

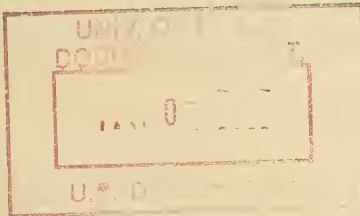
NATIONAL RECOVERY ADMINISTRATION

CODE OF FAIR COMPETITION

FOR THE

BOWLING AND BILLIARD EQUIPMENT  
INDUSTRY AND TRADE

AS APPROVED ON MARCH 30, 1935



UNITED STATES  
GOVERNMENT PRINTING OFFICE  
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Approved Code No. 557

**CODE OF FAIR COMPETITION**

FOR THE

**BOWLING AND BILLIARD EQUIPMENT INDUSTRY  
AND TRADE**

As Approved on March 30, 1935

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**ORDER**

**CODE OF FAIR COMPETITION FOR THE BOWLING AND BILLIARD EQUIP-  
MENT INDUSTRY AND 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 a Code of Fair Competition for the Bowling and Billiard Equipment Industry and Trade, and 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, 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 Code complies 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 Code of Fair Competition be and it is hereby approved.

NATIONAL INDUSTRIAL RECOVERY BOARD,  
By W. A. HARRIMAN, *Administrative Officer*.

Approval recommended:

JOHN W. UPP,  
*Acting Division Administrator.*

WASHINGTON, D. C.,  
*March 30, 1935.*

## REPORT TO THE PRESIDENT

The PRESIDENT,  
*The White House.*

SIR: The Public Hearing on the Code of Fair Competition for the Bowling and Billiard Equipment Industry and Trade of the United States, submitted by the Bowling and Billiard Equipment Association, 111 West Washington Street, Chicago, Illinois, was conducted in Washington, D. C., on the 17th day of November, 1933, in accordance with the provisions of the National Industrial Recovery Act. The Association claims to represent 80 percent, by volume, of the Industry.

The hours established under the Code are forty-eight (48) per week and eight (8) per day, provided that at least one and one-third times an employee's normal rate of pay is paid for all hours worked in excess of forty (40) per week.

Exceptions are allowed for watchmen, who may be employed fifty-six (56) hours per week; firemen and outside deliverymen, who may be employed forty-four (44) hours per week; employees engaged in installation, repair or erection work, who may be employed forty-eight (48) hours per week for a period not to exceed twelve weeks during any calendar year; executives and managers receiving not less than thirty-five dollars (\$35.00) per week, and outside salesmen.

Due to the shortening of hours the increase in employment will be approximately sixteen percent.

The minimum wages established under this Code are forty cents (40¢) per hour. Office employees shall receive a minimum of fifteen dollars (\$15.00) per week. Wages throughout the industry will be increased approximately 20.5 percent through the adoption of the Code.

Exceptions to the minimum wage are allowed to employees engaged in wrapping, labeling, packing or off-bearing operations, who shall receive at least thirty-five cents (35¢) per hour. An exception is also allowed to office boys and office girls under twenty-one years of age who shall receive at least thirteen dollars (\$13.00) per week and shall not exceed five percent of a member's office and clerical employees or one in number, whichever is the higher. Exceptions are also allowed to handicapped persons whose earning capacity is limited, provided the employer obtains a certificate authorizing such employment from the State authority designated by the United States Department of Labor.

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 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 and Trade 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 a trade association truly representative of the aforesaid Industry and Trade; 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.

This Industry has cooperated in a most satisfactory manner with the Administration in the preparation of this Code. From the evidence adduced during this hearing and from recommendations and reports of the various Advisory Boards, it is believed that this Code in its present form represents an effective, practical, equitable solution for this Industry and for these reasons this Code has been approved.

For the National Industrial Recovery Board:

W. A. HARRIMAN,  
*Administrative Officer.*

MARCH 30, 1935.



# CODE OF FAIR COMPETITION FOR THE BOWLING AND BILLIARD EQUIPMENT INDUSTRY AND TRADE

## ARTICLE I—PURPOSES

To effect the policies of Title I of the National Industrial Recovery Act, this Code is established as a Code of Fair Competition for the Bowling and Billiard Equipment Industry and Trade and its provisions shall be the standards of fair competition for such Industry and Trade and shall be binding upon every member thereof.

