LIA09458

CODE AUTHORITY MEETING

New York, N. Y. May 17, 1935.

A meeting of the Code Authority for the Lead Industry was held on Friday, May 17, 1935 at 10:00 A.M., in the Board Room of the National Lead Company, 111 Broadway, New York, N. Y.

Present

Members	Alternates
Clinton H. Crane, Chairman	E. A. Behr
F. M. Carter	W. C. Beschormann
Clarence Glass	D. A. Callahan
	W. E. Maston
	R. C. McKay
	F. S. Mulock
	H. Y. Walker

W. A. Janssen, Deputy Administrator
C. W. Farny, Administration Member
G. H. Nolte, Administration Member

F. E. Wormser, Secretary
R. L. Ziegfeld

The minutes of the ninth meeting of the Code Authority of January 17, 1935 were approved.

Appointment of Administration Member

Without objection, Administrative Order No. 442-19 of the N.R.A., appointing Mr. George Henry Nolte an Administration Member, without vote, of the Code Authority for the Lead Industry, was inserted in the record and appears as Exhibit "A" attached.

Membership Matters
Midnight Mining Company
Glacier Silver Lead Mining Company

The question of membership classification of the Midnight Mining Company and the Glacier Silver Lead Mining Company was discussed and the Secretary was authorized to forward his correspondence to the N.R.A. in Washington for their attention. The Code Authority wished, however, to go on record as preferring not to exercise jurisdiction over mining companies whose principal product in value was not

N 3040

lead, that is, companies not coming under the definition of the Lead Code. (Midnight Mining Company and Glacier Silver Lead Mining Company produce complex ores.)

<u>Vacancy - Chairman Lead Pigments Division</u>

The Secretary presented the resignation of Mr. R. M. Roosevelt, as Chairman of the Lead Pigments Division and member of the Code Authority, as follows, which was accepted:

April 2, 1935.

"I presume that you are aware that I have resigned from the Eagle-Picher Lead Company, and am devoting my full time to the Zinc Institute. This move naturally eliminates me from the Lead Industry. Therefore, much to my regret, it is necessary for me to resign as a Director of your organization, as Chairman of the Pigments Division, and also as a member of the Code Authority for the Lead Industry."

The Secretary was thereupon authorized to hold an election by letter ballot of the Members of the Lead Pigments Division to choose a successor to Mr. Roosevelt and to serve as Chairman of the Lead Pigments Division, and ipso facto, a member of the Code Authority, and further to elect an alternate or alternates for the Chairman of the Lead Pigments Division.

<u>Amendment to Article III, Section 1</u>
<u>On Change of Shifts</u>

The question of an amendment to Article III, Section 1 of the Lead Code, on change of shifts was next considered. The Secretary reported he had made a survey among the members, inquiring into the frequency of shift changes, as authorized by the Code Authority, and in an effort to help the N.R.A. ascertain whether or not a limitation on the frequency of shift changes was desirable. He read a report from which it appeared that any limitation of shift changes to a fourteen day period would cause a disorganization of present practices.

The Secretary was authorized to send a copy of the survey on shift changes to the N.R.A. in Washington for their information. Copy of this survey appears as Exhibit "B" attached.

<u>Treasurer's Report</u>

Without objection the Treasurer's Report was accepted and appears in the record as Exhibit "C" attached.

<u>Administrative Order X-139</u>
<u>Classific[illegible]tions</u>
<u>of Code Contributions</u>

Administrative Order X-139 on classifications and exceptions to eliminate nuisance contributions was considered. Since the Lead Code is supported by voluntary contributions and this Order does not apply, no action was taken.

<u>Petition: Federal-Mogul Corporation</u>

The petition of the Federal-Mogul Corporation which had been circulated to the Code Authority (see minutes of the ninth Code Authority Meeting), was next presented and the Secretary reported receipt of additional information on the manufacturing operations of the Corporation, whereupon

It was regularly moved, seconded and carried that the Secretary forward the application for exemption from the Lead Code of the Federal-Mogul Corporation to the N.R.A., with the recommendation that it be accepted with the proviso that said Corporation agree to submit such statistical data as required by the Code Authority from members of industry.

<u>Petition: American Smelting and Refining Company</u>

Without objection the petition of the American Smelting and Refining Company for exemption from certain provisions of the Lead Code for its El Paso Plant, was formally approved and is attached as Exhibit "D".

<u>Standards of Safety and Health</u>

The Secretary reported the circulation of the Standards of Safety and Health among members of industry and that he had received one suggestion from Mr. Henry L. Day of Wallace, Idaho, as follows:

> February 13, 1935.
>
> "Your bulletin No. 17 with regard to Standards of Safety and Health, has been received, as well as proposed draft of same which is required by the Code of Fair Competition.
>
> "I approve of the proposed set of standards with one exception. It seems to me that the meaning of the second sentence in the fourth paragraph is not clear. I suggest that it be changed to read somewhat as follows:

"'This service to be rendered by one familiar in first-aid work and training in first-aid work, if practicable, shall not be confined to the first-aid crews but shall include as many other employees as local conditions warrant."

