

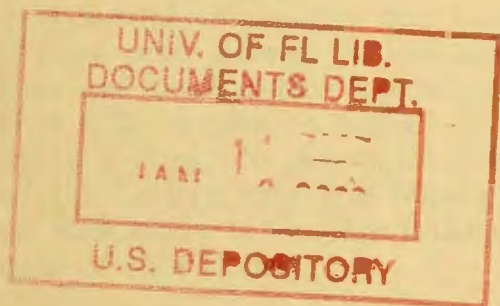
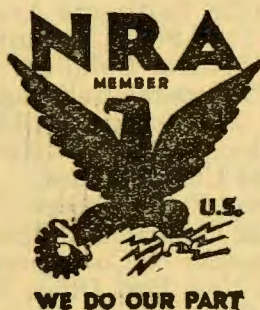
NATIONAL RECOVERY ADMINISTRATION

CODE OF FAIR COMPETITION

FOR THE

STEREOTYPE DRY MAT
INDUSTRY

AS APPROVED ON JULY 27, 1934



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. 492

CODE OF FAIR COMPETITION

FOR THE

STEREOTYPE DRY MAT INDUSTRY

As Approved on July 27, 1934

ORDER

CODE OF FAIR COMPETITION FOR THE STEREOTYPE DRY MAT 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 a Code of Fair Competition for the Stereotype Dry Mat Industry, and a hearing having been duly held thereon and the annexed report on said 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 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 Code of Fair Competition be and it is hereby approved; PROVIDED that the provisions of Article VI, Section 5, insofar as they prescribe a waiting period between the filing with the Code Authority (i.e. actual receipt by the Code Authority) and effective date of revised price lists or revised terms and conditions of payment be and they are hereby stayed pending my further order; provided further that with respect to Article IV, Section 1, the Code Authority shall make a study to determine the advisability of an upward revision of the hourly rate for female employees and shall make a report on such study to the Administrator within 90 days after the effective date of this Code.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

GEO. L. BERRY,
Division Administrator.

WASHINGTON, D.C.,
July 27, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
White House.

SIR: This is a report of the hearing on the Code of Fair Competition for the Stereotype Dry Mat Industry, conducted in Washington on May 3, 1934, in accordance with the provisions of Title I of the National Industrial Recovery Act.

HOURS AND WAGES

This Code provides a standard forty (40) hour week for factory workers with a weekly tolerance of eight (8) hours to be paid for as overtime. The usual exceptions are made in regard to non-productive employees and employees engaged in continuous process operations.

The minimum wage rate for hourly paid employees is 40¢ per hour for males and 32½¢ for females. Office employees will receive a minimum of \$16.00 per week, except for 5% of such class of employees who may be compensated at the minimum return of \$14.00 per week.

OPEN PRICE PLAN

An open price plan of selling is provided and selling below cost, except to meet competition, is prohibited.

OTHER PROVISIONS

Provision is made for furnishing the Administrator with such statistical data as he may require, and for the adoption of a uniform contract form which shall be subject to the disapproval of the Administrator.

ECONOMIC EFFECT OF THE CODE

The Industry employed in 1929 about 200 persons. Sales were approximately \$1,900,000.00. As a result of the President's Re-Employment Agreement employment was increased approximately 20% in November 1933, in spite of decreased man hour requirements which were about 40% less in 1929.

As a result the total increase in salaries in the Industry will be about 25%.

FINDINGS

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

I find that:

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

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

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

(e) The 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 Code.

For these reasons this Code has been approved.

Respectfully,

HUGH S. JOHNSON,
Administrator.

JULY 27, 1934.

CODE OF FAIR COMPETITION FOR THE STEREOTYPE DRY MAT INDUSTRY

To effectuate the policies of Title I of the National Industrial Recovery Act, the following is hereby established as a Code of Fair Competition for the above named Industry and shall be binding on every member thereof.

ARTICLE I—DEFINITIONS

The following words are used in this Code with the meaning herein set forth:

“Industry”—The manufacture for sale of stereotype dry mats.

“Member”—A natural person, partnership, corporation, association, trust, trustee, trustee in bankruptcy, receiver, or other form of enterprise engaged in such industry.

“Employee”—Any and all persons engaged in the industry however compensated, except a member of the industry.

