

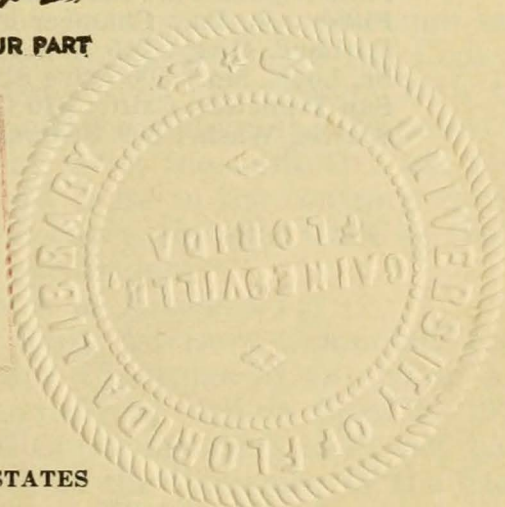
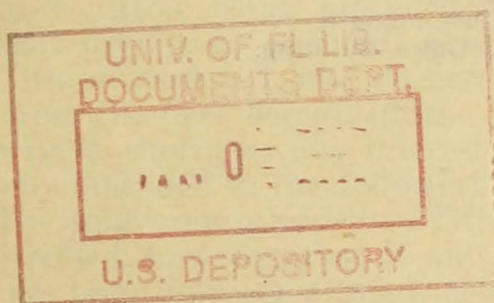
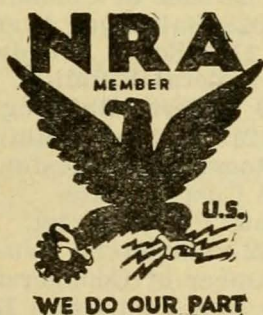
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

MOTOR VEHICLE RETAILING
TRADE

AS APPROVED ON APRIL 20, 1934

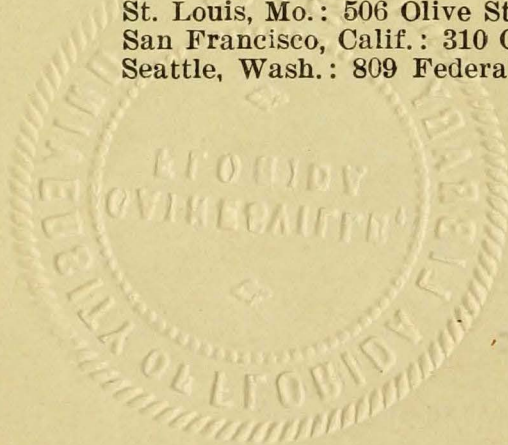


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Approved Code No. 46—Amendment No. 1

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

MOTOR VEHICLE RETAILING TRADE

As Approved on April 20, 1934

ORDER

MODIFICATION OF CODE OF FAIR COMPETITION FOR THE MOTOR VEHICLE RETAILING TRADE

An application having been duly made in behalf of the Motor Vehicle Retailing Trade, pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, and the provisions of the Code of Fair Competition for the Motor Vehicle Retailing Trade, duly approved on October 3, 1933, for approval of an amendment to said Code; 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 Number 6543-A, dated December 30, 1933, and otherwise, do hereby incorporate by reference said annexed report and do 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 do hereby order that, effective ten (10) days from the date hereof, unless just cause to the contrary should otherwise be shown by any interested party, the said Code be and it is hereby amended in the following particulars:

1. The following is added to Title A of Article VI:

“Provided, however, that if any State Advisory Committee shall not have been duly constituted, or any Chairman of any State Advisory Committee shall not have been duly selected on April 30, 1934, or if any of the aforesaid five additional members shall not have been duly selected on such date, such of the Chairmen of the State Advisory Committees and of the five additional members as have been duly selected on said date, shall constitute an Acting Emergency National Committee, pending due selection of the remaining chairmen of State Advisory Committees and additional members. Such

Acting Emergency National Committee shall be empowered to exercise the powers and shall be subject to the duties herein set forth for the Emergency National Committee."

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

K. M. SIMPSON,
Division Administrator.

WASHINGTON, D.C.,
April 20, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on the application of the National Control Committee on behalf of the Emergency National Committee as at present constituted of the Motor Vehicle Retailing Trade, to amend the Code of Fair Competition for said Trade, so as to permit of a change in the Code administrative structure, made necessary by practical considerations.

The reason for requesting this amendment is that under the Code as approved the valid election of the State Advisory Committees of all States is necessary before the Emergency National Committee (which is the National Code Authority) can be legally constituted. If for any reason the election of a single State Advisory Committee should be invalid, the Emergency National Committee would not be properly constituted.

