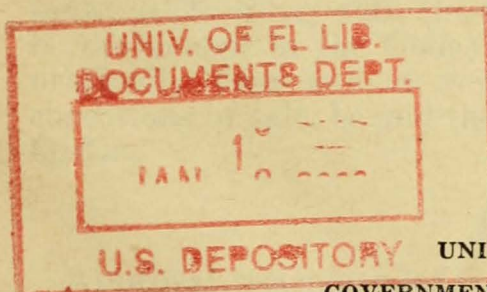
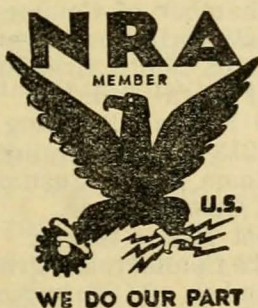


NATIONAL RECOVERY ADMINISTRATION

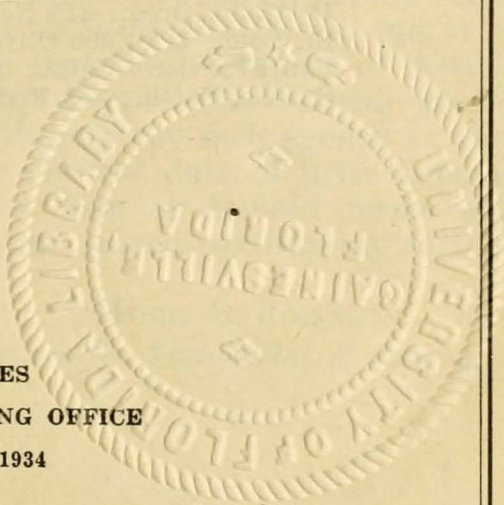
SUPPLEMENTARY
CODE OF FAIR COMPETITION
FOR THE
JOB GALVANIZING
METAL COATING INDUSTRY

(A Division of the Fabricated Metal Products
Manufacturing and Metal Finishing
and Metal Coating Industry)

AS APPROVED ON MAY 17, 1934



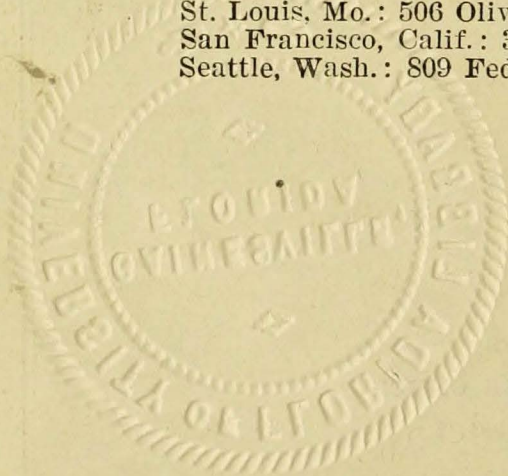
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SUPPLEMENTARY CODE OF FAIR COMPETITION

FOR THE

JOB GALVANIZING METAL COATING INDUSTRY

As Approved on May 17, 1934

ORDER

APPROVING SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE JOB
GALVANIZING METAL COATING INDUSTRY

A DIVISION OF THE FABRICATED METAL PRODUCTS MANUFACTURING AND
METAL FINISHING AND METAL COATING 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, and in accordance with the provisions of Section 1 of Article VI of the Basic Code for the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry, approved November 2, 1933, for approval of a Supplementary Code of Fair Competition for the Job Galvanizing Metal Coating Industry, and hearing having been duly held thereon; and the annexed report on said Supplementary 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 Supplementary 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 Supplementary Code of Fair Competition be and it is hereby approved; provided, however, that the provisions of Article VII, Paragraph (a) insofar as they prescribe a waiting period between the filing with the Code Authority (or such agency as may be designated in the Code) and the effective date of price lists, as originally filed and/or revised price lists or revised terms and conditions of sale, be and they hereby are stayed pending my further Order.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

A. R. GLANCY,
Division Administrator.

WASHINGTON, D.C.,
May 17, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on the Supplementary Code of Fair Competition for the Job Galvanizing Metal Coating Industry, a division of the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry, the hearing having been conducted thereon in Washington, D.C., February 2, 1934, in accordance with the provisions of Title I of the National Industrial Recovery Act.

