

NATIONAL RECOVERY ADMINISTRATION

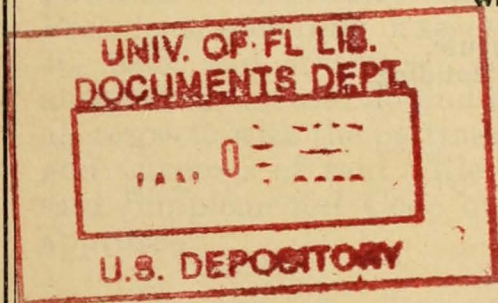
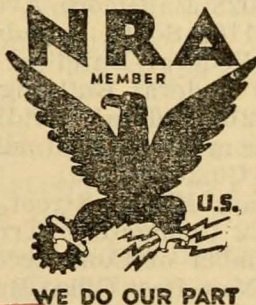
SUPPLEMENTARY
CODE OF FAIR COMPETITION

FOR THE

PORTABLE ELECTRIC LAMP
AND SHADE INDUSTRY

(A Division of the Electrical Manufacturing Industry)

AS APPROVED ON JUNE 27, 1934

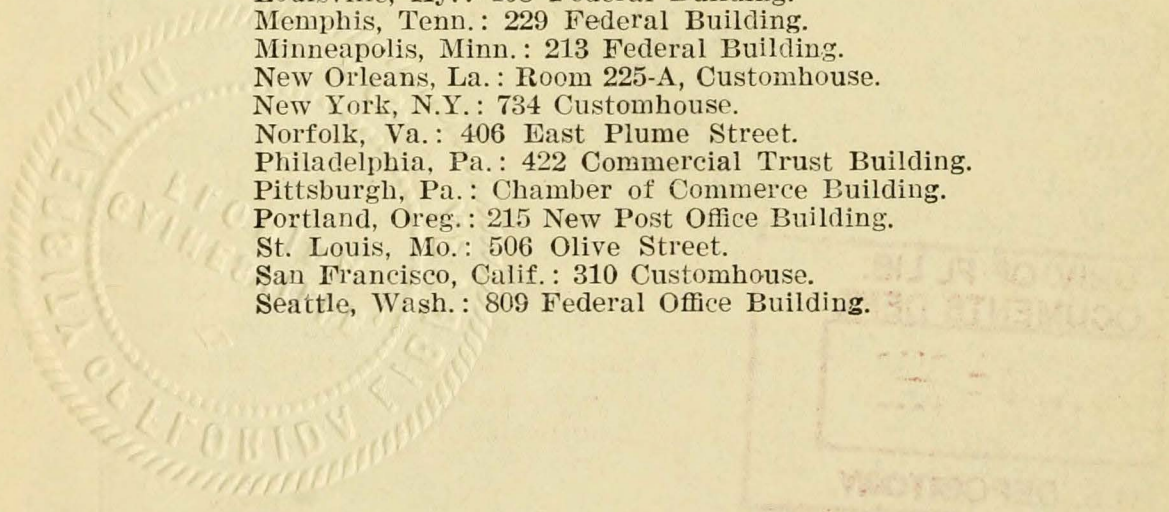


UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1934

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Approved Code No. 4—Supplement No. 2

SUPPLEMENTARY CODE OF FAIR COMPETITION
FOR THE
PORTABLE ELECTRIC LAMP AND SHADE
INDUSTRY

As Approved on June 27, 1934

ORDER

**SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE PORTABLE
ELECTRIC LAMP AND SHADE INDUSTRY**

A DIVISION OF THE ELECTRICAL 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 a Supplemental Code of Fair Competition for the Portable Electric Lamp and Shade Sub-Division of the Electrical Manufacturing Industry, and hearings having been duly held thereon and the annexed report on said Supplemental 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 Supplemental 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 Supplemental Code of Fair Competition be and it is hereby approved.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

BARTON W. MURRAY,
Acting Division Administrator.