“Employer”—Anyone by whom such employee is compensated or employed.

“President”, “Act”, and “Administrator”—Respectively the President of the United States, Title I of the National Industrial Recovery Act, and the Administrator for Industrial Recovery.

ARTICLE II—ORGANIZATION, POWERS AND DUTIES OF THE CODE AUTHORITY

ORGANIZATION AND CONSTITUTION

SECTION 1. There is hereby established a Code Authority of four members, one representative from each unit, the method of election of whom shall be approved by the Administrator. The term of office of each member shall be for one year and until the election of his successor. If in the event new units shall be added to the Industry, a new plan of procedure for the election of such members shall be submitted to and approved by the Administrator.

SECTION 2. In addition to membership as above provided, there may be one member, without vote, to be known as Administration members, to be appointed by the Administrator to serve for such terms as he may specify.

SECTION 3. Each trade or industrial association directly or indirectly participating in the selection or activities of the 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 4. In order that the 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 deem proper; and thereafter if he shall find that the Code Authority is not truly representative or does not in other respects comply with the provisions of the Act, may require an appropriate modification of the Code Authority.

SECTION 5. Nothing contained in this Code shall constitute the members of the Code Authority partners for any purpose. Nor shall any member of the Code Authority be liable in any manner to anyone for any act of any other member, officer, agent or employee of the Code Authority. Nor shall any member of the 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 Code, except for his own wilful malfeasance or non-feasance.

SECTION 5. If the Administrator shall at any time determine that any action of a Code Authority or any agency thereof may be 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 and further consideration by such Code Authority or agency pending final action which shall not be effective unless the Administrator approves or unless he shall fail to disapprove after thirty (30) days' notice to him of intention to proceed with such action in its original or modified form.

POWERS AND DUTIES

SECTION 7. Subject to such rules and regulations as may be issued by the Administrator, the Code Authority shall have the following powers and duties, in addition to those authorized by other provisions of this Code.

(a) To insure the execution of the provisions of this Code and to provide for the compliance of the Industry with the provisions of the Act.

(b) To adopt by-laws and rules and regulations for its procedure.

(c) To obtain from members of the Industry such information and reports as are required for the administration of the Code. In addition to information required to be submitted to the Code Authority, members of the Industry subject to this Code shall furnish such statistical information as the Administrator may deem necessary for the purposes recited in Section 3 (a) of the Act to such Federal and State agencies as he may designate; provided that nothing in this Code shall relieve any member of the Industry of any existing obligations to furnish reports to any Government agency. No individual report shall be disclosed to any other member of the Industry or any other party except to such other Governmental agencies as may be directed by the Administrator.

(d) 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 Code Authority of its 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.

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

(f) It being found necessary in order to support the administration of this Code and to maintain the standards of fair competition established hereunder and to effectuate the policy of the Act, the Code Authority is authorized:

1. 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 Code;

2. 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;

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

4. Each member of the Industry shall pay his or its equitable contribution to the expenses of the maintenance of the Code Authority, determined as hereinabove provided, and subject to rules and regulations pertaining thereto issued by the Administrator. Only members of the Industry complying with the Code and contributing to the expense of its administration as hereinabove provided, shall be entitled to participate in the selection of members of the Code Authority or to receive the benefits of any of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

5. The Code Authority shall neither incur nor pay any obligation in excess of the amount thereof as estimated in its approved budget, except upon approval of the Administrator; and no subsequent budget shall contain any deficiency item for expenditures in excess of prior budget estimates except those which the Administrator shall have so approved.

(g) To recommend to the Administrator any action or measures deemed advisable, including further fair trade practice provisions to govern members of the Industry in their relations with each other, or with other industries; 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 Administrator after such notice and hearing as he may specify.

(h) To appoint a Trade Practice Committee which shall meet with the Trade Practice Committees appointed under such other codes as may be related to the Industry 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 proposed to the Administrator as amendments to this Code and such other codes.

(i) To provide appropriate facilities for arbitration, and subject to the approval of the Administrator, to prescribe rules of procedure and rules to effect compliance with awards and determinations.

ARTICLE III—HOURS OF LABOR

SECTION 1. Employees in the Industry shall not be required to work or permitted to work hours in excess of the limits prescribed in the following schedule:

(a) Watchmen: Fifty-six (56) hours in any one week.