## ARTICLE II—DEFINITIONS

SECTION 1. The term "Bowling and Billiard Equipment Industry and Trade" or "Industry" as used herein includes the manufacturing, building, repairing, installing, selling and/or distributing at wholesale and/or retail by the manufacturer, wholesaler, and/or retailer of the equipment, accessories and/or supplies used in the games of bowling and billiards as defined hereinafter and such branches or subdivisions thereof as may from time to time be included under the provisions of this Code. The term shall not include sub-retailers, as defined in Section 7 of this Article.

SECTION 2. The term "Equipment" as used herein consists of a unit installation to the consumer of new bowling alley and/or billiard tables of any description, together with all necessary accessories or supplies purchased as a part of that sale, such as balls, bowling pins, billiard cues, racks, chalk, as used in bowling and billiards.

SECTION 3. The term "supplies" as used herein consists of such accessories as are mentioned in Section 2 of this Article, together with repair materials such as cloth, pockets and trimmings, and cushions, sold after the original installation to persons and/or institutions already possessing bowling alleys and/or billiard tables.

SECTION 4. The term "manufacturer" as used herein is a person who operates a factory, shop or fabricating establishment converting raw or semi-finished materials into finished or semi-finished bowling and/or billiard equipment supplies.

SECTION 5. The term "wholesaler" as used herein is a person actively engaged in buying, assembling, or re-handling bowling and/or billiard equipment and supplies from manufacturers thereof or from other wholesalers and retailers and who maintains risks and such other obligations as are incident to the transportation and distribution of bowling and/or billiard equipment and supplies at wholesale.

SECTION 6. The term "retailer" as used herein is one who maintains a place of business with storage and handling facilities, a sales organization for the consumer trade and who carries a stock adapted to the normal needs of the consumer in his sales territory.

SECTION 7. The term "sub-retailer" as used herein is any person not engaged as a bowling alley owner or operator, or billiard-room

keeper, nor an employee of either but one who purchases bowling and/or billiard supplies for resale, but who does not provide the facilities of a retailer or carry a stock of merchandise and therefore does not qualify as a "retailer" within the definition of Section 6 of this Article

SECTION 8. The term "member of the industry" or "member" includes anyone engaged in the industry as above defined, either as an employer or on his own or its own behalf.

SECTION 9. 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 for such compensation, except a member of the Industry.

SECTION 10. The term "employer" as used herein, includes anyone by whom any such employee is compensated or employed.

SECTION 11. The terms "President", "Act" and "Board" as used herein, shall mean respectively the President of the United States, the National Industrial Recovery Act, and the National Industrial Recovery Board.

### ARTICLE III—HOURS

SECTION 1. No employee, except as hereinafter provided, shall be permitted to work in excess of forty (40) hours in any one week unless such employee is paid at least one and one-third times his normal rate of pay for all hours worked in excess of forty (40) per week, but in no event shall any such employee be permitted to work in excess of forty-eight (48) hours in any one week, nor more than eight (8) hours in any one day, nor more than six (6) days in any seven-day period.

SECTION 2. No employee engaged in office or clerical work shall be permitted to work in excess of forty (40) hours in any one week, nor more than eight (8) hours in any twenty-four (24) hour period.

SECTION 3. No watchman shall be permitted to work in excess of fifty-six (56) hours in any one week, nor more than six days in any seven day period.

SECTION 4. No fireman nor outside delivery man shall be permitted to work in excess of forty-four (44) hours in any one week.

SECTION 5. No employee engaged in installation, repair or erection work shall be permitted to work in excess of forty (40) hours in any one week, except that for twelve (12) weeks during any calendar year these employees may be permitted to work not to exceed forty-eight (48) hours in any one week.

SECTION 6. The provisions of this Article shall not apply to employees engaged in an executive or managerial capacity who receive not less than thirty-five dollars (\$35.00) per week, nor to outside salesmen.