This suggestion was carefully considered but was not adopted for the reason that it was felt advisable to adopt Standards of Safety and Health identical with those already approved by the Copper Industry. The Secretary was directed to write Mr. Day, explaining the reason for not adopting his suggestion.

It was regularly moved, seconded and carried, that the Standards of Safety and Health, as submitted to the Members of Industry, be approved, without change and forwarded to the N.R.A. for approval, and they appear as Exhibit "E" attached.

Tentative Approval of Budget

Without objection, the correspondence on the tentative approval of the Budget was ordered inserted in the record and appears as Exhibit "F" attached.

Filing of Tax Returns

Without objection, the correspondence on filing of tax returns by the Code Authority was ordered inserted in the record and appears as Exhibit "G" attached.

Report on Labor Poster Distribution

Without objection, the report on labor poster distribution was ordered inserted in the record and appears as Exhibit "H" attached.

Procedure When Instituting Suits

Without objection, a letter from Mr. Janssen, dated March 15, on the procedure to be followed when instituting suits, was ordered inserted in the record and appears as Exhibit "I" attached.

Whitedelf Mining & Development Company

Without objection, the correspondence with Congressman White with reference to the Whitedelf Mining and Development Company, already circulated among Code Authority Members, was ordered inserted in the record and appears as Exhibit "J" attached.

<u>Conflict of Fishing Tackle Code and
Lead Code Re: Federated Metals Corp.</u>

Without objection the decision of the N.R.A. dated March 21, 1935, with reference to the conflict of the Fishing Tackle Code and the Lead Code regarding the operations of the Federated Metals Corporation, was inserted in the record and appears as Exhibit "K" attached.

<u>Overlap of Graphic Arts and Lead Codes</u>

In connection with the overlap of the Graphic Arts Code and the Lead Code, it was understood by the Code Authority that a decision had been made to exempt those companies whose operations under the Graphic Arts Code were a part of their own manufacturing operations and the Secretary was requested to procure a copy of the classification made in this respect by the N.R.A., to be circulated to members interested.

<u>Fabricated Metal Products Manufacturing and
Metal Finishing and Metal Coating Industry</u>

With reference to the cancellation of exemption of some of the members of the Lead Industry to contribute to the Fabricated Metal Products Code, it was suggested that the Secretary inform the Deputy Administrator of the names of those members of the Lead Industry who are affected by the cancellation of the exemption to contribute to the Fabricated Metal Products Code.

<u>Interpretation of Article III by
The Smelting and Refining Division</u>

It was regularly moved, seconded and carried that the interpretations of Article III, by the Smelting and Refining Division be approved and transmitted to the N.R.A. in Washington. (Interpretations attached to minutes of Sixth Code Authority Meeting.)

<u>Use of Company Script for Wages</u>

The matter of the use of company script in payment of wages, as outlined in Mr. Janssen's letter of February 23, 1935, Exhibit "L" attached, was considered, and it was decided that the Code Authority take no action since this is covered by Article IV, Section 8, Payment of Wages, of the Lead Code.

Administration of Distribution Codes

Without objection, the program regarding the administration of distribution codes, as outlined in Mr. Janssen's letter of February 4, 1935, Exhibit "M" attached, was inserted in the record.

Collection of Statistical Data

In regard to the collection of data requested in Mr. Janssen's letter of March 18, 1935, it was explained that much of these data could not be obtained without a long period of statistical research by Members of Industry and that the Code Authority believed some data unobtainable and this matter was simply tabled and the correspondence inserted in the record as Exhibit "N" attached.

The Secretary was authorized, at the request of Mr. Janssen, to prepare a map similar to one provided him by the zinc industry, showing the distribution and volume of the lead industry.

Collection of Labor Statistics

The question of the collection of labor statistics by the Code Authority, and the requests of certain members to be exempted from providing these statistics because of the difficulty involved in segregating their operations was considered and the Secretary was directed to continue to try to obtain all of the labor statistics he possibly could to make the labor reports as complete as possible.

Labor Complaints

The Secretary reported the receipt of communications from the N.R.A. stating that labor complaints had been filed against the following members:

Federal Mining and Smelting Company
Park City Consolidated Mines Company
U.S. Smelting Refining & Mining Co.
Morris P. Kirk & Son, Inc.
Blue Stone Lime & Quartzite Company

The Secretary was requested to circulate to the Code Authority Members, for their information, the correspondence received in connection with the Labor Complaint made against the Federal Mining and Smelting Company, Mullan, Idaho.

The question of handling labor complaints was considered and

It was regularly moved, seconded and carried that the following letter be mailed to the N.R.A. on the handling of labor complaints:

"Referring to Administrative Order X-69 and your recent correspondence on the subject, please be advised that the Code Authority for the Lead Industry has not formulated or submitted to the Administrator any plans for handling labor complaints as defined in that Order.

"In the absence of such action, it is assumed that any such labor complaints which may arise will continue to be handled as at present by the Compliance Division."

Trade Practice Complaints Committee

The subject of handling Trade Practice Complaints again being placed before the Code Authority and the N.R.A. requesting that some disposition be made of the matter

It was regularly moved, seconded and carried that the Code Authority for the Lead Industry be constituted a body to handle Trade Practice Complaints and that the Code Authority act on such complaints as they may arise.

