

NATIONAL RECOVERY ADMINISTRATION

CODE OF FAIR COMPETITION

FOR THE

**HEBREW AND JEWISH
RELIGIOUS BOOK INDUSTRY**

AS SUBMITTED ON AUGUST 24, 1933

REGISTRY No. 1653—03

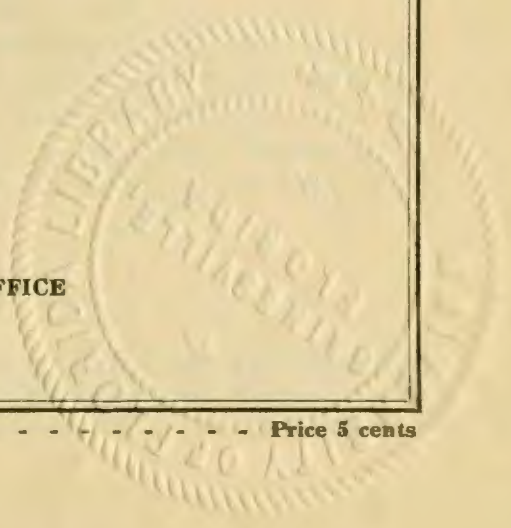
**The Code for the Hebrew and Jewish Religious Book Industry
in its present form merely reflects the proposal of the above-mentioned
industry, and none of the provisions contained therein are
to be regarded as having received the approval of
the National Recovery Administration
as applying to this industry**



UNIV. OF FL LIB.
DOCUMENTS DEPT.

U.S. DEPOSITORY

**UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1933**



CODE OF FAIR COMPETITION ADOPTED BY DEALERS IN HEBREW AND JEWISH RELIGIOUS BOOKS AND ARTICLES

PREAMBLE

In attempting to establish principles of fair competition within this line of business, without curtailing the number of hours during which stores shall be open, we recognize the fact that the public first buys the necessities of life before it expends any money in the purchase of merchandise sold by us, and we further recognize that most of the destructive practices which have grown up in competition and which have made business unprofitable and which have seriously affected the producing industries and their labor, have centered about ignorance of actual operating cost, the fall in the general price level, and destructive wage or price cutting.

In the code which we herewith submit, we have confined ourselves to:

1. Providing a fair deal for employees through—
 - a. The right to organize and bargain collectively;
 - b. A minimum wage;
 - c. Maximum working hours.
2. Control of unfair competition.
3. Regulation of advertising statements.
4. A practical method of administering this code.

Nothing in the restraints imposed by this code is of a discriminatory nature. All restraints proposed in this code are to protect the consumers, competitors, employees, and others, and are in furtherance of the public interests.

No provision will stifle the initiative of any business conforming to these fair-competition practices. The association which presents this code imposes no inequitable restrictions on admission to membership in its organization and is truly representative of the entire trade. This code, which it offers, is not designed to promote monopolies or to eliminate or oppress small enterprises and will not operate to discriminate against them.

It is our conviction that this code will tend to effectuate the policy of Title I of the National Industrial Recovery Act.

Any book dealer or wholesaler may participate in this code or in any revisions or amendments thereto and receive the benefits thereof by accepting the proper pro rata share of the cost and responsibility of creating and administering it, by either becoming a member of the association or by paying a sum equal to that paid by members of the association.

PURPOSE

Being in sympathy with the spirit and purpose of the National Industrial Recovery Act, the dealers in Hebrew and Jewish reli-

gious books and articles desire to present this code to the President, the better to forward the program looking toward the economic and business recovery of the United States, the necessity for which is stated in Title I, Section 1, of this Act.

DEFINITIONS

1. The term "cost price", as herein mentioned, is the purchase price and does not include carrying charges or overhead expenses. Overhead expenses have been computed by the Code Drafting Committee of this association as being 20% of or in advance of the cost price, so that, by way of example, where a minimum profit of 25% has been fixed, 20% is to be deducted therefrom as and for the overhead expense, leaving a net minimum profit of only 5% on said item.

2. The term "book dealer" as used herein, includes any natural person, partnership, association, firm, or corporation regularly and not temporarily or seasonally, engaged in the retail selling of Hebrew and/or Jewish books, religious articles, synagogue and temple vestments.

3. The term "wholesaler" as used herein, includes any natural person, partnership, association, firm, or corporation engaged in the publishing, printing, manufacturing, or importing of Hebrew, Jewish, or religious books and/or articles to be sold to the book dealers as heretofore defined.