SECTION 7. The maximum hours fixed by the foregoing sections shall not apply to any employee on emergency maintenance or emergency repair work involving breakdowns or protection of life or property, but in any such special case, at least one and one-half times his normal rate of compensation shall be paid for all hours worked in excess of forty (40) hours per week.

SECTION 8. No employer shall knowingly permit any employee to work for any time which, when added to the time spent at work for

another employer or employers in this industry, exceeds the maximum permitted herein.

SECTION 9. Employers who personally perform manual labor or are engaged in mechanical operations shall not work in excess of the prescribed maximum number of hours.

#### ARTICLE IV—WAGES

SECTION 1. No employees, except as hereinafter provided, shall be paid less than at the rate of forty (40) cents per hour.

SECTION 2. No employee engaged in wrapping, labeling, packing, or off-bearing operations shall be paid less than at the rate of thirty-five (35) cents per hour.

SECTION 3. No clerical or office employee, except office boys and office girls under 21 years of age, shall be paid at a rate less than fifteen dollars (\$15.00) per week. No office boy or office girl under 21 years of age shall be paid less than at the rate of thirteen dollars (\$13.00) per week and the total number of such employees receiving less than \$15.00 per week may not be more than one in number or five percent (5%) of the total number of such member's office and clerical employees, whichever is higher.

SECTION 4. This Article establishes a minimum rate of pay which shall apply, irrespective of whether an employee is actually compensated on time rate, piecework performance or other basis.

SECTION 5. No hourly, daily or full-time weekly compensation for employees shall be less than such compensation existing as of June 16, 1933, and no employee shall be paid a wage rate which will yield a less wage for the shorter full-time week herein established than he could have earned for same class of work for the longer full-time week existing as of June 16, 1933. Wage increases established under the President's Reemployment Agreement shall at least be maintained. In no event shall hourly rates of pay be reduced, irrespective of whether compensation is actually paid on an hourly, weekly or other basis, nor shall any wages be at less than the minimum rates provided herein. Within thirty days after the effective date of this Code each member of the industry shall submit to the Code Authority a detailed report concerning such adjustment and the Code Authority shall report same to the National Industrial Recovery Board.

SECTION 6. Female employees performing substantially the same work as male employees shall receive the same rate of pay as male employees.

SECTION 7. A person whose earning capacity is limited because of age, physical or mental handicap, or other infirmity, 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 such person's employment at such wages and for such hours as shall be stated in the certificate. Such authority shall be guided by the instructions of the United States Department of Labor in issuing certificates to such persons. 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 all such employees.



SECTION 8. Wages shall be paid only in cash or by negotiable checks, payable on demand.

#### ARTICLE V—GENERAL LABOR PROVISIONS

SECTION 1. No person under sixteen (16) years of age shall be employed in this industry. No person under eighteen (18) years of age shall be employed at operations or occupations which are hazardous in nature or detrimental to health.

The Code Authority shall submit to the Board within sixty (60) days after the effective date of this Code a list of such operations or occupations. In any state an employer shall be deemed to have complied with these provisions as to age if he shall have on file a certificate or permit duly issued 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.

SECTION 3. 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.

SECTION 4. 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 5. No employer shall reclassify employees or duties of occupations performed or engage in any other subterfuge so as to defeat the purposes or provisions of the Act or of this Code.

SECTION 6. 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 Code Authority to the Board within three months after the effective date of the Code.

SECTION 7. 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, or fire protection, than are imposed by this Code.

SECTION 8. All employers shall post and keep posted copies of this Code in conspicuous places accessible to all employees. Every member of the industry shall comply with all rules and regulations relative to the posting of provisions of Codes of Fair Competition which may from time to time be prescribed by the Board.

SECTION 9. No employer shall dismiss or demote any employee for making a complaint or giving evidence with respect to an alleged violation of the provisions of any Code.

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

## ORGANIZATION AND CONSTITUTION

SECTION 1. A Code Authority is hereby established to cooperate with the Board in the Administration of this Code and shall consist of five (5) members, or such other number as may be approved from time to time by the Board, to be chosen by the Industry through a fair method of selection, under a plan approved by the Board. The Board in its discretion may appoint not more than three (3) additional members without vote, to serve for such period of time and to represent the Board or such group or groups as it may designate. Each industry member of the Code Authority shall be from a different member of the Industry. Industry members of the Code Authority shall serve for one year, or until their successors are elected.

