative action among the trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanctions 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) Said Industry normally employs not more than 50,000 employees; and is not classified by me as a major industry.

(c) The Supplementary Code as approved 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; and that the applicant association is an industrial association truly representative of the aforesaid Industry; and that said association imposes no inequitable restrictions on admission to membership therein.

(d) The Supplementary Code is not designed to and will not permit monopolies or monopolistic practices.

(e) The Supplementary Code is 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 Supplementary Code.

For these reasons, therefore, I have approved this Supplementary Code.

Respectfully,

HUGH S. JOHNSON,
Administrator.

MARCH 15, 1934.

SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE TOOL AND IMPLEMENT MANUFACTURING INDUSTRY

A DIVISION OF THE FABRICATED METAL PRODUCTS MANUFACTURING AND
METAL FINISHING AND METAL COATING INDUSTRY

ARTICLE I—PURPOSES

To effectuate the policies of title I of the National Industrial Recovery Act, this Code is established as a Supplementary Code of Fair Competition for the Tool and Implement Manufacturing Industry. Pursuant to Article VI of the Basic Code of Fair Competition for the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry approved by the President on the 2nd day of November, 1933, the provisions of this Supplementary Code shall be the standards of Fair Competitions of such industry and shall be binding upon every member of the Industry.

ARTICLE II—DEFINITIONS

The term "Tool and Implement Manufacturing Industry" hereinafter referred to as the "Industry" means and includes the manufacture for use or for sale, in whole or in substantial part, of axes, hatchets, hammers, scythes, snathes, grass hooks, steel goods (meaning forks, hoes, rakes and like tools), shovels, and post hole diggers; provided, however, that organizations or groups of manufacturers representing kinds or types of hand tools and/or hand implements not specifically named herein, may become parties to or be exempt from this Supplementary Code upon approval by the Administrator.

The term "employee" as used herein includes anyone engaged in the industry in any capacity receiving compensation for his services, irrespective of the nature or method of payment of such compensation.

The term "employer" as used herein includes anyone by whom any such employee is compensated or employed.

The term "member of the Industry" as used herein includes, but without limitation, any individual, partnership, association, corporation or other form of enterprise engaged in the industry either as an employer or on his or its own behalf.

The term "Industry Division" refers respectively to the following separate branches of the Industry: "Axe Division", "Hatchet Division", "Hammers Division", "Scythe and Snathe Division", "Steel Goods Division", (meaning forks, hoes, rakes and like tools), and "Shovel and Post Hole Digger Division", and to any separate division which may be later organized under this Supplementary Code.

The term "Member of a Division" means and includes any individual, partnership, association, corporation or other form of enterprise engaged in the industry divisions as above defined.

The term "President", "Act" and "Administrator" as used herein shall mean respectively the President of the United States, the National Industrial Recovery Act, and the Administrator for Industrial Recovery under Title I of said Act.

The term "Basic Code" as used herein, is defined to mean the Basic Code of Fair Competition for the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry, as approved by the President on the 2nd day of November, 1933.

The term "Supplementary Code Authority" as used herein means the agency which is to administer this Supplementary Code as hereinafter provided.

The term "Association" as used herein, is defined to mean the General Tool and Implement Association or its successor.

The term "Code Committee" is defined to mean the Executive Committee of the Association.

The term "Secretary" is defined to mean the Secretary of the Supplementary Code Authority.

The term "Federation" as used herein is defined to mean Fabricated Metal Products Federation or its successor.

ARTICLE III—EMPLOYMENT PROVISIONS

This industry is a division of the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry and the labor provisions of its Basic Code as approved by the President are the labor provisions of this Supplementary Code, as though herein repeated and set forth at length.

ARTICLE IV—ORGANIZATION AND ADMINISTRATION

SECTION 1. During the period not to exceed sixty (60) days following the effective date, the Code Committee of the Association shall constitute a Temporary Supplementary Code Authority until the Supplementary Code Authority is elected.