Coordinating Committee

At this point the Chairman explained that the Zinc Code, having recently been approved, the time was propitious to comply with Article XI of the Lead Code, "Application of Code to Operations Wherein Other Metals are Produced", which provided for the appointment of a Coordinating Committee.

The Chairman appointed Messrs. Callahan and Mulock as members of this Coordinating Committee, representing the Code Authority for the Lead Industry.

The meeting adjourned at 11:45 A.M. to reconvene on Tuesday, June 11, 1935.

Secretary.

Exhibit "A" - Code Authority Meeting - May 17, [illegible].

C O P Y

NATIONAL [illegible] ADMINISTRATION

ORDER NO. 4[illegible]-19

ORDER [illegible] OF CODE AUTHORITY
[illegible] FOR THE
LEAD [illegible].

Appointment of Administration Member of Code Authority.

Pursuant to authority vested in the National Industrial Recovery Board by Executive Orders of the President and by Article VI, Section 1, of the Code of Fair Competition for the Lead Industry, it hereby is ordered that George Henry Wolts be and he hereby is appointed an Administration Member, without vote, of the Code Authority for said Industry, to serve until further order.

NATIONAL INDUSTRIAL RECOVERY BOARD

BY W. P. ELLIS

Division Administrator

Appointment Approved:

D. M. Nelson
Code Administration Director

Appointment Authorized:

Jas. L. O'Neill
Control Officer

Washington, D. C.
March 21, 1935.

[illegible]
[illegible], May [illegible]

[illegible]

[illegible]

[illegible] ([illegible] Plants Reporting)

[illegible]				[illegible]
[illegible]	[illegible]		[illegible]	
1 week	8	[illegible]-[illegible]	6	8 [illegible] no one [illegible] [illegible] [illegible] in any 24.
2 weeks	10	Monday-Monday	2	6 [illegible] in [illegible] with 8 [illegible] 8-hour [illegible].

- -

[illegible] AND REFINING DIVISION (19 Plants Reporting)

Less than 1 week	1			9 report that no one
1 week	5	Sunday-Sunday	10	works more than 8 hours
2 weeks	9	Monday-Monday	6	in any 24.
Semi-monthly	2	Thursday-Thursday	1	9 report they have at
3 weeks	1			least 8 hours off
4 weeks	1			between shifts.

- -

LEAD PIGMENTS DIVISION (7 Plants Reporting)

1 week	7	Sunday-Sunday	3	
2 weeks	2	Tuesday-Tuesday	1	1 reports no one works
3 weeks	1	Wednesday-Wednesday	1	more than 8 hours in any
60 days		Friday-Friday	2	24.

- -

METALLIC LEAD PRODUCTS DIVISION

(No shift changes reported.)

- -

METALLIC FOIL PRODUCTS DIVISION

(No shift changes reported.)

- -

[illegible]
[illegible] Meeting, May 17, 1935.

[illegible]

[illegible]

[illegible]

[illegible]

A S S E T S

Cash		$3,697.16

L I A B I L I T I E S

Due to Lead Industries Association for funds advanced for certain operating expenses from January 1, 1935 to April 30, 1935.		1,660.49
Code Authority as Trustee:		
Credit balance due underwriters	$1,017.80	
Surplus	1,018.87	2,036.67
		$3,697.16

- -

STATEMENT OF INCOME AND EXPENSE FOR THE PERIOD
June 7, 1934, to April 30, 1935.

Income	
Subscriptions applicable to the period, collected	$12,352.02
Overpayment by underwriters, not yet refunded	1,017.80
Total Income	$13,369.82
Expenditures	
Salaries	$ 8,317.37
Rent and Light	1,220.37
Office Expense Miscellaneous	429.00
Traveling Expenses	579.91
Telephone and Telegraph	300.21
Books and Subscriptions	3.50
Printing	201.18
Mailing	281.61
Total Expenditures	$11,333.15
Surplus from operations	$ 2,036.67

COPY

Exhibit "D"
C.A.Meeting, May 17, 1935.

AMERICAN SMELTING & REFINING CO.

120 Broadway,

New York.

Roger W. Straus,
Vice President

April 1, 1935.

Code Authority,
Code of Fair Competition for the Lead Industry,
420 Lexington Avenue,
New York City.

Re: Application of American Smelting and Refining Company for Exemption of its Lead Department at El Paso, Texas, from Certain Provisions of Article III of the Lead Code.

Gentlemen:

Please find enclosed an application for a limited exemption of our Lead Department at El Paso, Texas, from the provisions of Sections 1, 2 and 3 of Article III of the Lead Code. Duplicates of this letter and said application have been forwarded to Deputy Administrator Jansson in Washington.

Due to the fact that we are already now in the month of April, it is desirable that action be taken as promptly as possible by the Code Authority and by the NRA.

In view of the attitude of the Administration in granting application under similar conditions in the Copper Industry, we assume there is no question as to the propriety of this application and as to the granting thereof. It is, therefore, our intention to immediately put the new schedule into operation, unless the Code Authority should desire to discuss it with us prior to such action.

Respectfully submitted,

AMERICAN SMELTING AND REFINING COMPANY

BY Roger W. Straus (Signed)

Vice President.