This amendment will make it possible for the Chairmen of the State Advisory Committees which have been duly constituted (together with the properly elected members at large) to serve as an acting Emergency National Committee to exercise the powers and be subject to the duties of the Emergency National Committee as provided in the Code, and thereby correct the present situation, in which no effective Code administration is possible until the last State Election has been duly checked.

Compliance with the Code as now written would result in the postponement until some future undetermined date of the effective functioning of the State Advisory Committee in every State and the establishing of the Emergency National Committee, which is the National Code Authority.

Such restrictions would result in a curtailment of the activities of members of the Trade in effectuating the purposes of the Code, definitely delaying progress and creating a condition of uncertainty and confusion in the Trade.

The Deputy Administrator in his final report to me on said amendment 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 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 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 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 limitation Subsection (a) of Section 3, Subsection (a) of Section 7 and Subsection (b) of Section 10 thereof.

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

(d) 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.

(e) 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, this amendment has been approved.

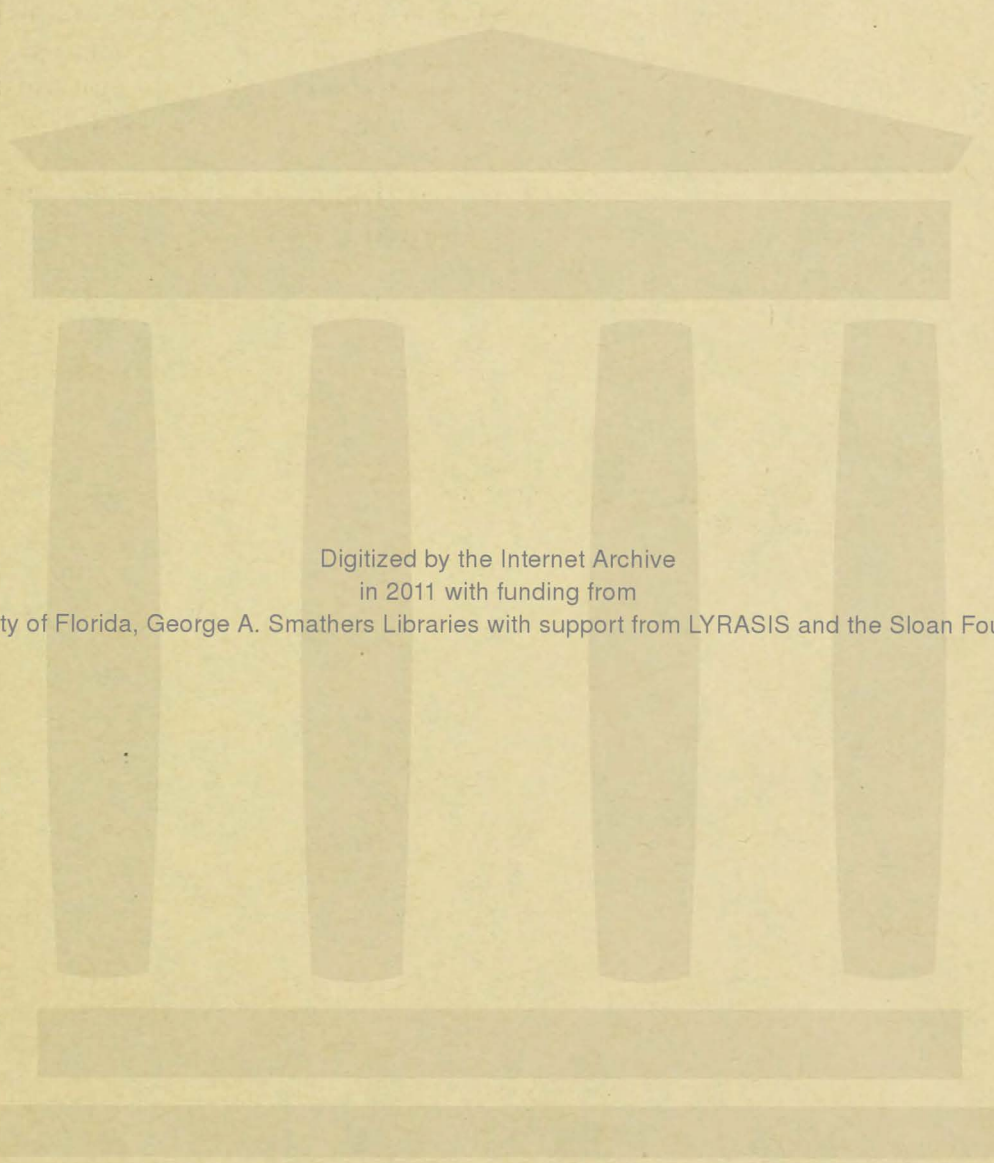
Respectfully,

HUGH S. JOHNSON,
Administrator.

APRIL 20, 1934.

Approved Code No. 46. Amendment No. 1.
Registry No. 1403-32.

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