GENERAL STATEMENT

The Job Galvanizing Metal Coating Industry, being truly representative of this division of the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry, has elected to avail itself of the option of submitting a Supplementary Code of Fair Competition, as provided for in Section 1 of Article VI of the Basic Code, for the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry approved by you on the second day of November, 1933.

RÉSUMÉ OF THE CODE

Article I states the purpose of the Supplementary Code.

Article II accurately defines specific terms employed in the Supplementary Code.

Article III: This Industry is a division of the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry and the labor provisions of its Basic Code, as approved November 2, 1933, are the labor provisions of this Supplementary Code.

Article IV establishes a Supplementary Code Authority consisting of seven (7) members to be elected by the members of the Industry at a meeting called by the Temporary Supplementary Code Committee, and gives the Administrator the authority to appoint one additional member without vote and provides machinery for obtaining statistics and the administration of the Supplementary Code.

Article V provides for an accounting system and methods of cost finding and/or estimating.

Article VI provides for determining the lowest reasonable costs of the products of this Industry.

Article VII provides for methods of setting up and revising price lists.

Article VIII sets forth the unfair trade practices of this Supplementary Code which has been especially designed to offset unfair competition in this division of the Industry.

Article IX provides against monopolies and monopolistic practices.

Article X contains the mandatory provisions contained in Section 10 (b) and also provides for the submission of proposed amendments to the Supplementary Code.

Article XI recognizes that price increases be limited to actual additional increases in the seller's costs.

Article XII states the effective date and duration of this Supplementary Code.

FINDINGS

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

I find that:

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

(c) The Supplementary 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 group is an industrial group truly representative of the aforesaid Industry; and that said association imposes no inequitable restrictions on admission to membership therein.

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

(e) The Supplementary 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 Supplementary Code.

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

Respectfully,

HUGH S. JOHNSON,
Administrator.

MAY 17, 1934.

SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE JOB GALVANIZING METAL COATING INDUSTRY

A DIVISION OF THE FABRICATED METAL PRODUCTS MANUFACTURING AND
METAL FINISHING AND METAL COATING INDUSTRY

ARTICLE I—PURPOSES

To effectuate the policy of Title I of the National Industrial Recovery Act, the following provisions are established as a Supplementary Code of Fair Competition for the Job Galvanizing Metal Coating Industry, pursuant to Article VI of the Basic Code of Fair Competition for the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry approved by the President of the United States on the second day of November, 1933, and the provisions of this Supplementary Code shall be the standard of fair competition for the Job Galvanizing Metal Coating Industry and shall be binding upon every member thereof.

ARTICLE II—DEFINITIONS

The term "Job Galvanizing Metal Coating Industry", hereafter referred to as the Industry, is defined to mean the manufacture for sale of Galvanizing, which is the art of hot-dip galvanizing of iron and steel and which consists of placing a zinc coating on the base metal by passing it through a bath of molten zinc at the proper temperature after the article has been placed in a suitable condition for coating by preliminary operation of cleaning and pickling; it does not mean or include the selling of coated or galvanized products.

The term "employee" as used herein includes anyone engaged in the Industry in any capacity receiving compensation for his services, irrespective of the nature or method of payment of such compensation.

The term "Employer" as used herein includes anyone by whom any such employee is compensated or employed.

The term "member of the Industry" as used herein includes but without limitation any individual, partnership, association, corporation or other form of enterprise engaged in the Industry either as an employer or on his own or its own behalf.

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 under Title I of said Act.

The term "Basic Code", as used herein, is defined to mean the Basic Code of Fair Competition for the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry, as approved by the President on the 2nd day of November, 1933.

The term "Supplementary Code Authority" as used herein means the agency which is to administer this Supplementary Code as hereinafter provided.