There shall be constituted within the sixty (60) day period a Supplementary Code Authority consisting of seven (7) members, to be elected by the members of the Industry, at a meeting called by the Temporary Supplementary Code Authority, upon ten (10) days' notice sent by registered mail to all known members of the Industry, who may vote either in person or by proxy. The members of the Supplementary Code Authority first elected shall serve until the following annual meeting of the Association in October, 1934, and thereafter members of the Supplementary Code Authority shall be elected at each annual meeting of the Association to serve until the following annual meeting.

The members of the Supplementary Code Authority shall be elected in the following manner:

(a) Two members who shall be members of the Industry by a majority vote of all known members of the Industry present in person or by proxy, each member to have one vote.

(b) One member who is not a member of the Association by a majority vote of all known members of the Industry, present in person, or by proxy, each member to have one vote.

(c) Four members by a 51% vote of members of the Association present in person or by proxy weighted on the basis of one vote for each member and one additional vote for each \$5,000.00 of annual sales in the previous calendar year reported to the Temporary Code Authority: provided, however, that no member may cast more than $33\frac{1}{3}\%$ of the total number of votes cast.

A vacancy in the membership of the Supplementary Code Authority may be filled by a majority vote of the remaining members of the Supplementary Code Authority.

Provided, however, that the right to vote as set forth above shall be subject to the limitations provided in Section 4 of this Article.

In addition thereto the Administrator may appoint a member of the Supplementary Code Authority who without vote shall serve without expense to the Industry, unless the Supplementary Code Authority agrees to pay such expense. The member who may be appointed by the Administrator shall be given reasonable notice of all meetings and may sit at all meetings of the Supplementary Code Authority.

SECTION 2. Any Association directly or indirectly participating in the selection or activities of the Supplementary Code Authority shall (1) impose no inequitable restrictions on admission to membership, and (2) submit to the Administrator true copies of its articles of association, by-laws, regulations, and any amendments when made thereto, together with such other information as to membership, organization, and activities as the Administrator may deem necessary to effectuate the purposes of the Act.

SECTION 3. In order that the Supplementary Code Authority shall at all times be truly representative of the Industry and in other respects comply with the provisions of the Act, the Administrator may prescribe such hearings as he may deem proper; and thereafter if he shall find that the Supplementary Code Authority is not truly representative or does not in other respects comply with the provisions of the Act, may require an appropriate modification in the method of selection of the Supplementary Code Authority.

SECTION 4. All members of the Industry are subject to the jurisdiction of the Supplementary Code; shall be entitled to participate in the activities of and share the benefits of the Supplementary Code Authority; shall be entitled to vote in the selection of Classes (a) and (b) members of the Supplementary Code Authority as provided in Section 1 of this Article; and shall pay their reasonable share of the expenses of the administration of this Supplementary Code, such reasonable share to be determined by the Supplementary Code Authority, subject to review by the Administrator, on the basis of volume of business and/or such other factors as may be deemed equitable by the Supplementary Code Authority.

SECTION 5. The Supplementary Code Authority shall have all the powers and duties which shall be necessary and proper to enable it to fully administer this Supplementary Code and to effectuate its purpose.

Without limitation to the foregoing or any other powers or duties provided for in this Supplementary Code, the Supplementary Code Authority shall have the following specific duties:

(a) To establish after due notice, investigation and hearing whether in their opinion any member of the Industry has committed a violation of any provision of this Supplementary Code, and report same to the Administrator. In case any member of the Industry makes a complaint to the Supplementary Code Authority that any other member of the Industry is not complying with any particular trade practice rule of this Supplementary Code, the Supplementary Code Authority may require the division of the Industry affected to make a written report of the facts with its recommendations to the Supplementary Code Authority to guide its decision.

(b) To adopt by-laws and rules and regulations for its procedure and for the administration of the Supplementary Code.

(c) To obtain from members of the Industry such information and reports as the Supplementary Code Authority may require for the administration of the Supplementary Code and to provide for submission by members of the Industry of such information and reports as are necessary for the purposes recited in Section 3 (a) of the Act; provided that nothing in this Supplementary Code shall relieve any member of the industry of any existing obligations to furnish reports to any Government agency. No individual reports shall be disclosed to any other member of the Industry or to anyone other than the Administrator or his duly authorized representative and as hereinafter provided.