(b) Chauffeurs, truck drivers, and their helpers: Not to exceed ten (10) hours in any one day or forty-five (45) hours in any one week; provided, however, that time may be worked in excess of these limitations if such overtime is paid for at not less than time and one-third.

(c) Engineers and electricians: Not to exceed nine (9) hours in any one day or forty-five (45) hours in any one week; provided, however, that time may be worked in excess of these limitations if such time is paid for as not less than time and one-third.

(d) Tour workers in continuous process operations: Eight (8) hours in any one day and forty (40) hours in any one week; provided, however, that additional hours up to a total of forty-eight (48) hours per week may be worked at basic hourly rate (1) to avoid shutdowns due to temporary absence of a relief worker; (2) in changing wires and machine clothing; (3) in clean-ups, wash-ups, and adjustments in cases where such work cannot be done while the machines are in operation; provided further, that with the exceptions herein allowed all other employment for such tour workers in excess of eight (8) hours in any one day and forty (40) hours in any one week shall be paid for at not less than time and one-third.

(e) All other laborers, mechanical workers, or artisans employed in any plant, mill, or factory or on work connected with the operation of such plant, mill or factory: Eight (8) hours in any one day and forty (40) hours in any one week, provided, however, that these maximum limits may be exceeded in cases of seasonal demand or peak loads where restrictions of hours would unavoidably reduce production, provided, that all time worked in excess of eight (8) hours per day and forty (40) hours per week shall be paid for as not less than time and one-third, and provided, further, that no employees shall be required or permitted to work in excess of forty-eight (48) hours in any one week.

(f) Employees regularly engaged in a managerial, supervisory, research or executive capacity, receiving thirty-five (\$35.00) dollars or more per week, and outside salesmen: No limitation.

(g) Office employees: One hundred sixty (160) hours in any period of four (4) consecutive weeks, but not to exceed forty-eight (48) hours in any one week.

SECTION 2. No employee of the classes included under Section 1 (a), (b), (c), (d), (e), and (g) of this Article shall be required or permitted to work more than six (6) days in any period of seven (7) consecutive days.

SECTION 3. No limitation contained in said schedule shall apply to employees of any class when engaged in emergency repairs or

emergency maintenance work occasioned by breakdowns or involving protection of life or property; provided, however, that time worked in excess of the limitations specified in said schedule shall be paid for as not less than time and one-third.

SECTION 4. No employer shall permit any employee to work for any time which, when totaled with that already performed with another employer or employers, exceeds the maximum permitted herein.

SECTION 5. No female employee shall be required or permitted to work between the hours of 10 P.M., and 7 A.M.

ARTICLE IV—WAGES

SECTION 1. The minimum rate of wage of any employee, other than office or clerical employees, employed in any plant, mill or factory or on work connected with the operation of any such plant, mill or factory shall be as follows:

Male—40 cents per hour.

Female—32½ cents per hour.¹

SECTION 2. The minimum rate of wage for any office or clerical employees shall be sixteen (\$16.00) dollars per week, provided however, that office boys or girls and messengers, constituting not more than five per cent of such class of employees, or at least one in number, may be compensated at the minimum rate of fourteen (\$14.00) per week. Part-time employees covered by the provisions of this Section shall be paid at the rate of not less than forty (40¢) per hour.

SECTION 3. This Article establishes a minimum rate of pay which shall apply irrespective of whether an employee is actually compensated on time rate, piecework, or other basis.

SECTION 4. The wage rates of all employees shall be reviewed and adjustments made therein, if equitable, but in no case shall they be decreased. Within sixty (60) days after the effective date hereof, the Code Authority shall report to the Administrator the action taken by all members of the Industry under this Section.

SECTION 5. Female employees performing substantially the same work as male employees shall receive the same rate of pay as male employees.

SECTION 6. A person whose earning capacity is limited because of age or physical or mental handicap may be employed on light work at a wage below the minimum established by this Code if the employer obtains from the State authority designated by the United States Department of Labor a certificate authorizing his employment at such wages and for such hours as shall be stated in the certificate. Each employer shall file monthly with the Code Authority a list of all such persons employed by him, showing the wages paid to, and the maximum hours of work for such employees.