The term "Association" as used herein, is defined to mean the National Galvanizers Association or its successor.

The term "Supplementary Code Committee" is defined to mean the Executive Committee of the Association.

The term "Secretary" is defined to mean the Secretary of the Supplementary Code Authority.

The term "Assenting member of the Industry" as used herein is defined to mean any member of the industry who has assented to this Supplementary Code by signing and delivering to the Secretary a letter substantially in the form set forth in schedule "A." Nothing in such schedule "A" should be construed to restrict the right of any member to express his adherence to, or participation in, the Code in any other appropriate manner.

The term "Federation" as used herein is defined to mean the Fabricated Metal Products Federation or its successor.

ARTICLE III—EMPLOYMENT PROVISIONS

This industry is a division of the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry and without limitation the wage, hour and labor provisions in Article III of its Basic Code as approved by the President, November 2, 1933, including Section I of said Article III, by which the provisions of subsections (1), (2) and (3) of Section 7 (a) of Title I of the Act are made conditions of this code, are specifically incorporated herein and made a part hereof as the wage, hour and labor provisions of this Supplementary Code.

ARTICLE IV—ORGANIZATION AND ADMINISTRATION

SECTION 1. During the period not to exceed sixty (60) days following the effective date, the Supplementary Code Committee of the Industry shall constitute a temporary Supplementary Code Authority until the Supplementary Code Authority is elected. There shall be constituted within the sixty-day period a Supplementary Code Authority consisting of seven (7) members to be elected by the members of the Industry, at a meeting called by the Temporary Supplementary Code Authority, upon ten days' notice sent by registered mail to all known members of the Industry, who may vote either in person or by proxy. The members of the Supplementary Code Authority first elected shall serve until the following annual meeting of the Association, and thereafter, members of the Supplementary Code Authority shall be elected at the time of each annual meeting of the Association to serve until the following annual meeting. The members of the Supplementary Code Authority shall be elected in the following manner:

(a) One member who shall be a member of the Industry by majority vote of all members of the Industry present, in person or by proxy, each member to have one vote.

(b) Two members who are not members of the Association to be selected and elected by a majority vote of the non-members of the Association, present, in person or by proxy, each member to have one vote.

(c) Four members by fifty-one percent vote of members of the Association, present, in person or by proxy, weighted on the basis of one vote for each member and one additional vote for each five thousand dollars (\$5,000) of annual sales in the previous calendar year reported to the temporary Supplementary Code Authority; provided, however, that no one member may cast more than $33\frac{1}{3}$ percent of total number of votes cast.

A vacancy in the membership of the Supplementary Code Authority may be filled by a majority vote of the remaining members of the Supplementary Code Authority, such vote shall be on a basis so as to maintain the representation as set forth, in Section 1, Sub-Sections (a), (b) and (c) of this Article. Provided, however, that the right to vote as set forth above shall be subject to the recommendations provided in Section 4 of this Article.

In addition thereto the Administrator may appoint a member of the Supplementary Code Authority who without vote shall serve without expense to the Industry, unless the Supplementary Code Authority agrees to pay such expenses. The representative who may be appointed by the Administrator shall be given reasonable notice of all meetings and may sit at all meetings of the Supplementary Code Authority.

SECTION 2. Any Association directly or indirectly participating in the selection or activities of the Supplementary Code Authority shall (1) impose no inequitable restrictions on membership, and (2) submit to the Administrator true copies of its Articles of Association, By-Laws, Regulations and any amendments when made thereto, together with such other information as to membership, organization, and activities as the Administrator may deem necessary to effectuate the purposes of the Act.

SECTION 3. In order that the Supplementary Code Authority shall, at all times, be truly representative of the Industry and in other respects comply with the provisions of the Act, the Administrator may prescribe such Hearings as he may reasonably deem proper; and, thereafter, if he shall find that the Supplementary Code Authority is not truly representative or does not in other respects comply with the provisions of the Act, may require the removal of any or all of the members thereof and may make appropriate modification or modifications in the method of selection of the Supplementary Code Authority.