SECTION 2. Each trade or industrial association directly or indirectly participating in the selection or activities of the Code Authority shall impose no inequitable restrictions on membership, and shall submit to the Board 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 Board may deem necessary to effectuate the purposes of the Act.

SECTION 3. 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 Board may prescribe such hearings as it may deem proper; and thereafter if it 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 4. 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 willful mal-feasance or non-feasance.

SECTION 5. If the Board shall determine that any action of a Code Authority or any agency thereof may be unfair or unjust or contrary to the public interest, the Board 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 Board approves or unless it shall fail to disapprove after thirty (30) days' notice to it of intention to proceed with such action in its original or modified form.

## POWERS AND DUTIES

SECTION 6. Subject to such rules and regulations as may be issued by the Board, the Code Authority shall have the following powers and duties, in addition to those authorized by other provisions of this Code.

(a) To administer the provisions of this Code, to provide for compliance of the Industry with the provisions of the Act and of this Code, and to propose and submit to the Board on behalf of the Industry, modifications, amendments and/or exceptions to this Code, which shall become a part hereof upon approval by the Board after such notice and hearing as it shall specify.

(b) To adopt by-laws and rules and regulations for its procedure and for the administration and enforcement of the Code.

(c) To obtain from members of the industry such information and reports as are required for the administration of the Code, which information and reports shall be collected by a confidential and disinterested agency of the Code Authority. 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 Board 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 Board.

(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 Board 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) 1. 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:

(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 Code;

(b) To submit to the Board for its approval, subject to such notice and opportunity to be heard as it 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 Board, 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.



2. 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 Board. Only members of the industry complying with the Code and contributing to the expenses of its administration as hereinabove provided, unless duly exempted from making such contributions 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.

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

(g) To recommend to the Board 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 Board after such notice and hearing as it 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 purposes 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 Board as amendments to this code and such other codes.

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

#### ARTICLE VII—UNFAIR TRADE PRACTICES

The following practices enumerated in this Article VII shall constitute unfair methods of competition for all members of the industry and are prohibited. In addition thereto the provisions listed in Schedule A, attached hereto and made a part of this Code, shall apply in addition to the provisions of this Article VII, respectively, to the following Division of the Industry:

Schedule A shall apply to Retail members only.

SECTION 1. No member of the Industry shall falsely mark or brand any product of the Industry in any manner which has the tendency to mislead or deceive customers or prospective customers, whether as to grade, quality, quantity, substance, character, nature, origin, size, finish or preparation of any product of the Industry, or otherwise.

SECTION 2. No member of the Industry shall publish advertising (whether printed, radio, display or of any other nature) which is misleading or inaccurate 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.

SECTION 3. 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. Commercial bribery 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 hereinabove defined.

SECTION 4. No member of the Industry shall wilfully induce or attempt to induce the breach of an existing oral or written contract between a competitor and his customer or source of supply, or interfere with or obstruct the performance of any such contractual duties or services.

SECTION 5. No member of the Industry shall secretly offer or make any payment or allowance of a 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, for the purpose of influencing a sale.

SECTION 6. No member of the Industry shall defame competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations or by the false disparagement of the grade or quality of their goods.

SECTION 7. 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.

SECTION 8. No member of the Industry shall secure information from a competitor concerning his business by a false or misleading statement or representation, by a false impersonation of one in authority, or by bribery or by other unfair method, or secret means where the effect may be to hinder or stifle competition.

SECTION 9. No member of this Industry shall fail to make proper invoices at time of shipment and such invoices, together with credit memoranda and all other documents relating to the sale, shall clearly and accurately state all of the essential elements of the sale, including types and sizes of products, quantities, prices, credit terms, discount, allowances, date of order, date of shipment, and other pertinent information.

SECTION 10. No member of this Industry shall post-date or pre-date quotations, orders, invoices, statements or other sales documents.

SECTION 11. No member of the Industry shall group various items in lots for which the price is below the aggregate list price of such items when considered separately.

