

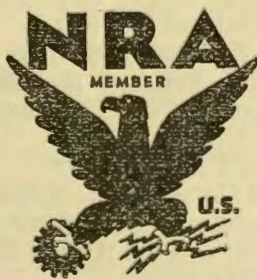
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO  
CODE OF FAIR COMPETITION

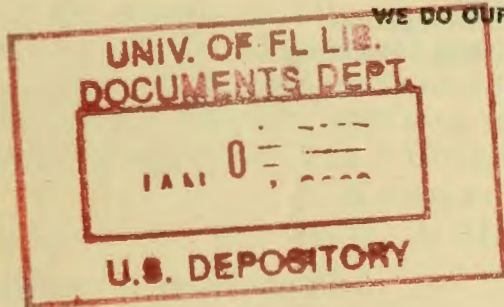
FOR THE

SCRAP IRON, NONFERROUS  
SCRAP METALS, AND WASTE  
MATERIALS TRADE

AS APPROVED ON NOVEMBER 6, 1934



WE DO OUR PART

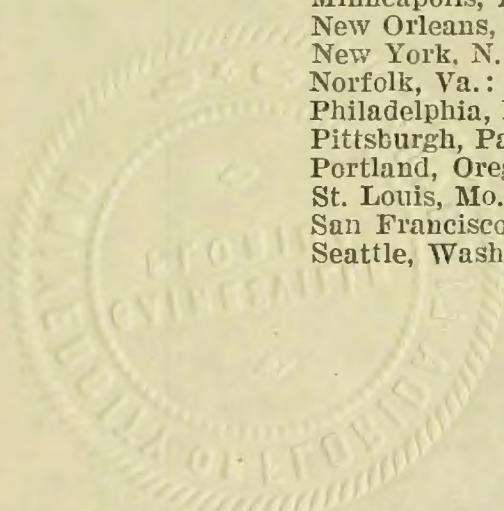


UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON: 1934

This publication is for sale by the Superintendent of Documents, Government Printing Office, Washington, D. C., and by district offices of the Bureau of Foreign and Domestic Commerce.

**DISTRICT OFFICES OF THE DEPARTMENT OF COMMERCE**

Atlanta, Ga.: 504 Post Office Building.  
Birmingham, Ala.: 257 Federal Building.  
Boston, Mass.: 1801 Customhouse.  
Buffalo, N. Y.: Chamber of Commerce Building.  
Charleston, S. C.: Chamber of Commerce Building.  
Chicago, Ill.: Suite 1706, 201 North Wells Street.  
Cleveland, Ohio: Chamber of Commerce.  
Dallas, Tex.: Chamber of Commerce Building.  
Detroit, Mich.: 801 First National Bank Building.  
Houston, Tex.: Chamber of Commerce Building.  
Indianapolis, Ind.: Chamber of Commerce Building.  
Jacksonville, Fla.: Chamber of Commerce Building.  
Kansas City, Mo.: 1028 Baltimore Avenue.  
Los Angeles, Calif.: 1163 South Broadway.  
Louisville, Ky.: 408 Federal Building.  
Memphis, Tenn.: 229 Federal Building.  
Minneapolis, Minn.: 213 Federal Building.  
New Orleans, La.: Room 225-A, Customhouse.  
New York, N. Y.: 734 Customhouse.  
Norfolk, Va.: 406 East Plume Street.  
Philadelphia, Pa.: 422 Commercial Trust Building.  
Pittsburgh, Pa.: Chamber of Commerce Building.  
Portland, Oreg.: 215 New Post Office Building.  
St. Louis, Mo.: 506 Olive Street.  
San Francisco, Calif.: 310 Customhouse.  
Seattle, Wash.: 809 Federal Office Building.





Approved Code No. 330—Amendment No. 2

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

SCRAP IRON, NONFERROUS SCRAP METALS  
AND WASTE MATERIALS TRADE

As Approved on November 6, 1934

---

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE SCRAP  
IRON, NONFERROUS SCRAP METALS AND WASTE MATERIALS 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 Code of Fair Competition for the Scrap Iron, Nonferrous Scrap Metals and Waste Materials Trade, and an opportunity to be heard having been afforded to all members of the Trade, 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, dated September 27, 1934, 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 policies 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 W. A. HARRIMAN, *Administrative Officer.*

Approval recommended:

ROBERT L. HOUSTON,  
*Division Administrator.*

WASHINGTON, D. C.,  
*November 6, 1934.*



## REPORT TO THE PRESIDENT

The PRESIDENT,  
*The White House.*

SIR: This is a report on an amendment to the Code of Fair Competition for the Scrap Iron, Nonferrous Scrap Metals and Waste Materials Trade, on which a Notice of Opportunity to be Heard was published on September 10, 1934.