WASHINGTON, D.C.,
June 27, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on the Supplemental Code of Fair Competition for the Portable Electric Lamp and Shade Manufacturing Industry, a Subdivision of the Electrical Manufacturing Industry, Public Hearing having been conducted thereon in Washington, D.C., June 12, 1934, in accordance with the provisions of Title I of the National Industrial Recovery Act. Every person who filed a request for an appearance at the Public Hearing was heard in accordance with regulations of the National Recovery Administration. The Code was presented by duly qualified and authorized representatives of the Industry, claiming to represent seventy-five (75%) percent of the aggregate production of the Industry.

GENERAL STATEMENT

The Portable Electric Lamp and Shade Manufacturing Industry, as represented by the National Electrical Manufacturers Association, being truly representative of this Subdivision of the Electrical Manufacturing Industry, has submitted a Supplemental Code of Fair Competition to the Basic Code for the Electrical Manufacturing Industry, approved by you August 4, 1933. The Portable Electric Lamp and Shade Subdivision of the Electrical Manufacturing Industry is defined to mean the manufacture for sale of Portable Electric Lamps and/or Shades.

A portable electric lamp is defined as any device, including an extension cord and plug, a socket or sockets for receiving an electric incandescent bulb or bulbs, and means for supporting said socket or sockets; such device being complete in itself and capable of standing on horizontal surfaces without auxiliary attaching means which would render it permanent location.

A lamp shade is defined as any complete device of any material which can be attached to an electric portable lamp, or to an electric incandescent bulb as a part of a portable electric lamp, or to an electric fixture and which, when so attached will either partially or completely surround the electric incandescent bulb or bulbs; the purpose of such device being primarily for shielding the light source from the normal field of vision and for decoration. (Such a device, when intended primarily to redirect light into a definite zone, should be defined as a "reflector".)

INDUSTRY

According to statistics furnished by members of the Portable Electric Lamp and Shade Subdivision of the Electrical Manufacturing

Industry, there are approximately 500 concerns with an aggregate invested capital of \$11,300,000 and a reported aggregate production of \$21,020,000. The Industry at present employs approximately 30,000 workers.

PROVISIONS OF THE CODE

The Basic Code for the Electrical Manufacturing Industry establishes a supervisory agency which is fairly and adequately representative of all the different elements in the Industry.

Since this Code is supplemental to the Code of Fair Competition for the Electrical Manufacturing Industry, it adopts all the provisions of the Basic Code, including labor provisions.

FINDINGS

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

I find that:

(a) Said Supplemental 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 purpose 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 Subdivision normally employs not more than 50,000 employees; and is not classified by me as a major industry.

(c) The Supplemental 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 Subdivision; and that said association imposes no inequitable restrictions on admission to membership therein.

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

(e) The Supplemental 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 Supplemental Code.

(g) In accordance with the provisions of Article XIV of the Code of Fair Competition for the Electrical Manufacturing Industry, this Subdivision is entitled to and permitted a Supplemental Code thereto.

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

Respectfully,

HUGH S. JOHNSON,
Administrator.

JUNE 27, 1934.

SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE PORTABLE ELECTRIC LAMP AND SHADE IN- DUSTRY

A DIVISION OF THE ELECTRICAL MANUFACTURING INDUSTRY

ARTICLE I—PURPOSES

To effectuate the policy of Title I of the National Industrial Recovery Act the following provisions are established, pursuant to the provisions of Article XIV of the Basic Code of Fair Competition for the Electrical Manufacturing Industry, approved by the President August 4, 1933, as a supplemental code of fair competition for the Portable Electric Lamp and Shade Subdivision of the Electrical Manufacturing Industry, and shall, together with the provisions of said Basic Code and any modifications thereof, or additions or supplements thereto, hereafter made, be the standard of fair competition for the said Portable Electric Lamp and Shade Subdivision of the Electrical Manufacturing Industry.

ARTICLE II—DEFINITIONS

The term "Portable Electric Lamp and Shade Subdivision of the Electrical Manufacturing Industry" as used herein is defined to mean the manufacture for sale of portable electric lamps and/or shades.

A portable electric lamp is hereby defined as any device, including an extension cord and plug, a socket or sockets for receiving an electric incandescent bulb or bulbs, and means for supporting said socket or sockets; such device being complete in itself and capable of standing on horizontal surfaces without auxiliary attaching means which would render it permanent location.