COPY Exhibit "D"
C.A. Meeting, May 17, 1935.

AMERICAN SMELTING & REFINING CO.,
120 Broadway
New York.

Roger W. Straus,
Vice President

April 1, 1935.

Code Authority,
Code of Fair Competition for the Lead Industry,
420 Lexington Avenue,
New York City.

Re: Application of American Smelting and Refining Company for exemption of its Lead Department at El Paso, Texas, from certain provisions of Article III of the Lead Code.

Gentlemen:

The operations of the Lead Department of this Company at El Paso, Texas, can only be carried on intermittently for the following reasons:

1. Shipments of ore to the Smelter are received intermittently and such shipments provide ore sufficient only for part time operation of the Lead Department Plant.

2. The heat of the summer months requires the Lead Department of the Plant to be shut down during the months of July and August.

The Lead Plant was shut down during the month of February, 1935, and, as noted above, will be shut down during the months of July and August. The Lead Department will be operating during the months of April, May and June, 1935.

Unless an exemption from certain provisions of Article III of the Lead Code is granted, the employees of the Lead Department will be able to work only five (5) days per week during said three months of actual operation.

In order to provide a maximum total amount of employment, it is desirable to enable the employees of this Lead Department to offset the loss of employment during the months of February, July and August to whatever extent may be possible. The average number of days of employment over the entire period from February 1 to August 31, 1935, can be increased and practical and efficient operation maintained only by permitting the employees of this Department to work six (6) days per week and eight (8) hours per day during the months of April, May and June, 1935.

LIA09470

Code Authority April 1, 1935.

Application is therefore hereby made for an exemption from the provisions of Sections 1, 2 and 3 of Article III of the Code of Fair Competition for the Lead Industry, limited, however, so as to:

1. Permit employees of the Lead Department of the American Smelting and Refining Company's [illegible] at El Paso, Texas, to work not to exceed forty-eight (48) hours per week during the months of April, May and June, 1935, at the same hourly wage as is now being paid.

2. The exemption from Section 2 of said Article III shall be applied only to such employees and for such times as may be made necessary by virtue of the exemption from Section 1, and, in case employees referred to in Section 2 are paid on a weekly or monthly basis, and as a result of this exemption are required to work a greater number of hours in any such week or month, then the compensation of such employees, referred to in said Section 2, shall be ratably increased for the periods in which they are required to work such greater number of hours.

3. In all other respects, save as set forth in 1 and 2 above, Sections 1, 2 and 3 of Article III of said Code, and all other Code provisions affecting such employees and this Company shall remain and be in full force and effect.

Respectfully submitted,

AMERICAN SMELTING AND REFINING COMPANY

BY Roger W. Straus (Signed)

Vice President.

[illegible] May [illegible], 19[illegible].

In the realization that safety in operation is essential to all industries and phases of American life, because every accident or death results in a loss to the individual, the employer and the community at large, each employer of the Lead Industry will continue to see that the idea of safety first and accident prevention shall be kept before his employees at all times.

Operating officials will take an active part in safety and health work, shall see that [illegible] inspections are made at regular intervals of working places and equipment, and that the customary safety bulletins or signs are posted.

Every employer shall comply with the provisions of the laws of the State in which he operates relating to safety provisions and to the health standards, applicable to his industry. Compliance with such laws satisfactory to the State official charged with the application and enforcement thereof shall in all cases be deemed full compliance with such provisions. He shall also at all times cooperate with the State and Federal Mine and Factory Inspectors, and other interested Governmental officials.

First aid service, equipment and supplies shall be maintained at each employer's mines and surface plants. This service shall be rendered by one familiar in first aid work, and if practicable shall not be confined to the regular first aid crews, but shall include as many other employees as local conditions warrant.

In the case of underground mining where required by the laws of the particular state, or where due to local conditions same are ordered by the State Mine Inspector, mine rescue crews and equipment shall be maintained, and such service shall be furnished by each individual employer if Federal equipment is not available, or if the service can not be furnished through joint cooperation with others. Should local conditions necessitate oxygen breathing equipment and gas masks, the rescue crews should then be trained in the use of such equipment, which shall be periodically tested and maintained in working condition.

Continued attention shall be given by each employer individually, or in cooperation with others in the same district whose operating conditions may be similar, to accident, safety and health problems, and particular attention shall be given to the matter of ventilation and the lessening of any dust, fume or fire hazard.

To minimize the danger of machinery in motion and electricity, safeguards shall be provided wherever possible, and if impracticable, then warning and danger signs shall be posted.

A complete record shall be kept by each employer of all accidents, in which shall be recorded the date and time of each accident, place of occurrence, cause, nature of injury, whether fatal or whether disability was permanent and total, permanent and partial or temporary. The time lost in each case shall also be recorded, as well as any other information of importance required to complete the record. Such record shall be kept up to date and shall be available for inspection to the Administrator and Code Authority of the Lead Code, or their authorized representatives, and to the State Factory or Mine Inspector or other State official charged with the responsibility of administering the State laws affecting the lead industry.

N 3040.05

LIA09472

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Y

Exhibit [illegible]
C.A. Meeting, May 17, 1935.

