

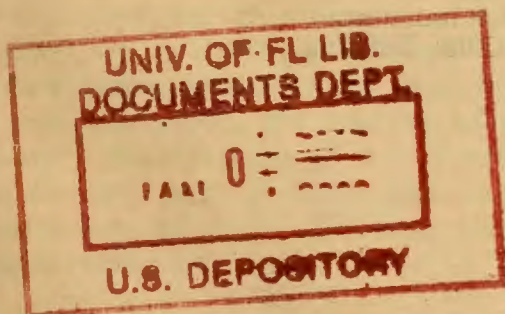
NATIONAL RECOVERY ADMINISTRATION

**AMENDMENT TO
CODE OF FAIR COMPETITION**

FOR THE

**LUMBER AND TIMBER
PRODUCTS INDUSTRY**

AS APPROVED ON MAY 3, 1934



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AMENDMENT TO CODE OF FAIR COMPETITION
FOR THE
LUMBER AND TIMBER PRODUCTS INDUSTRY
As Approved on May 3, 1934

ORDER

APPROVING AMENDMENT TO CODE OF FAIR COMPETITION FOR THE
LUMBER AND TIMBER 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 Amendments submitted as Amendments No. 10 (2) and 22 to the Code of Fair Competition for the Lumber and Timber Products Industries, 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 modified to include an approval of said Code in its entirety as amended, provided that if and when there is submitted for my approval an amendment to said Code which provides for the creation of a division of said Code applicable to wholesalers of lumber, irrespective of the species of such lumber or the manner of its transportation, the matter of transferring the Intercoastal Distributors Subdivision of the West Coast Logging and Lumber Division to such new division applicable to wholesalers of lumber, as a subdivision of such division, shall be submitted for my further consideration and order.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

A. R. GLANCY,
Division Administrator.

WASHINGTON, D.C.,
May 3, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,

The White House.

SIR: Under the Code of Fair Competition for the Lumber and Timber Products Industries, as approved by you on August 19, 1933, the Lumber Code Authority has submitted Amendments Nos. 10 (2) and 22, which are included and attached.

This is a report on the hearing on the foregoing Amendments, conducted in Washington on January 22 and 23, 1934, in accordance with the provisions of the National Industrial Recovery Act.

These Amendments establish an administrative subdivision for Intercoastal Distributors under the West Coast Logging and Lumber Division. Since the completion of the Panama Canal, the Atlantic Seaboard has become one of the larger markets for lumber manufactured on the West Coast. In developing this channel of distribution, manufacturers and wholesalers have become inter-related competitively to an exceptional degree. Therefore, it is intended that this Subdivision shall include within its jurisdiction every distributor engaged in the function of selling West Coast lumber on the Atlantic Coast. Evidence and information developed at the Hearing indicate that this proposal is in the interest of stabilizing the market for this particular lumber. All parties, whether manufacturers or wholesalers, involved are agreed that this effort to secure stabilization through cooperation is most desirable.

The 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 1 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 restrictions 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 limita-

tion 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 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.

(g) The Amendments are regulatory of the operations of only a portion of the Wholesale Lumber Distributors, and the administration of the Code for the distributors subject to the jurisdiction of these amendments is under the supervision of a manufacturers division.

For these reasons, therefore, I have approved these Amendments to the Code but have qualified my approval with the condition that if and when Amendments to the Lumber and Timber Products Code regulating the operations of all wholesale lumber distributors are presented, or if a proposed Code of Fair Competition for Wholesale Lumber Distributors is submitted to the Administration, consideration will be given to the revision of these Amendments so as to transfer the supervisory powers of the West Coast Logging and Lumber Division to the agency established for the administration of a Code for all wholesale lumber distributors.

Respectfully,

HUGH S. JOHNSON,
Administrator.

MAY 3, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE LUMBER AND TIMBER PRODUCTS INDUSTRY

Amendment No. 10: Article VII (d); (2) Under the heading "West Coast" add the following:

"Intercoastal Distributors-----40"

Amendment No. 22: Between "16. West Coast Logging & Lumber Division" and "17. Douglas Fir Plywood Subdivision" in Schedule "A" insert the following new section 16-a:

"16-a INTERCOASTAL DISTRIBUTORS SUBDIVISION

"Subdivision (Art. IIc).—The Intercoastal Distributors Subdivision consists of persons engaged in the wholesale distribution of products of the West Coast Logging and Lumber Division which are shipped via vessel to the Atlantic Coast for sale at that point and/or for transport by back haul from the Atlantic ports.

"Products (Art. IIa).—Lumber and Timber Products of Douglas Fir, West Coast Hemlock, Sitka Spruce, Western Red Cedar and related species, except (6) veneers, (7) plywood, (4) woodwork, (5) hardwood flooring, and (8) kiln dried hardwood dimension.

"*Administrative Agencies* (Art. III (d)).—The Intercoastal Lumber Distributors Association is designated as the agency of the Lumber Code Authority for the administration of the Code in this Subdivision under the supervision of the West Coast Lumbermen's Association. Said Association, through its Board of Directors, is authorized to make necessary rules and regulations satisfactory to the West Coast Lumbermen's Association to administer the Code in this Subdivision and shall designate and authorize such agencies as may be required for this purpose. Said rules and regulations shall be published and submitted to the National Recovery Administration and shall become effective ten days after the Administrator's receipt thereof unless disapproved by him before the expiration of said ten day period.

Approved Code No. 9—Amendment No. 10.
Registry No. 313-1-06.

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