SECTION 4. All members of the Industry are subject to the jurisdiction of the Supplementary Code; shall be entitled to participate in and share the benefits of the Supplementary Code; shall be entitled to vote in the selection of members of the Supplementary Code Authority as provided in sub-sections (a) and (b), Section 1 of this Article.

SECTION 5. It being found necessary, in order to support the administration of this Supplementary Code and to maintain the standards of fair competition established by this Supplementary Code and

to effectuate the policy of the Act, the Supplementary Code Authority is authorized, subject to the approval of the Administrator:

(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 Supplementary 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 Industry;

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

(d) Failure by any member of the Industry to pay his equitable share of the expenses for maintaining and administering this Supplementary Code shall be deemed a violation of this Supplementary Code.

SECTION 6. Only members of the Industry complying with the Supplementary Code and contributing to the expenses of its administration as provided in Section 1 hereof shall be entitled to participate in the selection of the members of the Supplementary Code Authority or to receive the benefit of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

SECTION 7. Nothing contained in this Supplementary Code shall constitute the members of the Supplementary Code Authority partners for any purpose. Nor shall any member of the Supplementary Code Authority be liable in any manner to anyone for any act of any other member, officer, agent or employee of the Supplementary Code Authority nor shall any member of the Supplementary Code Authority, exercising reasonable diligence in the conduct of his duties hereunder, be liable to anyone for any action or omission to act under this Supplementary Code, except for his own wilful malfeasance or non-feasance.

SECTION 8. The Supplementary Code Authority shall also from time to time furnish to the Basic Code Authority, designated in said Basic Code, such information as may be required to be furnished under terms of said Basic Code.

SECTION 9. The Supplementary Code Authority shall have all the powers and duties which shall be necessary and proper to enable it to fully administer this Code and to effectuate its purpose.

Without limitation to the foregoing or any other powers or duties provided for in this Supplementary Code, the Supplementary Code Authority shall have the following specific duties, subject to such rules and regulations as the Administrator may hereafter prescribe;

(a) To adopt by-laws and rules and regulations for, and keep records of its procedure and for the administration of the Supplementary Code.

(b) To obtain from members of the Industry such information and reports as are required for the administration of the Supplementary Code. In addition to information required to be submitted to the Supplementary Code Authority, all or any of the persons subject to this Supplementary Code shall furnish such statistical information as the Administrator may deem necessary for the purpose recited in Section 3 (a) of the Act to such Federal and State agencies as the Administrator may designate. Provided that nothing in this Supplementary Code shall relieve any member of the Industry of any existing obligation to furnish reports to any government agency.

To the extent permitted by the Act and pursuant to such rules and regulations as the Administrator may prescribe any and all information furnished to the Supplementary Code Authority by any members of this Industry pursuant to the provisions of this Supplementary Code shall be subject to verification by an impartial agent appointed by the Supplementary Code Authority, and each member of the Industry shall furnish to such impartial agent so much of his pertinent books, accounts and records as may be required to verify the accuracy of the information submitted.

(c) To use such trade associations and other agencies as it deems proper for the carrying out of any of its activities provided for herein, provided that nothing herein shall relieve the Supplementary Code Authority of its duties or responsibilities under this Supplementary Code and that such trade association and agencies shall at all times be subject to and comply with the provisions hereof.

(d) To make recommendations to the Administrator for the coordination of the administration of this Supplementary Code with such other codes, if any, as may be related to the Industry.

(e) To secure from members of the Industry an equitable and proportionate payment of the reasonable expenses of maintaining the Supplementary Code Authority and its activities.

(f) To cooperate with the Administrator in regulating the use of any N.R.A. insignia solely by those members of the Industry who have assented to, and are complying with, this Supplementary Code.

(g) To recommend to the Administrator further fair trade practice provisions to govern members of the Industry in their relations with each other or with other industries and to recommend to the Administrator measures for industrial planning, including stabilization of employment.