ARTICLE I

A. COLLECTIVE BARGAINING

In conformity with the provisions of Section 7 (a) of Title I of the National Industrial Recovery Act, the attitude of this line of business with respect to the labor of employees shall be as follows:

1. That employees shall have the right to organize and bargain collectively through representatives of their own choosing and shall be free from the interference, restraint, or coercion of employers of labor or their agents in the designation of such representatives or any self-organization, or any other concerted activities for the purpose of collective bargaining or for mutual aid or protection.

2. That 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, organizing, or assisting a labor organization of his own choosing; and

3. That employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment approved or prescribed by the President.

B. MAXIMUM WORKING HOURS

The relations between employers and employees in this business are and have been for many years on a mutually satisfactory basis, and nothing contained in this code shall be construed as requiring or contemplating a change in these relations.

1. The maximum number of working hours for any employee in this line of business shall be forty (40) hours per week, exclusive of the peak seasonal period from September 1st to October 15th.

2. Should there be a need for additional employees more employees shall be employed on another shift.

3. All book dealers shall be open from 9 A.M. to 9 P.M. from Sunday to Thursday, inclusive, from 9 A.M. to 4 P.M. on Fridays between October 1st and April 30th, and from 9 A.M. to 7 P.M. on Fridays, between March 1st and September 30th, except that during the seasonal peak period from September 1st to October 15th all book dealers shall close their place of business not later than 11 P.M. from Sundays to Thursdays, inclusive.

4. All book dealers shall have their place of business closed each Saturday and all Jewish holidays.

5. No minors under the age of 16 shall be employed, except that minors between the age of 14 and 16 may be employed for running errands and making deliveries between the hours of 7 a.m. and 7 p.m., provided that the said hours do not interfere with their attendance at day school.

C. MINIMUM COMPENSATION

The minimum compensation for all employees wherever employed in this line shall be \$15.00 per week. This does not include errand boys used solely for the purpose of making deliveries and running errands.

ARTICLE II

A. UNFAIR COMPETITION

1. It shall be unfair competition for anyone to sell, offer to sell, or advertise, in any form to the public at retail any Hebrew or Jewish religious, text, or school books, either domestic or imported, at less than the cost price to the book dealer plus 25% to insure that labor costs shall at least be partially covered.

2. It shall be unfair competition for anyone to sell, offer to sell, or advertise, in any form to the public at retail any Hebrew, Jewish, or appurtenant literature at less than the cost price to the book seller plus 30%.

3. It shall be unfair competition for anyone to sell, offer for sale, or advertise, in any manner to the public at retail any Hebrew calendars, greeting cards, novelties, and allied articles, excepting synagogue metalware, which is hereinafter referred to, at less than the cost price to the book dealer plus 40%, inasmuch as these items are sold, either rarely, infrequently, and/or seasonally.

4. Since the prices for phylacteries and door scrolls, commonly known as "tfilin" and "mezuzas", respectively, fluctuate, it shall be unfair competition for anyone to sell, offer to sell, or advertise in any manner, to the public at retail a set of any unpolished phylacteries at less than \$2.00, polished phylacteries at less than \$3.00 and door scrolls at less than 15¢ each.

5. It shall be unfair competition for anyone to sell, offer to sell, or advertise in any manner to the public at retail any prayer shawls, embroidered articles, excepting altar drapes or curtains better known as "porochasen" and skull caps at less than the cost price to the book dealer plus 40%.

6. It shall be an act of unfair competition for anyone to sell, offer to sell, or advertise in any manner to the public at retail, synagogue metal ornaments and "porochasen" at less than the cost price plus 25%.

7. In order to promote better relations between the wholesaler and book dealer, it will be deemed an act of unfair competition for any wholesaler to advertise in any form to the public at retail any products without inserting a clause therein that this product is obtainable also at the store of any retail dealer in Hebrew and Jewish religious books and articles.

8. In order to protect the wholesaler from unfair competition, and the consumer from being sold inferior goods, it shall be deemed an act of unfair competition for any book dealer to buy the merchandise of any individual importer and/or manufacturer not regularly and solely engaged in the business of importing and/or manufacturing such merchandise. It is deemed proper that such importers and/or manufacturers sell their wares to the wholesalers only, who are, at the time of the drafting of this code:

Wholesalers of books, articles, and novelties, both domestic & imported:

I. M. ALTER.

BEHRMAN'S JEWISH BOOK HOUSE.

BLOCH PUBLISHING COMPANY.