ARTICLE V—GENERAL LABOR PROVISIONS

SECTION 1. No person under sixteen (16) years of age shall be employed in the Industry. No person under eighteen (18) years of age shall be employed at operations or occupations which are hazardous in nature or dangerous to health. The Code Authority

¹ See paragraph 2 of order approving this Code.

shall submit to the Administrator within sixty (60) days after the effective date of this Code a list of such operations and occupations. In any State an employer shall be deemed to have complied with this provision as to age if he shall have on file a certificate or permit duly signed by the authority in such State empowered to issue employment or age certificates or permits, showing that the employee is of the required age.

SECTION 2. Employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection. No employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing or assisting a labor organization of his own choosing. Employers shall comply with the maximum hours of labor, minimum rates of pay and other conditions of employment approved or prescribed by the President.

SECTION 3. No provision in this Code shall supersede any State or Federal law which imposes on employers more stringent requirements as to age of employees, wages, hours of work, or as to safety, health, sanitary or general working conditions, or insurance of fire protection, than are imposed by this Code.

SECTION 4. No employer shall reclassify employees or duties of occupations performed or engage in any other subterfuge for the purpose of defeating the purposes or provisions of the Act or of this Code.

SECTION 5. All employers shall post copies of Article III, IV, and V of this Code in conspicuous places accessible to employees and comply with all other posting rules and regulations issued by the Administrator.

SECTION 6. Every employer shall make reasonable provisions for the safety and health of his employees at the place and during the hours of their employment. Standards for safety and health shall be submitted by the Code Authority to the Administrator within three (3) months after the effective date of this Code.

SECTION 7. The manufacture or partial manufacture of any product of the Industry in homes shall be prohibited, except in accordance with the provisions of the Executive Order of the President, dated May 15, 1934.

SECTION 8. The Code Authority shall make a study of conditions in the Industry to determine the feasibility of the adoption of a shorter working week and shall, within three (3) months after the effective date of this Code, make a report of its findings to the Administrator. The Code Authority shall also submit to the Administrator within six (6) months after the effective date of this Code a plan for the stabilization and regularization of employment.

ARTICLE VI—ACCOUNTING—SELLING

SECTION 1. The Code Authority shall, as soon as practicable, cause to be formulated an accounting system and methods of cost finding and/or estimating capable of use by all members of the Industry.

After such system and methods have been formulated and approved by the Administrator, full details concerning them shall be made available to all members. Thereafter all members shall determine and/or estimate costs in accordance with the principles of such methods.

SECTION 2. The Code Authority may from time to time determine that an open price plan of selling such product or products of the Industry as it shall specify shall be put into effect on such date as it shall fix. Notice of such determination shall be announced to all known members of the Industry who manufacture such products not less than thirty (30) days prior to the date so fixed.

SECTION 3. At least ten (10) days prior to such date, every member shall file with the Code Authority a schedule of prices and terms of sale for all such products or, in the alternative, shall be deemed to have filed a schedule conforming in respect to price and terms of sale with the schedule at any time on file which states the lowest price and the most favorable terms.

SECTION 4. All schedules shall be in such form as the Code Authority shall prescribe and shall contain all information necessary to permit any interested person to determine the exact net price per unit to the purchaser of any products of the Industry. All such original schedules shall become effective on the date fixed by the Code Authority as provided in Section 2 hereof.

SECTION 5. An original schedule, a revised schedule or schedules, or a new schedule or schedules, or a notice of withdrawal of a schedule previously filed, may be filed by a member with the Code Authority at any time, provided, however, that any member who withdraws a schedule without substituting a new schedule therefor shall be deemed to have filed a schedule conforming in respect to price and terms of sale with the schedule at any time thereafter on file which states the lowest price and the most favorable terms. Any schedule or notice filed hereunder, shall become effective ten (10) days after date of filing, provided, however, that an increased price may become effective at such earlier date as the member filing the same shall fix.¹

SECTION 6. The Code Authority shall promptly supply all members of the Industry who manufacture any particular product with copies of all schedules, revised schedules, and notices of withdrawal, which pertain to such product. Immediately upon receipt of information relative to the withdrawal of a price for any product, any member may file notice of withdrawal of his own price for the same product effective as of the same date as the notice of withdrawal of such other member. Immediately on receipt of information that a schedule then on file has been revised, or that a new schedule has been filed, any member may file a revised schedule conforming as to price and terms to the schedule of such other member and effective on the same date, or he may notify the Code Authority that he adopts as his own the schedule of such other member. In the latter event, he shall be deemed to have filed a revised schedule conforming to the revised schedule of such other member.