SECTION 10. Pursuant to the provisions of the Act and subject to such rules and regulations as the Administrator may prescribe, the Supplementary Code Authority shall have the power to investigate all alleged complaints filed with it by one member of the Industry against another member.

SECTION 11. If the Administrator believes that any action of the Supplementary Code Authority or any agency thereof is unfair or unjust or contrary to the public interest, the Administrator may require that such action be suspended to afford an opportunity for investigation of the merits of such action. Further action by such Supplementary Code Authority or agency regarding the matter complained of may be taken if approved by the Administrator but shall

not be taken if disapproved by the Administrator within thirty days of notice to him of intention to proceed with such action.

SECTION 12. Every employer shall provide for the safety and health of employees during the hours and at the places of their employment. Standards for safety and health shall be submitted by the Supplementary Code Authority to the Administrator within six months after the effective date of the Supplementary Code.

SECTION 13. Each member of the Industry subject to the jurisdiction of this Code shall comply with all requirements of the Supplementary Code Authority made or taken pursuant to the provisions of this Code and not inconsistent therewith.

ARTICLE V—ACCOUNTING AND COSTING

SECTION 1. With respect to that portion of his product which is within the Industry, every member of the Industry shall use an accounting system for determining his allowable cost which conforms to the principles of, and is at least as detailed and complete, as the uniform method of accounting, and the uniform method of costing, to be formulated by the Supplementary Code Authority and approved by the Administrator with such variations therefrom as may be required by the individual conditions affecting any member of the Industry, subject to the review and approval by the Supplementary Code Authority.

SECTION 2. When the Supplementary Code Authority determines that an emergency exists in this Industry and that the cause thereof is destructive price cutting such as to render ineffective or seriously endanger the maintenance of the provisions of this Supplementary Code, the Supplementary Code Authority may cause to be determined the lowest reasonable cost of the products of this industry, such determination to be subject to such notice and hearing as the Administrator may require. The Administrator may approve, disapprove, or modify the determination. Thereafter, during the period of the emergency, it shall be an unfair trade practice for any member of the Industry to sell or offer to sell any products of the Industry for which the lowest reasonable cost has been determined at such prices or upon such terms or conditions of sale that the buyer will pay less therefor than the lowest reasonable cost of such products.

When it appears that conditions have changed, the Supplementary Code Authority, upon its own initiative or upon the request of any interested party, shall cause the determination to be reviewed.

ARTICLE VI—SELLING BELOW COST

No member of the Industry shall sell or exchange any product of the Industry, manufactured by him at a price, or upon terms and conditions, which will result in the purchaser paying for the goods received, less than the allowable cost thereof to the seller, determined in accordance with a uniform method of costing above described; provided, however, that dropped lines, or seconds, or inventories which must be converted into cash to meet emergency needs may be disposed of by any member of the Industry at any

price and on any terms and conditions, but only if such member of the Industry not less than two weeks before such disposal, has filed with the Supplementary Code Authority, a statement in writing, setting forth the fact of, and reasons for, such proposed disposal; and provided further, that the Supplementary Code Authority, upon application to it shall immediately grant permission to any member of the Industry to sell below his costs in order that he may meet competitive prices filed in accordance with the provisions of Article VII of this Supplementary Code, or to meet competition from products of equivalent design, character, quality, or specification, manufactured outside the United States.