NATIONAL RECOVERY ADMINISTRATION
Washington, D.C.

April 10, 1935.

Mr. F. E. Wormser, Secretary,
Code Authority,
Lead Industry,
420 Lexington Avenue,
New York, N. Y.

Dear Sir:

This is to advise that pursuant to authority vested in the National Industrial Recovery Board, by Executive Order No. 6859, and otherwise, the budget of estimated expenses of Code Administration for the current fiscal period ending June 17, 1935, in the total amount of $40,000.00, the original of which is on file with the National Recovery Administration, submitted in compliance with Administrative Order No. X-136, dated February 26, 1935, is hereby tentatively approved.

This tentative approval, however, is subject to final approval, withdrawal or modification by the National Industrial Recovery Board upon full consideration and review of said budget.

NATIONAL INDUSTRIAL RECOVERY BOARD

BY: H. S. Brown (Signed)
Hiram S. Brown
Assistant to the Administrative Officer.

N 3040.06

Exhibit "G"
C.A.Meeting, May 17, 1935.

C O P Y

CODE AUTHORITY FOR THE LEAD INDUSTRY
420 Lexington Avenue,
New York, N.Y.

March 14, 1935.

Collector of Internal Revenue,
New York, N.Y.

Dear Sir:

We have been advised by Mr. Edward K. Warren, Regional Director of Code Administration, that the Commissioner of Internal Revenue has ruled all Code Authorities are entitled to exemption from payment of Federal Income Taxes and from filing returns, but that Code Authorities must file, with the local Collector of Internal Revenue, the information required by Article 101-1 of Regulations 86 of the Bureau of Internal Revenue.

Accordingly, I take pleasure in enclosing herewith copy of the Code of Fair Competition for the Lead Industry, copy of the By-Laws of the Code Authority for the Lead Industry as approved by the Administrator, and a copy of its balance sheet as of December 31, 1934, and Statement of Income, Expense and Budget Comparison for the period June 7, 1934 to December 31, 1934.

None of the income of the Code Authority for the Lead Industry inures to the benefit of any private individual. Our Code Authority was organized for the purpose of administering the Code of Fair Competition for the Lead Industry and is, of course, a semi-governmental body. The sources of its income are the voluntary subscriptions subscribed by the Members of Industry and based upon the number of man-shifts of manual labor employed.

Very truly yours,

CLINTON H. CRANE (SIGNED)

Chairman

Exhibit "E"
Code Authority Meeting,
May 17, 1935.

COPY

To Insignia Section:

CURRENT REPORT - LABOR POSTER DISTRIBUTION.

1.	Status as of the following date	4/24/35
2.	Total number of posters received	1,325
3.	Total number of posters distributed	1,124
4.	Total number of posters on hand (If none on hand, state needs)	201
5.	Estimate of total membership.	194
6.	Number of members supplied posters.	194

CODE AUTHORITY FOR THE LEAD INDUSTRY
Name of Code Authority.

420 Lexington Avenue, New York, N.Y.
Address of Code Authority.

Clinton H. Crane, Chairman.
Signature and Title of Code Authority Official.

LIA09475

C O P Y

Exhibit "I"
C.A. Meeting, May 17, 193[illegible].

NATIONAL RECOVERY ADMINISTRATION
WASHINGTON, D.C.

March 16, [illegible],

In reply refer to [illegible]

Mr. F. E. Wormser, Secretary,
Code Authority for the Lead Industry,
[illegible] Avenue,
New York, N.Y.

Dear Sir:

We have been advised by the Administrative Assistant of the Compliance Division, that in many instances Code Authorities are instituting suits in State Courts without first obtaining authorization from the State Director, which action is required in the instructions issued to all Code Authorities under date of December 20, 1934, signed by W. A. Harriman.

It is essential that each Regional Office know when and by whom suits are instituted and the progress of such suits, in order that they may keep close contact with the trend of litigation in the Region.

We shall, therefore, appreciate your conferring with the Regional Office involved before instituting any suit.

Very truly yours,

W. A. JANSSEN (SIGNED)

Deputy Administrator
Mining Section

N 3040.09

LIA09476

Exhibit "J" C.A. Meeting May 17, 1935.

Congress of the United States
House of Representatives
Washington, D. C.

February 21, 1935.

Mr. F.E.Wormser, Secretary,
Code Authority for the Lead Industry,
420 Lexington Avenue,
New York, N. Y.

Dear Mr. Wormser:

I am in receipt of your letter of February 19 and note your proposal to visit the capitol. I shall certainly welcome the opportunity to discuss the code and its functions with you.

I appreciate your courtesy in explaining the activities of your Authority and your position in handling hours and labor.

I shall look forward to a personal interview in this connection with pleasure.

Sincerely yours,
COMPTON I. WHITE (SIGNED)

N 3040.1

[illegible]
[illegible]
[illegible], N. Y.

February 19, 1935.

Hon. [illegible] I. White
Congress of the United States
House of Representatives
Washington, D. C.

My dear Mr. White:

I had been hoping to have the pleasure of calling on you in Washington before this for the purpose of discussing the subject of our recent correspondence on Code Authority functions and activities but I have been unable to leave New York for many weeks.