SECTION 7. No such schedules of prices and terms of sale filed by any member, or in effect at any time, shall be such as to permit the sale of any product at less than the cost thereof to such member

¹ See paragraph 2 of order approving this Code.

determined in the manner provided in Section 11 hereof, provided, however, that any member may, by notice to the Code Authority, adopt as his own a lower price filed by another designated member. Such adoption shall become automatically void upon the withdrawal or revision upward of the price adopted.

SECTION 8. No member, who shall have filed a price or adopted as his own a price filed by another member for any product of the Industry shall sell such product for less than such price or upon terms or conditions more favorable than stated in such price schedules. No member, who shall have failed to file a price for any product for which the open price plan is in effect, shall sell such product at a lower price or on terms more favorable than the lowest price and most favorable terms stated in any price schedule for such product then on file.

SECTION 9. The Code Authority shall furnish at cost to any person concerned, whether member or non-member requesting them, copies of any price schedules which have been filed with it. Such price schedules shall be made available to non-members at the same time that they are sent to members.

SECTION 10. No member shall sell any product of the Industry for which no open price plan is in effect at less than the cost thereof to such member, determined as provided in Section 11 hereof, except to meet the price of a competitor whose price does not violate such Section.

SECTION 11. Cost, for the purposes of this Article, shall be determined pursuant to the method of accounting and costing prescribed as provided in Section 1 hereof as soon as such method is adopted and approved, and theretofore pursuant to the method employed by such member subject to such preliminary rules as the Code Authority shall from time to time prescribe with the approval of the Administrator.

SECTION 12. Every member shall upon the request of the Code Authority furnish a designated agency of the Code Authority in respect to closed transactions only, with complete information in regard to any quotation, order, contract, or sale of any product of the Industry, including information as to specifications, quantities, price, conditions of storage, transportation or delivery, terms of billing, cash or trade discounts allowed and other pertinent facts relating to such quotation, contract or sale.

SECTION 13. Every member filing a schedule or notice hereunder shall deliver to the Code Authority without expense such number of copies thereof as shall be necessary to enable the Code Authority to supply one copy thereof to each member of the Industry and no such schedule or notice shall be deemed to have been filed until such number of copies shall have been received by the Code Authority.

SECTION 14. Nothing herein contained shall be construed to prevent the distribution of distress merchandise required to be sold to liquidate a defunct or insolvent business or of discontinued lines, damaged goods or seconds, in such manner, at such price, and on such terms and conditions as the Code Authority may approve.

SECTION 15. Nothing herein contained shall be construed to prevent the fulfillment of a bona fide contract existing on the effective date of this Code.

SECTION 16. Nothing herein contained shall be construed to permit discrimination between like purchasers for like quantities.

SECTION 17. The Code Authority may, at any time, suspend the open price plan of selling either in its entirety or insofar as it applies to any specified product or products of the Industry.

SECTION 18. No provision of this Code relating to prices or terms of selling, shipping or marketing, shall apply to sales or shipments for export. "Export" shall mean trade between the United States or any possessions thereof (except the Philippine Islands, the Virgin Islands, American Samoa, and the Island of Guam) and any foreign country.

ARTICLE VII—MONOPOLIES

SECTION 1. No provision of this Code shall be so applied as to permit monopolies or monopolistic practices, or to eliminate, oppress or discriminate against small enterprises.

ARTICLE VIII—RECOMMENDATIONS

SECTION 1. The Code Authority may from time to time present to the Administrator recommendations based on conditions in the Industry which will tend to effectuate the operation of this Code and the policies of the Act. Such recommendations when approved by the Administrator, after such notice and hearing as he shall prescribe, shall have the same force and effect as other provisions of this Code.

ARTICLE IX—TRADE PRACTICES

SECTION 1. No member of the Industry shall practice deception or discrimination in regard to that which is sold or its selling price by false or misleading description, statement, record, or undisclosed consideration.