ARTICLE VII—PRICE LISTS

(a) If the Supplementary Code Authority determines that it has been the generally recognized practice in the Industry, or in any branch or subdivision thereof, to sell certain products on the basis of net price lists, or price lists and discount sheets, each member of the Industry manufacturing and selling such products shall, within ten (10) days after notice of such determination, file with the Supplementary Code Authority a net price list, or price list and discount sheet, in such form and for such products as the Supplementary Code Authority may prescribe, and the Supplementary Code Authority shall immediately send copies thereof to all known manufacturers of such products whose name can be ascertained by diligent search and such lists shall be available to all interested parties. Revised price lists and/or discount sheets and/or all other conditions of sale may be filed from time to time thereafter with the Supplementary Code Authority through its Secretary by any member of the Industry, but such revised price lists and/or discount sheets and/or all other conditions of sale shall be filed with the Supplementary Code Authority through its Secretary and shall become effective ten (10) business days after actual receipt by the Secretary. Copies of such revised lists and/or discount sheets and/or all other conditions of sale, with notice of the effective date thereof, shall be immediately sent to all members of the Industry, and shall be available to all interested parties; and any member of the Industry may file, if he so desires, revisions of his price list and/or discount sheets and/or conditions of sale, which shall become effective at the date when the revised list first filed becomes effective, provided that he shall not establish prices lower, nor discounts greater, nor conditions of sale more favorable than those contained in the revised list first filed.¹

(b) Any or all information furnished to the Supplementary Code Authority by any corporate member of this Industry shall be, to the extent permitted by the Act, subject to checking by an impartial agent, for the purpose of verification by an examination of the pertinent books, accounts and records of such corporate member of this Industry.

Each member of the Industry shall furnish the Supplementary Code Authority for distribution with such member of copies of his

¹ See paragraph 2 of order approving this Code.

price lists and/or discount sheets as the Supplementary Code Authority may prescribe.

(c) No member of the Industry shall sell, directly or indirectly, by any means whatsoever, any product of the Industry covered by provisions of this Article VII at a price or at discounts, or on conditions of sale more favorable than those provided in his own current net price lists, or price lists and discount sheets.

ARTICLE VIII—UNFAIR TRADE PRACTICES

In addition to the unfair trade practices covered by Article V (excepting Section A) of the Basic Code for all purposes of the Supplementary Code the following described acts shall constitute unfair practices; provided, however, when any unfair trade practice of this Supplementary Code conflicts with any unfair trade practice of the Basic Code such conflicting unfair trade practices of this Supplementary Code shall supersede those of the Basic Code. Any member of the Industry who shall directly or indirectly, through any officer, employee, agent or representative use or employ any of such unfair practices shall be guilty of a violation of this Supplementary Code.

RULE 1. *Inaccurate Advertising.*—No member of the Industry shall publish advertising (whether printed, radio, display or of any other nature), which is misleading or false in any material particular, nor shall any member in any way misrepresent any goods (including but without limitation its use) trade-mark, grade, quality, quantity, origin, size, substance, character, nature, finish, material, content or preparation, or credit terms, values, policies, services, or the nature or form of the business conducted.

RULE 2. *False Billing.*—No member of the Industry shall knowingly withhold from or insert in any quotation or invoice any statement that makes it inaccurate in any material particular.

RULE 3. *Inaccurate Labeling.*—No member of the Industry shall brand or mark or pack any goods in any manner which is intended to or does deceive or mislead purchasers with respect to the brand, grade, quality, quantity, origin, size, substance, character, nature, finish, material content or preparation of such goods.

RULE 4. *Inaccurate References to Competitors.*—No member of the Industry shall by advertising or any other means refer inaccurately in any material particular to any competitors or their goods, prices, values, credit terms, policies or services.

RULE 5. *Threats of Law Suits.*—No member of the Industry shall publish or circulate unjustified or unwarranted threats of legal proceedings which tend to or have the effect of harassing competitors or intimidating their customers. Failure to prosecute in due course shall be evidence that any such threat is unwarranted or unjustified.

RULE 6. *Secret Rebates.*—For the purpose of influencing a sale, no member of the Industry shall offer to make any payment or allowance of a secret rebate, refund, commission, credit, unearned discount or excess allowance, whether in the form of money or otherwise, nor shall a member of the Industry offer or extend to any customer any special service or privilege not extended to all customers of the same class.

RULE 7. *Bribing Employees.*—No member of the Industry shall give, permit to be given, or directly 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.