As you know, the scope of our Code Authority is limited by the provisions of the Lead Code and it has no authority to fix or regulate any prices, whether of pig lead or any of its manufactured products, of which white lead is one. We shall, however, be pleased to refer your views on the differential between the price of pig lead and white lead to those companies who are represented on the Code Authority and who are manufacturers or sellers of white lead.

As the Lead Code is essentially composed of labor provisions, our Code Authority's efforts have been directed mainly toward the administration of code labor matters.

I am sure the Code Authority agrees with you fully that any useless expense should be avoided in the administration of the Code. I think it will interest you to know that we have expended, on behalf of the many large branches of the lead industries served by our Code, the sum of $7,541.09 from June 4, 1934 to December 31, 1934, so that the financial burden has been relatively small. Moreover, support for the Code is on a strictly voluntary basis. We hope you will agree with us that this expenditure is a comparatively modest one considering the fact that under N.R.A. rules we feel we must keep posted those members of industry who are either actually or potentially subject to N.R.A. regulations and that we are required to represent all members of the industry from mine to finished product including lead mining companies, lead smelting and refining companies, manufacturers of white lead, red lead, litharge and other lead pigments, manufacturers of lead pipe, sheet, babbitt metal, antimonial lead, type metal, lead foil and other lead products.

We are sincerely endeavoring to live up to the Code and the instructions of the National Recovery Administration in our desire to cooperate with Washington.

Sincerely yours,

[signature]

Secretary.

N 3040.11

C O P Y

Compton I. White
First District Idaho

Home Address
[illegible], Idaho

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
Washington, D.C.

February 9, 1935.

Mr. F. E. Wormser, Secretary,
Code Authority for the Lead Industry,
420 Lexington Avenue,
New York, N. Y.

My dear Mr. Wormser:

This will acknowledge receipt of your Bulletin under date of January 30. It is apparent that your Authority is busy and using plenty of stamps, and the price of lead is falling and the disparity between the price of processed lead and the crude is increasing. While the need for lead paint is growing, the market for the product is diminishing. We find that the buildings and plants all throughout the country - the width and breadth of the United States - are deteriorating and decaying for lack of lead paint.

It must be discouraging to find that some simpleminded people have been so thoughtless as to make a comparison between paint price and lead ingredients that obtain now and those of other decades.

Surely your Code Authority is engaged in a most constructive activity. (?)

More power to you!

Sincerely yours,

Signed: Compton I. White

CIW-LM

LIA09479

Exhibit [illegible]
C.A.Meeting, May 17, 1935.

March 21, 1935.

Mfg.Div.
Subject: Jurisdictional conflict - Lead Industry and Fishing Tackle Industry - Federated Metals Corp.

Mr. E. P. Hoyle, Executive Officer,
Code Committee for the Fishing
Tackle Industry,
1[illegible] North La Salle Street,
Chicago, Ill.

Dear Mr. Hoyle:

With reference to your original favor of February 23 regarding jurisdictional conflict between the Lead Industry and the Fishing Tackle Industry as represented by the operations of the Federated Metals Corporation, producers of lead sinkers to the amount of * annually, I wish to inform you that the office of the Assistant Administrative Officer, Col. George S. Brady, has ruled that while lead sinkers are unquestionably intended to come within the definition of the Fishing Tackle Industry, it is equally true that the subject company as a member of the Lead Industry is permitted to produce all kinds of metallic lead products, such as extruded, rolled, cast or otherwise fabricated of lead.

This means that a manufacturer of lead sinkers who is not a member of the Lead Industry would definitely come under the Fishing Tackle Industry Code, but that any member of the Lead Industry may produce lead sinkers without coming under the Fishing Tackle Industry Code.

This above is for your information and record.

Very truly yours,

LeRoy B. Mitchell
Ass't. Deputy Administrator.

CC Walter S. Giele,
F. E. Wormser, Sec.
Code Authority
Lead Industry.
Walter Janssen
Wayne P. Ellis

* Deleted by the Secretary of the Code Authority for the Lead Industry.

N 3040.13

LIA09480

[illegible]
[illegible], May 1?, 19[illegible]

March 21, 193[illegible].

[illegible]
Subject: [illegible] conflict
[illegible]
[illegible] -
[illegible] Metals Corp.

Mr. E. P. Hoyle, Executive Officer,
Code [illegible] for the Fishing
Tackle Industry,
1?? North La Salle Street,
Chicago, Ill.

Dear Mr. Hoyle:

With reference to your original favor of February 23 regarding jurisdictional conflict between the Lead Industry and the Fishing Tackle Industry as represented by the operations of the Federated Metals Corporation, producers of lead sinkers to the amount of -* annually, I wish to inform you that the office of the Assistant Administrative Officer, Col. George S. Brady, has ruled that while lead sinkers are unquestionably intended to come within the definition of the Fishing Tackle Industry, it is equally true that the subject company as a member of the Lead Industry is permitted to produce all kinds of metallic lead products, such as extruded, rolled, cast or otherwise fabricated of lead.