DEPARTMENT OF SYNAGOGUES & SCHOOL EXTENSION.

HEBREW PUBLISHING COMPANY.

HALPERIN'S IMPORTED BOOKS.

JEWISH PUBLICATIONS SOCIETY.

Z. SCHARFSTEIN.

STAR PUBLISHING COMPANY.

Hebrew prayer shawls, silverware, embroidery, phylacteries, and door scrolls:

J. LEVINE.

K. PASTON.

SHECHTER & CHERNOWSKY.

M. WOLOZIN.

S. YARASLAWITZ.

Palestinian products & importations:

PALESTINE FOOD & NOVELTY Co.

PALESTINE IMPORTING Co.

M. GELFAND.

J. WEISBERG.

The term "wholesaler" as used in this clause shall also apply to any book dealer who is today the sole American agent, representative, manufacturer, producer, or any particular or individual book or article.

The above clause "8" does not apply to individual, old second-hand, and/or rare books and articles from private collections and libraries.

9. Should any book dealer or wholesaler sell, offer for sale, or advertise in any manner to the public at retail any article which is rare, damaged, or in any way special, at a reduced or a special price, it shall be an act of unfair competition for such book dealer or

wholesaler not to be ready and willing to sell and refuse to sell such article to any other book dealer at his or her request at a discount from such reduced or special sale or advertised price of 20%.

10. It shall be deemed an act of unfair competition for any wholesaler to sell, offer to sell, or advertise to any peddler, jobber, sexton, school, synagogue, congregation, temple, group, association, individual, partnership, or corporation, other than book dealers regularly engaged in this line of business, any merchandise used in this line at any price or rate lower than the cost price to the book dealer, plus the percentages of profit fixed by and under this code.

11. It shall be unfair practice for wholesalers to discriminate in price between book dealers by paying or allowing or giving rebates, refunds, premiums, commissions, discounts, prizes, special prices or privileges.

ARTICLE III

ADMINISTRATION OF FAIR COMPETITION

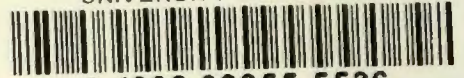
A. To assist in carrying out the provisions of the National Industrial Recovery Act and of this code, and the rules and regulations made pursuant thereto, and for the formulation of such other further or amendatory code provisions, as may be necessary to insure fair competition, and effectuate the provisions of the code, the Executive Committee of this association or any such successor committee or committees as may hereafter be constituted by the action of the association, is set up as a Fair Competition Board for these purposes.

B. Such board may, from time to time, present to the National Recovery Administration's recommendations, based on conditions in this line of business as they may develop from time to time, which will tend to effectuate the provisions of the code and the policy of the National Industrial Recovery Act.

1. Should this code or any part thereof be broken or evaded in any manner or form by any wholesaler or book dealer, such wholesaler or book dealer shall be compelled to attend a hearing before the Fair Competition Board, and if found guilty of such act, shall in addition to any fine or penalty imposed through the National Industrial Recovery Administration, not be traded or dealt with in any way by either wholesalers or book dealers, and shall pay a fine of not more than \$500.00 to this association.

2. Should any book dealer advertise or offer in any manner a premium, present, gift, prize, gratuity, rebate or any other inducement to any consumer for the purpose of evading in any manner the letter or spirit of this code, he shall be compelled to attend a hearing before the Fair Competition Board, and if found guilty of such, shall in addition to any fine or penalty which may be imposed through the National Industrial Recovery Administration, not be traded or dealt with in any way by either wholesalers or book dealers, and shall pay a fine of not more than \$500.00 to this association.

3. Should any book dealer or wholesaler sell, offer to sell, or advertise in any manner any religious article which under the Jewish Laws and customs is not "kosher", he shall be compelled to attend a hearing before the Fair Competition Board and if found guilty of such act, pay a fine of not more than \$1,000.00 to this association.



ARTICLE IV

CHANGE OR MODIFICATION

For the purpose of effectuating the provisions of Title I of the National Industrial Recovery Act, supplements to this code or additional codes not inconsistent herewith, may from time to time be submitted for the approval of the President, and the President may, from time to time, cancel or modify any order, approval, rule, or regulation issued hereunder.

ARTICLE V

This code shall be effective on the 1st Sunday after it shall have been approved by the President and shall continue in force until the President shall, by proclamation, or the Congress shall, by joint resolution, declare that the emergency recognized by Title I of this Act has ended.

○