(d) To use such trade associations and other agencies as it deems proper for the carrying out of any of its activities provided for herein, provided that nothing herein shall relieve the Supplementary Code Authority of its duties or responsibilities under this Supplementary Code and that such trade associations and agencies shall at all times be subject to and comply with the provisions hereof.

(e) To make recommendations to the Administrator for the coordination of the administration of this Supplementary Code with such other codes, if any, as may be related to this Industry.

(f) To secure from members of the Industry an equitable and proportionate payment of the reasonable expenses of maintaining the Supplementary Code Authority and its activities, based upon volume of business and/or such other factors as the Supplementary Code Authority may prescribe.

(g) To cooperate with the Administrator in regulating the use of any N.R.A. insignia solely by those members of the Industry who have assented to, and are complying with, this Supplementary Code.

To require that any article manufactured by those members of the Industry who have assented to and are complying with this Supplementary Code shall bear the N.R.A. insignia.

(h) To recommend to the Administrator further fair trade practice provisions to govern members of the Industry in their relations with each other or with other industries and to recommend to the Administrator measures for industrial planning, including stabilization of employment.

(i) To furnish from time to time to the Basic Code Authority designated in said Basic Code such information as may be required to be furnished under the terms of the Basic Code.

SECTION 6. Any and all information furnished to the Secretary of the Supplementary Code Authority, or other person or committee appointed by the Supplementary Code Authority, by a corporate member of the Industry shall be subject to investigation to the extent permitted by the Act for the purpose of verification by a disinterested person or persons mutually agreed upon by the Supplementary Code Authority and the member of the Industry or by a person or persons nominated by the Supplementary Code Authority and approved by the Administrator. The cost of such investigation shall be treated as an expense of administering the Supplementary Code; provided, however, that if upon such investigation any such information shall be shown to have been incorrect in any material respect, such costs shall be paid by the member of the Industry which furnished such information, provided the said member has assented to the Supplementary Code, and specifically to the provisions of this Section.

SECTION 7. All individual and private information received from reports by the Secretary, appointee or committee, or as a result of investigation shall be held in strict confidence and not disclosed to any competitor or other persons outside the Secretary's office, without the permission of the member of the Industry involved.

Provided, however, that such information may be disclosed to any authorized governmental agency.

Provided, further, that when necessary in the hearing of a complaint information resulting from an investigation may be disclosed to the Supplementary Code Authority or its appointee, and

Provided, further, that information pertaining to the reporting of prices, terms and conditions may be disclosed to effectuate the purposes of this Supplementary Code in accordance with Article V, Rule 1.

SECTION 8. Any division may adopt its own regulations and collect statistics to carry out the Fair Trade Practices and any other provisions of this Supplementary Code.

Each industrial division shall keep minutes of its meetings, copies of which minutes shall be filed with the Secretary.

SECTION 9. The members of the Industry shall report in the first instance to the Supplementary Code Authority or their appointees any complaints regarding an alleged violation of this Supplementary Code. The Supplementary Code Authority shall have the power to establish after due notice, investigation and hearing, whether in their opinion any member of the Industry has committed a violation of any provision of this Supplementary Code, and report same to the Administrator. The Supplementary Code Authority shall in addition to the penalties provided by the National Industrial Recovery Act further have the power to establish from time to time fines and penalties for the breach of said provision by those assenting to this Supplementary Code and specifically to this provision and to make adequate rules and take such action for the collection and the disposition of said fines after collection or the waiving of said fines as they deem proper in the interest of the Industry or Industry

Divisions and in conformity with the purpose of the National Industrial Recovery Act. An appeal from the determination of and fines and penalties imposed by the Supplementary Code Authority may be made to the Administrator.

SECTION 10. Nothing contained in this Supplementary Code shall constitute the members of the Supplementary Code Authority partners for any purpose. Nor shall any member of the Supplementary Code Authority be liable in any manner to anyone for any act of any other member, officer, agent or employee of the Supplementary Code Authority. Nor shall any member of the Supplementary Code Authority, exercising reasonable diligence in the conduct of his duties hereunder, be liable to anyone for any action or omission to act under this Supplementary Code, except for his own willful misfeasance or non-feasance.