This means that a manufacturer of lead sinkers who is not a member of the Lead Industry would definitely come under the Fishing Tackle Industry Code, but that any member of the Lead Industry may produce lead sinkers without coming under the Fishing Tackle Industry Code.

This above is for your information and record.

Very truly yours,

LeRoy B. Mitchell
Ass't. Deputy Administrator.

CC Walter S. Giele,
F. E. Wormser, Sec.
Code Authority
Lead Industry.
Walter Janssen
Wayne P. Ellis

* Deleted by the Secretary of the Code Authority for the Lead Industry.

LIA09481

C O P Y

Exhibit "I"
C.A. Meeting, May 17, 1935.

NATIONAL RECOVERY ADMINISTRATION
Washington, D. C.

February 23, 1935.

Mr. [illegible], Secretary,
[illegible] Industry,
[illegible]
New York, N. Y.

Dear Mr. [illegible]:

The Code of Fair Competition for the Retail Trade contained provisions relative to company scrip. The operation of these provisions was stayed pending an investigation by a special committee. This committee has completed its study and has recommended the following amendment for those Codes which are affected by this problem:

"1. Each employer shall make payment of all wages due at the end of each week in lawful currency or by negotiable domestic check. If checks are given, the employer shall provide reasonably accessible facilities for cashing checks at face value without expense to the employee. Employers shall also provide such identification as is necessary to utilize such facilities.

"2. These wages shall be exempt from any charges, fines, or deductions, except payments for pensions, insurance or sick benefits which are voluntarily paid by the wage earners or required by state law. No employer shall withhold wages. Employers or their agents shall not accept directly or indirectly rebates on such wages or salaries nor give anything of value or extend any favors to any person for the purpose of influencing rates of wages or working conditions of their employees.

"3. No employee shall be required as a condition of employment to trade at a store or to rent a house specified by the employers."

In relation to this matter please advise us as follows:

(1) Whether or not there are any members of your Industry who operate stores with company script or through payroll deductions.

(2) If there are such members in your Industry, whether or not the above amendment to your Code would be acceptable to your Code Authority.

(3) If the above amendment is not acceptable, please indicate the form of amendment your Code Authority would be willing to propose.

N 3040.14

LIA09482

[illegible] February [illegible], [illegible].

[illegible] provisions in the [illegible] Code [illegible] [illegible]

[illegible] of [illegible] [illegible] Labor [illegible]."

[illegible]. [illegible] other than [illegible] or [illegible] necessary to [illegible] the [illegible] shall not be required as a condition of employment to live in homes rented from the employer.

Article V (c). "No employee shall be required as a condition of employment to trade at the store of the employer."

In the Bituminous Coal Industry the wage contract provisions provide for deductions from employees' pay, subject to agreement, amounts covering house rent and coal to be used by employees.

Pensions, insurance, and sick benefits voluntarily paid by employees or required by state laws should also be taken into consideration and be included in any proposed amendments.

This question is of primary importance to the Administration and we shall, therefore, appreciate receiving an answer at your earliest convenience.

Very truly yours,

W. A. JANSSEN (SIGNED)

Deputy Administrator
Mining Section.

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[illegible]

NATIONAL RECOVERY ADMINISTRATION
Washington, D.C.

February 4, 1935.

Mr. F. E. Wormser, Secretary,
The Lead Code Authority,
420 Lexington Avenue,
New York, N. Y.

Dear Sir:

I am attaching copy of a summary of the program regarding administration of Distribution Codes presented at a meeting of Distribution Code Authorities on January 10, 1935.

The suggestions contained in this summary are worthy of consideration by all Code Authorities, and I suggest that you give them due consideration and study in collaboration with other National Code Authorities with a view toward working out a constructive program of cooperation.

I shall appreciate your reporting to me any action you may take on this matter.

Very truly yours,

W. A. JANSSEN (SIGNED)

Deputy Administrator
Mining Section.

N 3040.15

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[illegible]

[illegible]

(As explained verbally to Distribution Code Authorities on [illegible]).

The Administration recognizes that for the time being, at least, as [illegible] set up nationally by [illegible], that the Administration [illegible] of each Code should be centered in its [illegible], and that the directive contact between the Administration and the industry should be between the office of the Deputy and the National Code Authority.

As, by and large, the administrative problems of the Distribution Codes are similar, it is the desire of the Administration that the various National Distribution Code Authorities adopt as a policy the closest possible working arrangement and collaboration in the field between their various Local Code Authorities. The extent of this collaboration in each individual case is to be left to the discretion of the National Code Authorities involved, but it is the urge of the Administration that that collaboration should at least extend to a common office in any given locality, with a common secretary, etc. The extent to which the collaboration goes beyond that will be discretionary with the various Code Authorities as to each particular locality.

It should be made plain that all of this is for the purpose of greater economy, and by the pooling of their resources locally — or to put it another way, a sharing of the necessary expense, for the purpose of greater efficiency and, consequently, better administrative effort, this can be effected.

Evidently, this pooling of effort can be better accomplished, if in any given city, the jurisdictional territory covered by the various Code authorities in that city should be the same. It is for that purpose that we ask for the sake of uniformity that all of the Code Authorities adopt the jurisdictional lines laid out in the maps, which will be supplied to them and which are now being prepared by Research and Planning.

