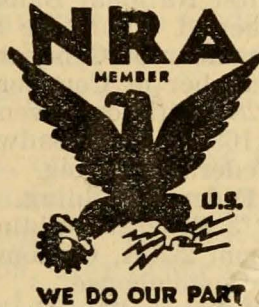


**NATIONAL RECOVERY ADMINISTRATION**

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**AMENDMENT TO  
CODE OF FAIR COMPETITION  
FOR THE  
EARTHENWARE  
MANUFACTURING INDUSTRY**

**AS APPROVED ON OCTOBER 31, 1934**



**UNITED STATES  
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Approved Code No. 322—Amendment No. 2

## AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

## EARTHENWARE MANUFACTURING INDUSTRY

As Approved on October 31, 1934

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### ORDER

#### APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE EARTHENWARE 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 an amendment to the Code of Fair Competition for the Earthenware Manufacturing Industry, and as contained in a Published Notice of Opportunity to be Heard, Administrative Order No. 322-18, dated October 9, 1934 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, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, and otherwise; does hereby incorporate, by reference, said annexed report and does find that said amendment, 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 does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended.

NATIONAL INDUSTRIAL RECOVERY BOARD,  
By G. A. LYNCH, *Administrative Officer.*

Approval recommended:

W. P. ELLIS,  
*Acting Division Administrator.*

WASHINGTON, D. C.,  
October 31, 1934.

## REPORT TO THE PRESIDENT

The PRESIDENT,  
*The White House.*

SIR: An Opportunity to be Heard on an Amendment to the Code of Fair Competition for the Earthenware Manufacturing Industry submitted by the Code Authority for that Industry, in accordance with the provisions of the National Industrial Recovery Act, has been afforded to all interested parties.

The amendment provides for a clarification of the definition of "Earthenware Manufacturing Industry" as contained in Article II, Section 2 of said Code.

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

We find:

(a) That the amendment to said Code and the 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 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 Code as amended complies in all respects with the pertinent provision of said Title of said Act, including without limitation sub-section (a) of Section 3, sub-section (a) of Section 7 and sub-section (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the afore-said amendment on behalf of the industry as a whole.

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

(e) The amendment 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 amendment.

For these reasons, therefore, we have approved this amendment.  
For the National Industrial Recovery Board:

G. A. LYNCH,  
*Administrative Officer.*

OCTOBER 31, 1934.

## AMENDMENT TO CODE OF FAIR COMPETITION FOR THE EARTHENWARE MANUFACTURING INDUSTRY

Amend by deleting Article II, Section 2 and insert in lieu thereof, the following:

SECTION 2. The term "Earthenware Manufacturing Industry" or "Industry" as used herein, shall mean the manufacture of clay products made from natural clays without additions or from mixtures of refined clays with or without fluxes, glazed or unglazed, plain or embossed, decorated or undecorated, excluding dinner ware, refractories and sanitary ware, having value as—

A. *Stoneware*.—Clay containers for packing, storing, feeding or processing solids, liquids and ordinary chemicals, but excluding chemical porcelain and chemical stoneware equipment.

B. *Earthenware*.—

I. Art Pottery:

1. Pottery of decorative and artistic value, ornamental vessels and holders for containing or supporting articles of value or beauty;

2. Garden and monumental pottery, excluding structural terra cotta;

3. Decorative or utilitarian adjuncts and artistic table accessories to dinner service ware.

II. Kitchen and Cooking Crockery:

1. Utility earthenware produced from secondary buff or red-burning clays without fluxes, glazed or unglazed, plain or embossed, ornamented by underglaze stripes, bands, stamps, or hand-decorated.

2. Utility earthenware produced from natural clays with or without fluxes, glazed or unglazed, plain or embossed, ornamented by underglaze stripes, bands, stamps, or hand-decorated, excluding similar articles produced in vitreous and vitrified china and semi-vitreous and semi-vitrified china to match dinner ware in body, glaze and/or decorative treatment.

C. *Clay Flower Pots*.—Porous, unglazed pottery containers for growing and marketing plants.

Approved Code No. 322—Amendment No. 2.  
Registry No. 1016-03.

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