SECTION 2. No member of the Industry shall willfully defame a competitor by words or acts which call into question his business integrity, his ability to perform his contracts, his credit standing, or the grade, quality or reliability of his product.

SECTION 3. No member of the Industry shall willfully induce or attempt to induce the breach of a competitor's contract.

SECTION 4. No member of the Industry for the deliberate purpose of injuring a competitor in business shall entice away any employee of such competitor, provided, however, that nothing contained herein shall prevent an employee of one member from offering his services to a competitor, nor prevent any member from employing the employee of another member.

SECTION 5. No member of the Industry shall sell stereotype dry mats in quantity amounts at discount on terms different from those specified in the uniform sales contract form to be prescribed by the Code Authority and adopted by the individual members of the Industry; which uniform contract form shall be effective thirty (30) days after the effective date of this Code, unless disapproved by the Administrator.

SECTION 6. Until the Code Authority and the members have acted under Section 5 of this Article, quotations and sales of any product of the Industry shall be subject to the following rules:

(a) Terms of sale shall be thirty (30) days net.

(b) All quotations shall be made on an F.O.B. mill basis.

SECTION 7. No member of the Industry shall make or offer or allow to be made or offered any rebate, refund or other concession of discriminatory nature, specifically including unearned discounts or commissions.

SECTION 8. No member of the Industry shall dump or sell at a reduced price any surplus product of the Industry for the purpose of injuring a competitor.

SECTION 9. No member of the Industry shall sell syndicate mats and/or newspaper mats at a discount in an amount less than 20,000 and 100,000 respectively, and then only if (a) the products so sold are to be delivered within twelve (12) months from the date of contract; (b) such contracts are to be made only with individual newspapers, syndicates or commercial shops and/or chains of such, who have central purchasing offices and/or agents, which central purchasing office and/or agents assume full financial responsibility for purchases; (c) no member of the Industry shall knowingly sell syndicate mats to a newspaper for use in the direct production of such newspaper.

SECTION 10. Immediately after this Code shall have become effective each member of the Industry shall file with the Code Authority a list of all bona fide contracts and/or so called indeterminate contracts then existing between such member and his customers. Copies of all such contracts entered into after the effective date of this Code shall immediately upon their signing be filed by each member with the Code Authority.

SECTION 11. No member of the Industry shall guarantee to undersell a competitor.

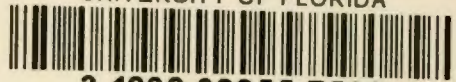
SECTION 12. No member of the Industry shall give, permit to be given, or directly offer to give anything of value for the purpose of influencing or rewarding the action of any employee, agent, or representative of another in relation to the business of the employer of such employee the principal of such agent, or the represented party, without the knowledge of such employer, principal or party. The foregoing provisions 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 herein defined.

ARTICLE X—GENERAL PROVISIONS

SECTION 1. If any member is also a member of another Industry, the provisions of this Code shall apply to and affect only that part of his business which is included in this Industry.

SECTION 2. Any work or process incidental to and carried on by a member at his plant as a part of the manufacture of any product of the Industry, shall be regarded as a part of this Industry.

SECTION 3. The Code Authority may secure current information regarding the competition in domestic markets of imported dry mats, and if it shall find that such dry mats are being imported into the United States in substantial quantities or in increasing ratio to domestic productions, and on such terms or under such conditions as to render ineffective or seriously endanger the maintenance of this



Code, it may complain to the President pursuant to the provisions of Section 3 (e) of the Act and petition for suitable restrictions on the importation of such dry mats.

SECTION 4. Such of the provisions of this Code as are not required to be included therein by the Act, may, with the approval of the President, be modified or eliminated as changes in circumstances or experience may indicate.

SECTION 5. This Code and all the provisions thereof are expressly made subject to the right of the President, in accordance with the provisions of Section 10 (b) of the Act, from time to time to cancel or modify any order, approval, license, rule or regulation issued under Title I of said Act, and specifically, but without limitation, to the right of the President to cancel or modify his approval thereof.

SECTION 6. This Code shall become effective on the second Monday after the date upon which it shall be approved by the President.

Approved Code No. 492.

Registry No. 503-01.