A lamp shade is hereby defined as any complete device of any material which can be attached to a portable electric lamp, or to an electric incandescent bulb as a part of a portable electric lamp, or to an electric fixture and which, when so attached will either partially or completely surround the electric incandescent bulb or bulbs; the purpose of such device being primarily for shielding the light source from the normal field of vision and for decoration. (Such a device, when intended primarily to redirect light into a definite zone, should be defined as a "reflector" and is not included within the scope of this Code.)

The term "person" as used herein shall include natural persons, partnerships, associations, trusts, trustees, trustees in bankruptcy, receivers and corporations.

The term "employer and/or member of the Subdivision" as used herein shall include every person promoting, or actively engaged in, the manufacture for sale of the products of the Portable Electric Lamp and Shade Subdivision of the Electrical Manufacturing Industry.

The term "employee" as used herein shall mean anyone who is employed by any such employer.

The term "retailer" as used herein shall mean any person selling the product of the Portable Electric Lamp and Shade Subdivision of the Electrical Manufacturing Industry to the consumer and not for the purposes of resale in any form.

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

ARTICLE III—CODE ADMINISTRATION EXPENSES

1. It being found necessary in order to support the Administration of this Code and to maintain the standards of fair competition established hereunder and to effectuate the policy of the Act, the Supervisory Agency of the Portable Electric Lamp and Shade Subdivision, with the approval of the Code Authority, is authorized:

(a) To incur such reasonable obligations as are necessary and proper for the foregoing purposes and to meet such obligations out of funds which may be raised as hereinafter provided and which shall be held in trust for the purposes of the Code;

(b) To submit to the Administrator for his approval, subject to such notice and opportunity to be heard as he may deem necessary (1) an itemized budget of its estimated expenses for the foregoing purposes, and (2) an equitable basis upon which the funds necessary to support such budget shall be contributed by members of the subdivision;

(c) After such budget and basis of contribution have been approved by the Administrator, to determine and obtain equitable contribution as above set forth by all members of the subdivision, and to that end, if necessary, to institute legal proceedings therefor in its own name.

2. Each member of the subdivision shall pay his or its equitable contribution to the expenses of the maintenance of the Supervisory Agency determined as hereinabove provided and subject to rules and regulations pertaining thereto issued by the Administrator. Failure on the part of a member of the subdivision to make such contribution shall be a violation of this Code. Only members of the subdivision complying with the code and contributing to the expenses of its administration as hereinabove provided shall be entitled to participate in the selection of members of the Supervisory Agency or to receive the benefits of any of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

3. The Supervisory Agency shall neither incur nor pay any obligation in excess of the total amount of its approved budget, except upon approval of the Administrator; and no subsequent budget shall

contain any deficiency item for expenditures in excess of prior budget estimates except those which the Administrator shall have so approved.

ARTICLE IV—WRITTEN ORDERS

No employer shall accept an order unless full details of all terms of sale as to date, payment, quantity, price, delivery arrangements, and complete description of the product shall be set forth in a written form and shall be strictly adhered to in the execution of the order.

ARTICLE V—DEMONSTRATION ALLOWANCES

No employer shall grant any demonstration allowance except where the product on which the demonstration allowance is made is one having such unusual mechanical or other special features as to require more expert demonstration and explanation than that which should reasonably be expected of the average sales person in the store or department in which the demonstration is to be made.

ARTICLE VI—MODIFICATION

(a) This Code and all the provisions thereof are expressly made subject to the right of the President, in accordance with the provisions of subsection (b) of Section 10 of the National Industrial Recovery Act, from time to time to cancel or modify any order, approval, license, rule, or regulation issued under said Act.

(b) This Code, except as to provisions required by the Act, may be modified or amended on the basis of experience or changes in circumstances, such modification or amendments to be based upon application to the Administrator and such notice and hearing as he shall specify, and to become effective on approval of the Administrator, unless otherwise provided, and when so approved shall have the same force and effect as any other provision of this Code.

ARTICLE VII—EFFECTIVE DATE

This Supplemental Code shall become effective on the eleventh day after it has been approved by the President of the United States.

Approved Code No. 4.—Supplement No. 2.
Registry No. 1308-16.



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