RULE 8. *Interference with Another's Contracts.*—Enticement of employees of competitors with the purpose and effect of interfering with their business is an unfair trade practice. It is recommended that manufacturers deal frankly and openly in instances where employees seek to change from the service of one employer to another or where the employer wishes to negotiate for the services of another manufacturer's employee.

RULE 9. *Coercion.*—No member of the Industry shall require that the purchase or lease of any goods be a pre-requisite to the purchase or lease of any other goods.

RULE 10. *Substitution.*—No member of the Industry shall furnish articles which are more or less expensive, or of better or inferior quality, or of larger or smaller size than specified without making the proper adjustment in the quoted price and clearly indicating the nature of the substitution.

RULE 11. *Lump Sum Bids and Contracts.*—No member of the Industry shall submit a bid or bids for two or more commodities, one of which is Galvanizing in which the unit price of each commodity is not clearly stated. No member of the Industry shall accept orders or contracts for sale at a lump sum where the contract does not specify the exact quantity, quality and unit price of the product purchased.

RULE 12. No member of the Industry shall make a false statement or record which tends to mislead or deceive the Supplementary Code Authority and/or Secretary concerning any transaction governed by any Article or Section of this Supplementary Code.

ARTICLE IX—MONOPOLIES

No provision of this Supplementary Code shall be applied as to permit monopolies or monopolistic practices, or to eliminate, oppress or discriminate against small enterprises.

ARTICLE X—MODIFICATIONS

SECTION 1. This Supplementary Code and all the provisions thereof are expressly made subject to the right of the President, in accordance with provisions of subsection (b) of Section 10 of the Act, from time to time to cancel or modify any order, approval, license, rule or regulation issued under said Act.

SECTION 2. This Supplementary Code, except as to provisions required by the Act, may be modified or amended on the basis of

experience or changes in circumstances, such modifications or amendments to be based upon application by the Supplementary Code Authority or other representative group within this Industry to the Administrator and such Notice and Hearing as he shall specify and to become effective and be a part of this Supplementary Code on approval by the Administrator.

ARTICLE XI—PRICE INCREASES

Whereas the policy of the Act to increase real purchasing power will be made more difficult of consummation if prices of goods and services increase as rapidly as wages, it is recognized that price increases except such as may be required to meet individual costs should be delayed, but when made, such increases should, so far as possible, be limited to actual additional increases in the seller's costs.

ARTICLE XII—EFFECTIVE DATE AND DURATION

This Supplementary Code shall become effective at 12:01 o'clock A.M. on the tenth day after it is approved by the President and/or the Administrator and shall continue in effect until June 16, 1935, or the earliest day prior thereto on which the President shall, by proclamation; or the Congress shall by joint resolution declare that the emergency recognized by Section 1 of the National Industrial Recovery Act, has ended.

Approved Code No. 84—Supplement No. 28.
Registry No. 1135-21.



SCHEDULE A

(1) _____,
Secretary Job Galvanizers Association.

DEAR SIR: The undersigned desiring to participate under the Supplementary Code of Fair Competition for the Job Galvanizing Metal Coating Industry hereby assents to all the provisions of said Supplementary Code, and to such changes in the same as may be made by the Supplementary Code Committee in order to meet the requirements of the National Recovery Administration. Effective on the date on which the Supplementary Code is approved by the President of the United States and/or the Administrator for Industrial Recovery, under Title I of the National Industrial Recovery Act, as therein provided, or as of the date on which this letter is delivered, if delivery is made after such date of approval by the President and/or the Administrator, the undersigned by the signing and delivering of this letter becomes a participant under the Supplementary Code of the Job Galvanizing Metal Coating Industry and hereby agrees with every individual, partnership, association, corporation, or other form of enterprise who shall then be or thereafter become a participant under said Supplementary Code that said Supplementary Code shall constitute a valid and binding contract between the undersigned and all such other participants.

For all purposes of the Supplementary Code, the address of the undersigned, until written notification of change shall be filed with the Supplementary Code Authority, shall be as set forth at the foot of this letter.

Very truly yours,

 Name of Official (Title).

(14)

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