

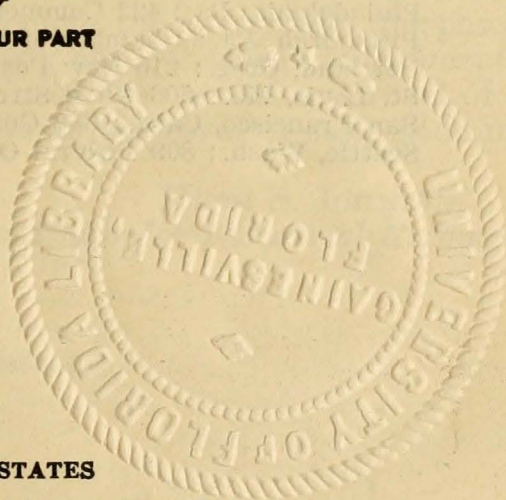
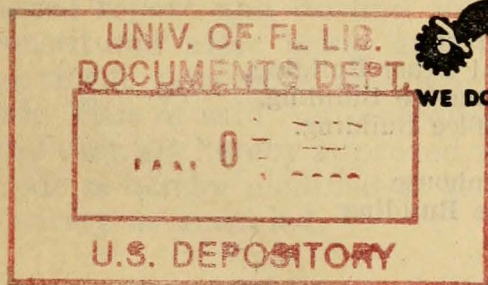
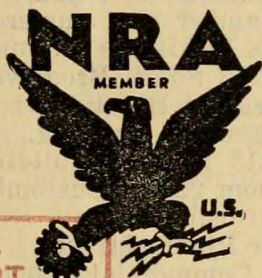
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

BEDDING MANUFACTURING
INDUSTRY

AS APPROVED ON JULY 10, 1934

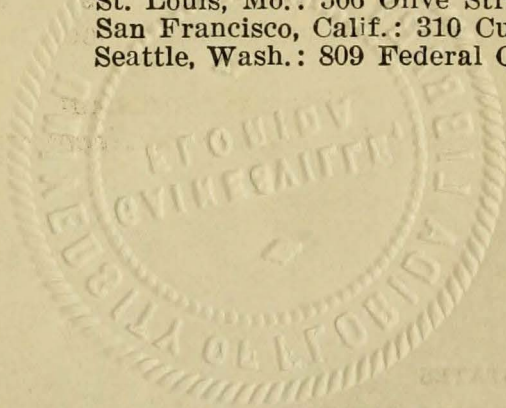


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AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

BEDDING MANUFACTURING INDUSTRY

As Approved on July 10, 1934

ORDER

APPROVING AMENDMENT TO CODE OF FAIR COMPETITION FOR THE
BEDDING MANUFACTURING 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 Bedding Manufacturing Industry, 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,
Division Administrator.

WASHINGTON, D.C.,
July 10, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on amendments of the Code of Fair Competition for the Bedding Manufacturing Industry as approved by me on January 23, 1934. Application was made under date of April 7, 1934 by the Code Authority for the Bedding Manufacturing Industry for amendment of certain of the provisions of Articles II and VII of the said Code. All interested parties were given opportunity to present their views at a Public Hearing held on these proposed fourteen amendments on May 4, 1934.

Six of these fourteen amendments have been approved by me. They relate to the Code's definition of "Bedding Industry", to the status of certain States with respect to the North-South wage differential, to the labelling regulations of the Code, to the wording of commercial bribery prohibition, and to export trade.

The principal effects of these amendments will be to place West Virginia, Maryland and the District of Columbia in the North rather than in the South, to prescribe regulations for the labelling of bedding containing bulk feathers, and down and to exempt shipments for export trade from the terms of sale provisions of the Code.

The Assistant Deputy Administrator in his final report to me on said amendments 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 amendments to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provision of said Title of said Act, including without limitation sub-section (a) of Section 3, sub-section (a) of Section 7 and sub-section (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid amendments on behalf of the industry as a whole.

