

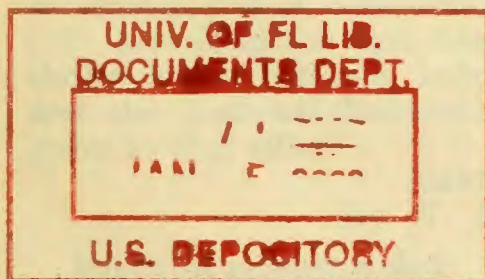
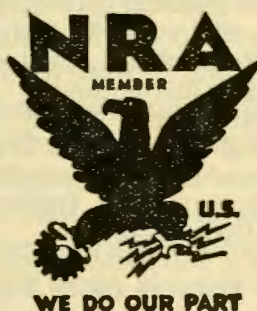
NATIONAL RECOVERY ADMINISTRATION

**AMENDMENT TO
CODE OF FAIR COMPETITION**

FOR THE

**ELECTRIC STORAGE AND
WET PRIMARY BATTERY
INDUSTRY**

AS APPROVED ON DECEMBER 20, 1934



**UNITED STATES
GOVERNMENT PRINTING OFFICE
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Approved Code No. 40—Amendment No. 2

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

**ELECTRIC STORAGE AND WET PRIMARY BATTERY
INDUSTRY**

As Approved on December 20, 1934

ORDER

**APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE
ELECTRIC STORAGE AND WET PRIMARY BATTERY INDUSTRY**

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to the Code of Fair Competition for the Electric Storage and Wet Primary Battery Industry, and an opportunity to be heard having been noticed to all interested persons, and no objections having been filed, and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, and otherwise, does hereby incorporate, by reference, said annexed report and does find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended, such approval and such amendment to take effect ten (10) days from the date hereof, unless good cause to the contrary is shown to the National Industrial Recovery Board before that time and the National Industrial Recovery Board issues a subsequent order to that effect.

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

Approval recommended:

BARTON W. MURRAY,
Division Administrator.

WASHINGTON, D. C.,
December 20, 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 Electric Storage and Wet Primary Battery Industry, submitted by the Code Authority for the said Industry. Notice of Opportunity to be Heard was noticed to all interested parties. No objections were filed.

This amendment is necessary in order to correct typographical errors, and to clarify the intent of certain of the provisions of the Code.

FINDINGS

The Acting 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 all the proceedings in this matter:

It is found 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 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 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, therefore, this amendment is approved.

For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

DECEMBER 20, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE ELECTRIC STORAGE AND WET PRIMARY BAT- TERY INDUSTRY

Schedule 1, Section 1 (A), "Branding", is amended to read:

"Failure either actually to mark or brand each battery classified as Class I Products in Schedule II, or to refer by type or number or other designation marked on the battery to published specifications, with respect to the capacity and quality of the battery as set forth in Schedule II, Class I Products, Section 2 is an unfair trade practice."

Schedule I, Section 3, "Misrepresentation", is amended to read:

"The making or permitting to be made or published of any false, untrue or deceptive statements, by advertising or otherwise, concerning the capacity, quality, performance, substance, nature, origin, size or preparation of any batteries, component parts, electrolyte or accessories is an unfair trade practice."

Schedule II, Section 2, Group I, "Adjustment Period for Wood Insulation", first number of months in column is amended to read "6".

Schedule II, "Domestic Marketing Standards for Class I Products"—Section 2, "Guarantees & Adjustment Policy"—the paragraph reading:

"The ampere-hour capacity as given above shall be determined as provided in the standard specifications for lead acid storage batteries for automotive equipment of the Society of Automotive Engineers (Adopted January, 1932)."

is amended to read:

"The capacities as given above shall be determined as provided in the standard specifications for lead acid storage batteries for automotive equipment of the Society of Automotive Engineers. (Adopted January, 1932)."

Schedule II, "Domestic Marketing Standards for Class II Products", Section 2 (D) is amended to read:

"In no case shall a cash refund be allowed."

Approved Code No. 40—Amendment No. 2.
Registry No. 699-1-05.

(3)

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THE ELECTRIC STORAGE AND BATTERY INDUSTRY

AMENDMENT TO CODE OF PATENT AND TRADEMARK OFFICE
THE ELECTRIC STORAGE AND BATTERY INDUSTRY

Schedule 1, Section 1 (A) "Patent" is amended to read: "any invention or discovery in the field of electric storage and battery technology, including but not limited to, the design, construction, and use of electric storage and battery systems, and the methods and apparatus for the same."

Schedule 1, Section 2 "Patent" is amended to read: "any invention or discovery in the field of electric storage and battery technology, including but not limited to, the design, construction, and use of electric storage and battery systems, and the methods and apparatus for the same."

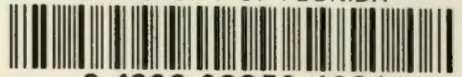
Schedule 1, Section 3 "Patent" is amended to read: "any invention or discovery in the field of electric storage and battery technology, including but not limited to, the design, construction, and use of electric storage and battery systems, and the methods and apparatus for the same."

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