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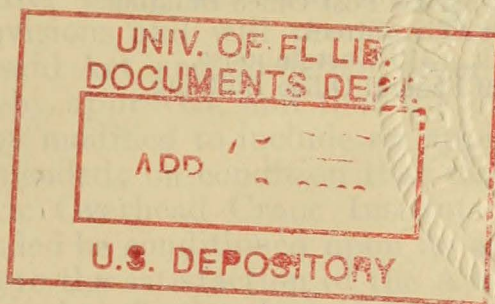
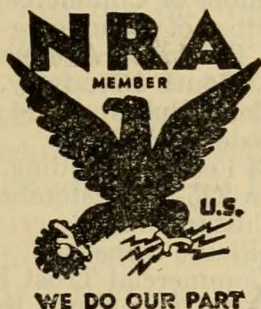
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**AMENDMENT TO  
CODE OF FAIR COMPETITION**

**FOR THE**

**MACHINERY AND ALLIED  
PRODUCTS INDUSTRY**

**AS APPROVED ON MAY 28, 1934**



**UNITED STATES  
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Approved Code No. 347—Amendment No. 3

## AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

## MACHINERY AND ALLIED PRODUCTS INDUSTRY

As Approved on May 28, 1934

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### ORDER

#### AMENDMENT OF THE CODE OF FAIR COMPETITION FOR THE MACHINERY AND ALLIED 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 an Amendment to the Code of Fair Competition for the Machinery and Allied Products Industry, and hearing having been duly held thereon, and the annexed report on said Amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, 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 Amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said Amendment be and it is 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; on condition that the continued participation of the Electric Overhead Crane Institute in the activities of the Code as amended be conditioned upon its amending its Constitution and By-Laws to the satisfaction of the Administrator within thirty (30) days from the effective date of this Amendment.

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

Approval recommended:

A. R. GLANCY,  
*Division Administrator.*

WASHINGTON, D.C.,  
May 28, 1934.



## REPORT TO THE PRESIDENT

The PRESIDENT,  
*The White House.*

SIR: This is a report on the amendment to the Code of Fair Competition for the Machinery and Allied Products Industry and the hearing conducted thereon in Washington, April 27, 1934. The amendment, which is attached, was presented by the temporary Basic Code Authority.

The Code for the Machinery and Allied Products Industry provides in Article VII, Section (a) that; upon request of any trade association, organization, or group of employers representative of machinery or allied products not specifically defined in Article II thereof, the Basic Code Authority may make application to the Administrator for amendment of the Code of Fair Competition for Machinery and Allied Products Industry with respect to the definition of the Industry by addition thereto of a specific definition covering such products and, upon approval by the Administrator of said amendment, the employers concerned therewith shall become members of the Industry, and shall be organized by Basic Code Authority into a Subdivision, with a Code Authority to be created as provided in Article VI of the Code of Fair Competition for the Machinery and Allied Products Industry. Concurrently with application for amendment to definition, such group of employers concerned therewith shall make application to the Administrator for a Supplemental Code as provided in Article I of the Code of Fair Competition for the Machinery and Allied Products Industry (applicable solely to such Subdivision and dealing with subjects not provided for by the Code of Fair Competition for the Machinery and Allied Products Industry). Upon approval by the Administrator such Supplemental Code shall be binding on such Subdivision and upon each employer therein.

This amendment provides that Article II of the Code of Fair Competition for the Machinery and Allied Products Industry be amended to include the definitions of the following Subdivisions:

1. Chemical Engineering Equipment Subdivision
2. Electric Overhead Crane Subdivision
3. Locomotive Appliance Subdivision

Supplemental Codes have been filed for each of these Subdivisions and public hearings have been conducted thereon. The economic effect of including these Subdivisions in this Code will be shown when the respective Supplemental Codes are submitted for approval.

### FINDINGS

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 restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation 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 on condition that the continued participation of the Electric Overhead Crane Institute in the activities of the Code as amended be conditioned upon its amending its Constitution and By-Laws to the satisfaction of the Administrator within thirty (30) days from the effective date of this amendment.

Respectfully,

HUGH S. JOHNSON,  
*Administrator.*

MAY 28, 1934.



## AMENDMENT TO CODE OF FAIR COMPETITION FOR THE MACHINERY AND ALLIED PRODUCTS INDUSTRY

Add the following paragraphs after paragraph 39, "Woodworking Machinery Subdivision":

40. "*Chemical Engineering Equipment Subdivision*" means the manufacture, design, engineering, erection and/or licensing of chemical engineering equipment, together with its accessories and necessary housing, for sale, and/or the licensing of chemical engineering processes for use in connection with specified chemical engineering equipment, and shall be construed to include all persons engaged in such manufacture, design, engineering and/or erection for sale and/or such licensing; provided, however, that all specific equipment covered by other codes heretofore or hereafter approved under the Act is excluded to the extent of its coverage under such codes.