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

(e) The amendments 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 amendments.

I believe the amendments to be fair to labor, to the consumer and to the industry, and for these reasons, therefore, I have approved these amendments.

Respectfully,

HUGH S. JOHNSON,
Administrator.

JULY 10, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE BEDDING MANUFACTURING INDUSTRY

AMENDMENT No. 1

Article II, Section 1, of the Bedding Code shall be and hereby is amended, by inserting in parentheses after the word "pillows" the words, "including the preparation and processing of feathers and down", the section to read as follows:

"1. The term 'industry' as used herein, includes the manufacture, remaking, repairing, or renovating of mattresses, pillows (including the preparation and processing of feathers and down), box springs, studio couches (the principal components of which are springs, mattresses, and pillows), metal beds, metal and wood cribs and cots, metal bed springs, and gliders; provided, however, that this definition shall not include any retail furniture or department store which, incidental to the operation of such business, repairs, remakes, or renovates for customers a bedding product previously sold by such store to such customer; provided, further, that organizations or groups of manufacturers representing branches or subdivisions thereof may become parties to or be exempted from this Code on approval by the Administrator."

AMENDMENT No. 2

Article II, Section 6, of the Bedding Code shall be and hereby is amended, by deleting the words, "West Virginia", "Maryland", and "District of Columbia", the Section to read as follows:

"6. The 'South' as used herein includes the following States: Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Texas, and Oklahoma. The 'North' includes the remaining States of the United States."

AMENDMENT No. 6

Article VII, Part I, Section 4, subsection (c), of the Bedding Code shall be and hereby is amended, by inserting at the beginning thereof, and again, in quotation marks just before the word "curled", the word "crushed", the subsection to read as follows:

"Crushed, curled or chopped feathers shall be designated by the name of the fowl from which they came, preceded by the words, 'crushed', 'curled', or 'chopped'."

AMENDMENT No. 7

Article VII, Part I, Section 4, of the Bedding Code shall be and hereby is amended, by striking out the words "feathers and down"

at the end of the first paragraph thereof, and by inserting after paragraph (g) thereof a new paragraph as follows:

“(h) *Bulk Feather and Down Labelling Rules*.—No commodity shall be sold, offered for sale, labelled, advertised or described as down other than the under-coating of a water-fowl, consisting of the light, fluffy filaments grown from one quill point but without any quill shaft, except that a 10% tolerance by weight of small water-fowl feathers only shall be allowed. Feathers and/or down shall not be labelled with percentages or propositions of ingredients unless such feathers and/or down do in fact contain the percentages or proportions named, except that a tolerance of 10% by weight shall be allowed.”

AMENDMENT No. 10

Article VII, Part I, Section 15, of the Bedding Code shall be and hereby is amended, by deleting the word “spiffs” in the heading and removing parentheses around “commercial bribery”, also in the heading, and by deleting the words “loan”, “or loaned”, “directly”, and “loan or” in the first sentence, the section to read as follows:

“15. *Commercial Bribery*.—No member of the industry shall give, permit to be given, or offer to give, anything of value for the purpose of influencing or rewarding the action of any employee, agent, or representative of another in relation to the business of the employer of such employee, the principal of such agent or the represented party, without the knowledge of such employer, principal or party. This provision shall not be construed to prohibit free and general distribution of articles commonly used for advertising except so far as such articles are actually used for commercial bribery as hereinabove defined.”

AMENDMENT No. 13

Article VII, Part I, of the Bedding Code shall be and hereby is amended, by adding after Section 32 a new Section numbered 33, as follows:

“33. *Export Trade*.—No provision of this Code relating to prices or terms of selling, shipping or marketing, shall apply to export trade or sales or shipments for export trade. ‘Export Trade’ shall be as defined in the Export Trade Act adopted April 10, 1918.”

Approved Code No. 219—Amendment No. 2.
Registry No. 1607-1-01.

