

NATIONAL RECOVERY ADMINISTRATION

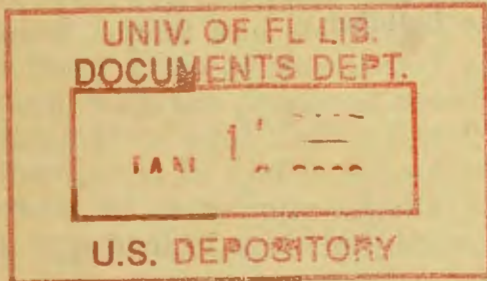
**AMENDMENT TO SUPPLEMENTARY
CODE OF FAIR COMPETITION**

FOR THE

**RADIO WHOLESALING
TRADE**

(A Division of the Wholesaling or Distributing Trade)

AS APPROVED ON SEPTEMBER 1, 1934



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Approved Code No. 201G—Amendment No. 1

**AMENDMENT TO SUPPLEMENTARY CODE OF FAIR
COMPETITION**

FOR THE

RADIO WHOLESALING TRADE

As Approved on September 1, 1934

ORDER

APPROVING AMENDMENT TO SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE RADIO WHOLESALING TRADE

A DIVISION OF THE WHOLESALING OR DISTRIBUTING TRADE

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 a Supplementary Code of Fair Competition for the Radio Wholesaling Trade to the Code of Fair Competition for the Wholesaling or Distributing Trade, and opportunity to be heard thereon having been given 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 Supplementary 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 Supplementary Code is hereby amended to include an approval of said Supplementary Code in its entirety as amended.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

HARRY C. CARR,
Acting Division Administrator.

WASHINGTON, D.C.,
September 1, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,

The White House.

SIR: This is a report on the amendment of the Supplementary Code of Fair Competition for the Radio Wholesaling Trade as approved by me on April 21, 1934. Application was made under date of July 13, 1934, by the Divisional Code Authority for the Radio Wholesaling Trade, for amendment of the provisions of Article III, Section 6, of the Code. Fair notice of opportunity to file objections to this amendment was given to all interested parties.

This amendment was drawn up and proposed in accordance with Executive Order No. 6678, dated April 14, 1934, and with the Legal Division's suggested wording for such amendments. It is intended to govern the collection of assessments for code administration by the Radio Wholesaling Trade.

This amendment does not in any way affect the labor provisions of the Supplementary Code or anything other than assessment for expenses of code administration.

The Deputy Administrator in his final report to me on said amendment to said Supplementary 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 Supplementary Code and the Supplementary 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 Supplementary Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 5, Subsection (a) of Section 7, and Subsection (b) of Section 10 thereof.

(c) The Code empowers the Divisional Code Authority to present the aforesaid amendment on behalf of the Trade as a whole.

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

(e) The amendment and the Supplementary 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, I have approved this amendment to the Supplementary Code of Fair Competition for the Radio Wholesaling Trade.

Respectfully,

HUGH S. JOHNSON,
Administrator.

SEPTEMBER 1, 1934.

AMENDMENT TO SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE RADIO WHOLESALING TRADE

A DIVISION OF THE WHOLESALING OR DISTRIBUTING TRADE

Add a new Section, namely Section 6, to Article III as follows:

SECTION 6. 1. It being found necessary in order to support the administration of this Supplementary Code and to maintain the standards of fair competition established hereunder and to effectuate the policy of the Act:

(a) The Divisional Code Authority and the District Agencies in their respective districts are authorized 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 Supplementary Code;

(b) The Divisional Code Authority is authorized 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 Trade;

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

(d) The Divisional Code Authority is further authorized 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 estimated expenses for one District Agency for the foregoing purposes, said budget to be considered as a maximum budget for each District Agency and to be reduced by individual District Agencies in so far as possible, and (2) an equitable basis upon which the funds necessary to support such maximum budget for one District Agency shall be contributed by members of the Trade in such District.

(e) After such maximum budget and basis of contribution for one District Agency have been approved by the Administrator, each District Agency shall submit to the Divisional Code Authority for its approval subject to such rules and regulations as the Administrator may prescribe (1) an itemized budget of estimated expenses for said District Agency 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 Trade in such district.

(f) After such budget and basis of contribution for a District Agency have been approved by the Divisional Code Authority in

accordance with such rules and regulations as the Administrator may have prescribed, said budget and basis of contribution shall be submitted to the Administrator for review and disapproval within 30 days, and said District Agency is authorized to determine and obtain equitable contribution as above set forth by members of the Trade within such District and to that end, if necessary, to institute legal proceedings therefor in its own name.

(g) Any individual District Agency which requires for the foregoing purposes a budget of estimated expenses exceeding the maximum budget submitted and approved in accordance with the provisions of subsections (d) and (e) above or which requires a basis of contribution under which the amount to be contributed by any one member of the Trade in such District exceeds such amount provided under the basis submitted and approved in accordance with the provisions of subsections (d) and (e) above, is authorized 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 estimated expenses for said District Agency for the foregoing purposes, and (2) as equitable basis upon which the funds necessary to support such budget shall be contributed by the members of the Trade in such District. After such budget and basis of contribution, submitted by such District Agency, have been approved by the Administrator, such District Agency is authorized to determine and obtain equitable contribution as above set forth by all members of the Trade within such District and to that end, if necessary, to institute legal proceedings therefor in its own name.

2. Each member of the Trade shall pay his or its equitable contribution to the expenses of the maintenance of the Divisional Code Authority and of the District Agency for his or its district, determined as hereinabove provided, and subject to rules and regulations pertaining thereto issued by the Administrator. Only members of the Trade complying with the Code and contributing to the expenses of its administration as hereinabove provided, unless duly exempted from making such contributions, shall be entitled to participate in the selection of members of the Divisional Code Authority or of the District Agency for his district, 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 Divisional Code Authority and the District Agencies shall neither incur nor pay any obligation substantially in excess of the amount thereof as estimated in its approved budget, and shall in no event exceed the total amount contained in the 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.

Approved Code No. 201G—Amendment No. 1.
Registry No. 1327-3-03.