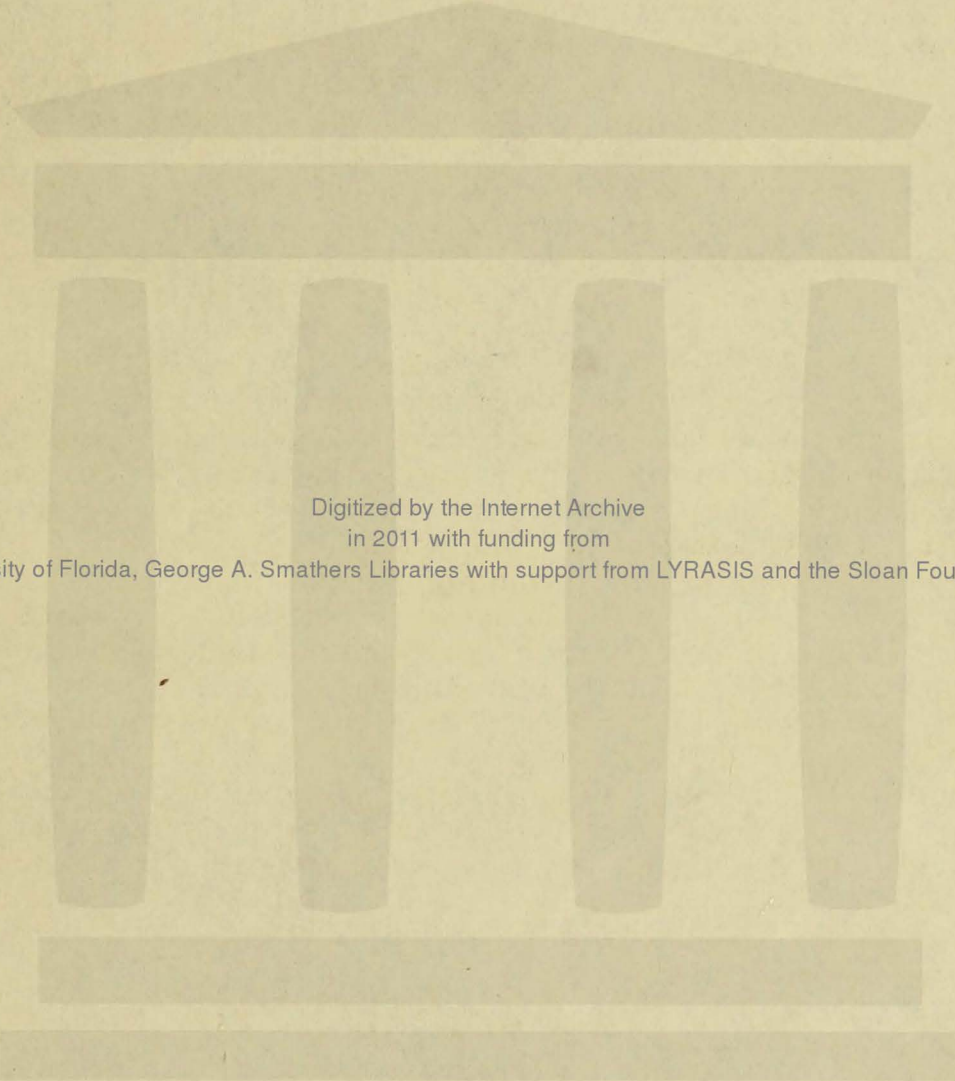
41. "*Electric Overhead Crane Subdivision*" means the designing and manufacturing for sale of standard type electric overhead traveling cranes which are more specifically described as follows: Standard type electric overhead crane means the standard type overhead, double girder, one or more motor electric crane, including electric gantry cranes, both traveling and stationary, all of five ton lifting capacity, or more; and including standard grabbucket cranes of three ton lifting capacity, or more; all as commonly installed for overhead transportation service inside and outside of buildings and for operations on elevated or ground runways.

42. "*Locomotive Appliance Subdivision*" means the manufacture and/or sale of appliances, devices or attachments and replacement parts thereof specially designed and manufactured for use in the construction or repairing of locomotives as used for tractive power; provided, however, that such appliances, devices, and/or attachments and replacement parts thereof when manufactured by builders of the aforesaid locomotives or when within the scope of another code are not included in this code.

Approved Code No. 347—Amendment No. 3.  
Registry No. 1399-65.

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