SECTION 11. If the Administrator believes that any action of the Supplementary Code Authority or any agency thereof is unfair or unjust or contrary to the public interest, the Administrator may require that such action be suspended for a period of not to exceed thirty (30) days to afford an opportunity for investigation of the merits of such action. Further action by such Supplementary Code Authority or agency regarding the matter complained of shall not be taken if disapproved by the Administrator on or before the expiration of the thirty (30) day period set forth above.

ARTICLE V—UNFAIR TRADE PRACTICES

In addition to the unfair trade practices covered by Article V of the Basic Code which are incorporated herein, the same as though herein repeated and set forth at length and for all purposes of this Supplementary Code, the following described acts shall constitute unfair practices. Any member of the industry who shall directly or indirectly through any officer, employee, agent or representative, use or employ any of such unfair practices, shall be guilty of a violation of this Supplementary Code.

RULE 1. Every member of the Industry shall file with the Supplementary Code Authority within ten (10) days after the effective date price lists and copies of all other quotations and terms of sale including credit, freight and all discounts individually prepared by him which shall be open to the inspection of all members of his Industry division and all other interested persons, and any departure therefrom by any member of the Industry with respect to any particular customer is an unfair trade practice. Revised prices, as made from time to time, shall be filed with the Supplementary Code Authority to become effective ten (10) days from the receipt thereof by the Supplementary Code Authority and copies thereof with notice of the effective date, shall thereupon be immediately sent to all members of the same Industry Division who may file, if they so desire, revisions of their prices which shall become effective upon the date when the revised prices first filed shall go into effect.

No member of the Industry shall so classify his customers that the different prices charged at the same time for the same goods

for the same quantity to different customers constitute unfair discrimination between customers or unfair competition in the Industry Division.

Each member of the Industry shall furnish the Supplementary Code Authority for distribution such number of copies of his price lists and/or discount sheets as Supplementary Code Authority may prescribe.¹

RULE 2. The Supplementary Code Authority shall make studies for the simplification of products in the different divisions of the Industry, the elimination of unnecessary or infrequently demanded sizes or types and for the establishment of dimensional standards in cooperation with the Bureau of Standards of the United States Department of Commerce with the view to their recommendations for adoption by the different divisions of this Industry. This study shall be completed within the period of one (1) year from the effective date of this Supplementary Code. Such recommendations of the Supplementary Code Authority for a division of the Industry, when approved by two-thirds vote of the members of the division of the Industry and the Administrator, shall become the standards for the division and shall become effective sixty (60) days after such approval. Thereafter, all members of the division shall follow such standards. Failure to follow such standards set-up by the Supplementary Code Authority, so approved by the members of the division of the Industry and the Administrator, will be an unfair method of competition and a violation of this Supplementary Code. Provided, however, that exceptions to such standards may be applied for by formally petitioning the Supplementary Code Authority, and if the Supplementary Code Authority does not disapprove in writing within sixty (60) days the petition shall become final when ratified by two-thirds vote of the members of such division of the Industry, and if the Supplementary Code Authority disapproves, an appeal may be taken to the Administrator.

RULE 3. *Piracy.*—To imitate or simulate a competitor's catalogue number by which his particular goods are known and identified, or to imitate a competitor's product, in which he or it has acquired a good will, in design or dress to such a degree as to deceive or have a tendency to deceive customers or prospective customers.

RULE 4. *Consignment.*—Shipping goods on consignment, except under circumstances to be defined by the Supplementary Code Authority, when peculiar circumstances of the Industry require the practice.

RULE 5. *Imports.*—If it shall develop that foreign-made goods are offered at a price less than that which may be quoted by any member of the Industry under the provisions of this Supplementary Code, the facts shall be reported to the Supplementary Code Authority, who will take the matter up with the proper Government agency for relief through adjustment of the tariff.