In this plan it should be made clear that there is no attempt on the part of the Administration toward coercion, nor is it felt that any suggestion of coercion is needed. Collaboration along these lines is purely for the benefit of industry and to enable them more economically and efficiently to administer their codes.

LIA09485

To put this into effect would require aggressive action — First, by the National Code Authorities themselves, but aided in every way possible by the advice and cooperation of the Deputies concerned.

While the Local Code Authorities operate as subsidiaries to the National Code Authorities with respect to the Administration, it is proposed to appoint Administration members for Local Code Authorities in various important centers, and to begin with where the Administration has administrative offices. These Administration members will be exclusively for Local Code Authorities and they will act on those Local Code Authorities in exactly the same capacity and with the same responsibilities and duties as Administration members attached to National Code Authorities. They will report to the Deputy exactly as Administration members on Code Authorities report to the Deputy, but it will be the Deputy's responsibility to see to it that such portions of their reports as seem pertinent are conveyed to the National Code Authority involved for its information and such necessary action as might be called for. There seems to be general agreement not only in the Administration, but also with several Code Authorities with whom the matter has been discussed, that the appointment of such Administration members on Local Code Authorities will be a highly beneficial and constructive move.

LIA09486

C O P Y Exhibit "G"
C... ...ing, May 17, 19..
NATIONAL RECOVERY ADMINISTRATION

Washington, D. C.

March 18, 1935.

In reply refer to Div. I.

Mr. F. A. Wormser, Secretary,
Code Authority for the Lead Industry,
420 Lexington Avenue,
New York, N.Y.

Dear Sir:

This office is called upon for considerable statistical data which has to be assembled from various sources. The accuracy of such statistics is somewhat in doubt in view of the fact that the divisions of the Industry used for gathering statistical data are not identical with NRA Codes.

Statistics gathered by the Code Authority will be very helpful in balancing and completing the information we are now using. We are, therefore, enclosing two sets of blank forms and shall appreciate your returning one set with all the information now available in your office.

Please indicate in the last column on the form the source of your information. If no definite figures are available, your rough estimates will be very helpful if listed as such.

Calls for this information are rather pressing at this time and we shall, therefore, appreciate your giving this matter your earliest attention.

Numerous calls are also made for information relative to the members of your Industry. We shall, therefore, appreciate your furnishing us with an original and three copies of a list giving the name and address of all members of your Industry, and if possible, their relative position in the Industry showing number of plants or any other information which you can conveniently furnish.

Very truly yours,

W. A. JANSSEN (SIGNED)

Deputy Administrator.

N 3040.17

LIA09487

Monthly Data Year Industry

[illegible]		JAN	FEB	MAR	1 QTR	APR	MAY	JUNE	2 QTR	JULY	AUG	SEPT	3 QTR	OCT	NOV	DEC	4 QTR	[illegible]
No. of Firms																		
No. of Plants																		
[illegible]																		
[illegible] Monthly Capacity																		
Allocation																		
Production	Quantity																	
	Value																	
Imports	Quantity																	
	Value																	
Exports	Quantity																	
	Value																	
Apparent Consumption	Quantity																	
	Value																	
Stocks on Hand																		
Average Price																		
Av. No. of Employees																		
Ave. Wage Per Hour																		
Total Man Hours																		

[illegible]		[illegible]		[illegible]		[illegible]		[illegible]	
[illegible] of Code									
[illegible]									
Years		[illegible]	1929	1930	1931	[illegible]	[illegible]	[illegible]	[illegible]
No. of Firms									
No. of Plants									
[illegible]									
Annual Capacity									
Allotment									
Pro-duction	Quantity								
	Value								
Imports	Quantity								
	Value								
Exports	Quantity								
	Value								
Domestic Consump-tion	Quantity								
	Value								
Stocks on Hand									
Ave. Domestic Price									
Ave. No. of Employees									
Ave. Wage Per Hour									
Total Man Hours									

LIA09489

[illegible]

Dear Mr. Johnson:

Replying to your letter of [illegible] with reference to [illegible] tical data covering our [illegible] [illegible] difficulty, but it will [illegible] furnish you with part of the information [illegible].

For example, you wish to know the capital invested in our industry. A goodly number of our members have a [illegible] products not enumerated in the Lead Code, and [illegible] themselves, have ever segregated their capital [illegible] give an accurate estimate of the capital employed in their various operations.

Then again, there are some products included in the Lead Code, for which statistical information as to production, stocks, etc., is not available from any source.

Perhaps it would serve your purpose if the Lead Industries Association were to supply you with its current statistical reports on Pig Lead, Lead Pigments, and Metallic Lead Products. They are the best compilations I know of on the subject. In addition, the data supplied by the American Bureau of Metal Statistics on lead ores and concentrates and production and stocks of pig lead may prove useful to you.

As it will take a very long time to procure all the information you desire, I would like to know whether it will be satisfactory to furnish you with the existing available data or whether you desire to have a survey made among our members.

In the meantime, we are pleased to supply you with an original and three copies of the list of the Members of the Lead Industry, giving the names and addresses as contained in our records.

Sincerely yours,

F. E. Wormser

Secretary.

N 3040.18