SECTION 12. No member of the Industry shall offer or give prizes, premiums, or gifts in connection with the sale of products, or as an inducement thereto, either directly or indirectly by any scheme which involves lottery, misrepresentation or fraud. This section 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.

#### ARTICLE VIII—EXPORT TRADE

No provision of this Code relating to prices or terms of selling, shipping or marketing, shall apply to export trade or sales or shipments for export trade. "Export Trade" shall be as defined in the Export Trade Act adopted April 10, 1918.

#### ARTICLE IX—MODIFICATION

SECTION 1. This Code and all the provisions thereof are expressly made subject to the right of the President, in accordance with the 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 Title I of said Act.

SECTION 2. Such of the provisions of this Code as are not required to be included herein by the Act may, with the approval of the Board, be modified or eliminated in such manner as may be indicated by the needs of the public, by changes in circumstances, or by experience. All the provisions of this Code, unless so modified or eliminated, shall remain in effect until June 16, 1935.

#### ARTICLE X—MONOPOLIES, ETC.

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 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 or services increase as rapidly as wages, it is recognized that price increases except such as may be required to meet individual cost, should be delayed, and when made, such increases should, so far as possible, be limited to actual additional increases in the seller's costs.

#### ARTICLE XII—EFFECTIVE DATE

This Code shall become effective on the second Monday after its approval by the President.

Approved Code No. 557.  
Registry No. 1657-06.

## SCHEDULE A

Additional provisions which shall apply to Retail members of the Industry only.

### ARTICLE I—OPEN PRICE

SECTION 1. Each member of the Industry shall file with a confidential and disinterested agent of the Code Authority or, if none, then with such an agent designated by the Board, identified lists of all his prices, discounts, rebates, allowances, and all other terms or conditions of sale, hereinafter in this Article referred to as "price terms" which lists shall completely and accurately conform to and represent the individual pricing practices of said member. Such lists shall contain the price terms for all such standard products of the Industry as are sold or offered for sale by said member and for such non-standard products of said member as shall be designated by the Code Authority. Said price terms shall in the first instance be filed within thirty (30) days after the date of approval of this provision. Price terms and revised price terms shall become effective immediately upon receipt thereof by said agent. Immediately upon receipt thereof, said agent shall by telegraph or other equally prompt means notify said member of the time of such receipt. Such lists and revisions, together with the effective time thereof, shall upon receipt be immediately and simultaneously distributed to all members of the Industry and to all of their customers who have applied therefor and have offered to defray the cost actually incurred by the Code Authority in the preparation and distribution thereof and be available for inspection by any of their customers at the office of such agent. Said lists or revisions or any part thereof shall not be made available to any person until released to all members of the Industry and their customers, as aforesaid; provided, that prices filed in the first instance shall not be released until the expiration of the aforesaid thirty (30) day period after the approval of this Code. The Code Authority shall maintain a permanent file of all price terms filed as herein provided, and shall not destroy any part of such records except upon written consent of the Board. Upon request the Code Authority shall furnish to the Board or any duly designated agent of the Board copies of any such lists or revisions of price terms.

SECTION 2. When any member of the Industry has filed any revision, such member shall not file a higher price within forty-eight (48) hours.

SECTION 3. No member of the Industry shall sell or offer to sell any products and/or services of the Industry, for which price terms have been filed pursuant to the provisions of this Article, except in accordance with such price terms.

SECTION 4. No member of the Industry shall enter into any agreement, understanding combination or conspiracy to fix or maintain price terms, nor cause or attempt to cause any member of the Industry to change his price terms by the use of intimidation, coercion, or any other influence inconsistent with the maintenance of the free and open market which it is the purpose of this Article to create.

### ARTICLE II—TERMS

SECTION 1. No terms of payment shall be more liberal than five percent (5%) fifteen (15) days, two percent (2%) tenth of the following month, except that bowling pins and bowling alley and billiard table repair work sold during the months of June, July, or August may be subject to payment in installments of one-third on or before October 10th, one-third on or before November 10th, and the balance on or before December 10th, subject to a five percent (5%) discount if paid on or before the due date of each payment, but subject to six percent (6%) interest after maturity of each payment.

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