RULE 6. *Exports.*—Except as may be subsequently set forth in a specific or Supplementary Export Code for the Industry, the provisions of this Supplementary Code now or hereafter adopted with

¹ See paragraph 2 of order approving this Code.

regard to prices, discounts, deductions, allowances, extras, commissions or methods and/or terms of sale, are not to apply to direct export sales. The term "export" shall include, in addition to shipments to foreign countries shipments to such United States possessions as may be defined by the Supplementary Code Authority and approved by the Administrator.

RULE 7. *Increased Facilities to be Reported.*—The present capacity of the Industry is far in excess of present or prospective needs. Therefore after the effective date of this Supplementary Code no present member of the Industry shall initiate construction of or install any additional producing equipment or dies for the manufacture of lines which he is not selling or manufacturing or of which he has not already initiated the manufacture at the time of the approval of this Supplementary Code without first reporting to the Supplementary Code Authority and to the Administrator the need for additional productive capacity and his ability to supply it economically.

If in the future any other individual, firm, corporation, partnership or other form of enterprise desires to establish additional capacities, production, equipment or dies for tools and implements as covered by this Supplementary Code he or it also shall first report to the Supplementary Code Authority and the Administrator the same information required in the preceding paragraph.

In both cases the Supplementary Code Authority shall report the facts to the Administrator and state whether in its judgment in the present emergency public necessity and convenience requires such additional capacity.

RULE 8. *Selling Below Reasonable Cost.*—When the Supplementary Code Authority determines that an emergency exists in this industry and that the cause thereof is destructive price-cutting such as to render ineffective or seriously endanger the maintenance of the provisions of this Supplementary Code, the Supplementary Code Authority may cause to be determined the lowest reasonable cost of the products of this industry, such determination to be subject to such notice and hearing as the Administrator may require. The Administrator may approve, disapprove, or modify the determination. Thereafter, during the period of the emergency, it shall be an unfair trade practice for any member of the industry to sell or offer to sell any products of the industry for which the lowest reasonable cost has been determined at such prices or upon such terms or conditions of sale that the buyer will pay less therefor than the lowest reasonable cost of such products.

When it appears that conditions have changed, the Supplementary Code Authority, upon its own initiative or upon the request of any interested party, shall cause the determination to be reviewed.

ARTICLE VI—MONOPOLIES

No provision of this Supplementary Code shall be so applied as to permit monopolies or monopolistic practices, or to eliminate, oppress, or discriminate against small enterprises.

ARTICLE VII—MODIFICATION

SECTION 1. This Supplementary Code and all the provisions thereof are expressly made subject to the right of the President, in accordance with the provisions of sub-section (b) of Section 10 of the Act, from time to time to cancel or modify any order, approval, license, rule or regulation issued under said Act.

SECTION 2. By presenting this Supplementary Code the members of the Industry do not hereby consent to any modification thereof, and they reserve the right to object to any such modifications without being given an opportunity to be heard.

SECTION 3. This Supplementary Code, except as to provisions required by the Act, may be modified or amended on the basis of experience or changes in circumstances, such modifications and/or amendments to be based upon application by the Supplementary Code Authority or other representative group within the industry to the Administrator and such notice and hearing as he shall specify and to become effective on the approval by the President, and/or the Administrator.

ARTICLE VIII—PRICE INCREASES

Whereas the policy of the Act to increase real purchasing power will be made more difficult of consummation if prices of goods and services increase as rapidly as wages, it is recognized that price increases except such as may be required to meet individual costs should be delayed, but when made, such increases should, so far as possible, be limited to actual additional increases in the seller's costs.

ARTICLE IX—CONSTITUTIONALITY

By presenting this Supplementary Code, those assenting hereto are not thereby waiving any of their constitutional rights.

ARTICLE X—EFFECTIVE DATE AND DURATION

This Supplementary Code shall become effective at 12:01 o'clock A.M. Eastern Standard Time on the tenth day after it is approved by the Administrator and shall continue in effect until June 16, 1935 or the earliest date prior thereto on which the President shall, by proclamation, or the Congress shall, by joint resolution declare that the emergency recognized by Section 1 of the National Industrial Recovery Act, has ended.

Approved Code No. 84. Supplement No. 7.
Registry No. 1149-1-05.