The first amendment states that nothing in the Code shall constitute the members of a Code Authority partners for any purpose, nor shall the members be held liable for their acts thereunder other than those of wilful misfeasance or nonfeasance.

The second amendment provides for the incorporation, with certain restrictions, of the Code Authorities under the laws of the District of Columbia or of any State of the United States.

The third amendment increases the powers and duties of the Code Authorities relative to adopting By-laws, using trade associations in the execution of code activities, appointing Trade Practise Committees, and recommending to the National Industrial Recovery Board any measures deemed advisable.

The Deputy Administrator in his final report to the National Industrial Recovery Board on said amendment to said Code having found as herein set forth and on the basis of the proceedings in this matter;

It finds 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 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 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 Code empowers the Code Authority to present the aforesaid amendment on behalf of the Trade 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 this amendment has been approved.

For the National Industrial Recovery Board:

W. A. HARRIMAN,  
*Administrative Officer.*

NOVEMBER 6, 1934.



## AMENDMENT TO CODE OF FAIR COMPETITION FOR THE SCRAP IRON, NONFERROUS SCRAP METALS, AND WASTE MATERIALS TRADE

Article VI is hereby amended by adding three new Sections to be numbered respectively Sections 10, 11 and 12, as follows:

SECTION 10. Nothing contained in this Code shall constitute the members of a Code Authority partners for any purpose. Nor shall any member of a Code Authority be liable in any manner to anyone for any act of any other member, officer, agent, or employee of a Code Authority. Nor shall any member of a Code Authority, exercising reasonable diligence in the conduct of his duties hereunder, be liable to anyone for any action or omission to act under the provisions of this Code except for his own wilful misfeasance or non-feasance. Nothing herein shall relieve any member of a Code Authority from duties or responsibilities imposed upon him by the Code.

SECTION 11. The Code Authorities may incorporate under the laws of any State of the United States or of the District of Columbia, such incorporation to be not for profit and to be known as "the Code Authority of (the applicable) Trade"; provided that the powers, duties, objects and purposes of the said corporations shall, to the satisfaction of the National Industrial Recovery Board, be limited to the powers, duties, objects and purposes of the Code Authorities as provided in the Code; provided further that the several Code Authorities shall submit to the National Industrial Recovery Board for its approval their proposed certificates of incorporation and proposed By-Laws, and no amendment of either shall be made without the like prior approval of the National Industrial Recovery Board.

If at any time the National Industrial Recovery Board shall determine that the corporate status assumed by any of the several Code Authorities is interfering with the proper exercise of its powers and duties under this Code, or with the effectuation of the policies or purposes of the Act, it may, after such notice and hearing as it may deem necessary, require an appropriate modification of the structure of the Corporation (if consistent with the law of the State of Incorporation), the substitution of a corporation created under the laws of another State in the same manner as the existing Code Authority, the substitution of a non-corporative Code Authority truly representative of the Trade or such other actions as it may deem expedient.

SECTION 12. The Code Authorities, in addition to those enumerated in Section 6 of this Article, shall have the following duties and powers to the extent permitted by the Act:

- (a) To adopt By-Laws for their own procedure.
- (b) To use such trade associations and other agencies as they deem proper for the carrying out of any of their activities provided herein, provided that nothing herein shall relieve the Code Author-



ities of their duties or responsibilities under this Code and that such trade associations and agencies shall at all times be subject to and comply with the provisions hereof.

(c) To appoint Trade Practice Committees which shall meet with the Trade Practice Committees appointed under such other Codes as may be related to the Trade for the purpose of formulating fair trade practices to govern the relationships between employers under this Code and under such other Codes, to the end that such fair trade practices may be presented to the National Industrial Recovery Board as amendments to this Code and of such other Codes.

(d) To recommend to the National Industrial Recovery Board any section or measures deemed advisable, including further fair trade practice provisions to govern members of the Trade in their relations with each other or with other trades; measures for industrial planning and stabilization of employment; and including modifications of this Code which shall become effective as part hereof upon approval by the National Industrial Recovery Board after such notice and hearing as it may specify.

Approved Code No. 330—Amendment No. 2.  
Registry No. 1632-27.



