

FILE NAME: National Safety Council (NSC)

DATE: 1935 Sept 25

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DOCUMENT DESCRIPTION: Letter to Donald Tulloch, Jr. from Philip Carey Co. RE
List of Licensed Materials

THE PHILIP CAREY MANUFACTURING COMPANY

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Lockland, Ohio.

September 25, 1935.

Mr. Donald Tulloch, Jr.,
16th Floor, Inquirer Bldg.,
Philadelphia, Penna.

Dear Mr. Fulloch:

RECEIVED TRADE COMMISSION
NO. 4613
RECEIVED
5/1/42
WITNESSES
Acme Asbestos
Tulloch
Walsh

Yours of the 20th inst. received. I note that the proposed letter for J-M's signature, which I enclosed with mine of the 17th inst., is probably satisfactory. If there is a desire to make any changes in it before it is signed, kindly advise me promptly so that I may consider same.

Respecting the list of materials, please note that I have not as yet received any heading for the list of Licensed Materials and that it is my opinion that some heading such as I suggested, or other suitable heading carrying out the thought embodied in my heading, should precede the list. While this may not be important from the point of view of some of the manufacturing licensees who will make all of the products, I firmly believe that without it there will be problems and troubles arise.

We have just concluded a study of the list of Licensed Materials and the Schedules and call your attention to the following changes which we desire to have made:



PLEASE
REPLY TO
DEPARTMENT
SIGNING

OVER SIXTY YEARS OF PROGRESS

Sept. 25, 1935. *B*Changes in List of Licensed MaterialsDefinition1. Coarse Corrugated Air Cell Type.

This should be changed to read as follows:

-- Material so designated shall consist of alternate layers of flat asbestos paper joined with corrugated asbestos paper of 1/4" corrugation. This material shall be manufactured in the form of sectional pipe covering in thicknesses of two ply (1/2") or greater and in the form of sheets or blocks in thicknesses of 1/4" and up in increments of approximately 1/4". --

2. Fine Corrugated Air Cell Type.

Line 3, between 1/6" and 1/8" change the word "and" to -- or -- .

3. Laminated Type of Asbestos Pipe Covering.

Line 1, before "fourteen" insert -- not more than --.

After "fourteen" cancel -- to sixteen -- .

Last line, change 1/2" to 1/4".

4. Wool Felt Type Pipe Covering.

Line 7, before "3/4" insert -- 1/2 -- .

5. Anti-Sweat Type Pipe Covering.

Line 3, cancel "either saturated rag felt or saturated" and insert -- water repellent -- .

Line 6, cancel "liner" and insert -- jacket -- .

Same line, cancel "either" and insert -- the -- .

Line 7, cancel "saturated" and insert -- water repellent -- .

6. Frost Proof Type Pipe Covering.

Line 1, cancel "approximately" and insert -- from 1" to -- .

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RESPONDENT'S

N. A. R. P. F.

W. T. E. S. T.

NOT ADOPTED

Line 2, cancel "alternate".

Line 3, change "3/4" to -- 1/2 --.

Line 4, cancel "saturated" and insert --water repellent --.

7. High Pressure Laminated Type Pipe Covering.

Line 1, cancel "from thirty-five to forty-two" and insert -- fifteen layers or over -- .

Line 2, cancel "laminations".

Line 3, cancel "used" and insert -- recommended -- .

Line 4, cancel "5/8" and insert -- 1/2 --.

8. Corrugated Asbestos Paper

Line 4, before "approximately" insert -- either --.

Same line, cancel "and" and insert -- or -- .

9. Asbestos Paper and Millboard

Line 1, cancel "consist of a" and insert -- include all --.

10. Wool Felt Paper

Line 10, cancel "consist of a" and insert -- include all --.

11. Sponge Felt Paper

Line 1, cancel "consist of a" and insert -- include all --.

Referring to the Schedules, please note the following changes which we want to have made:

Schedule I.

Page 4, lines 31 to 33, cancel the paragraph headed "Exception".

Page 5, after line 23 insert the following:

-- 17. Licensor will grant permission to licensees to pay commissions to Class A accounts on sales made by Class A accounts to any customer in any class receiving the same price as Class A. --

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 SEP 28 1935

Schedule II.

Page 1, Subdivision 3, line 15, cancel "standard size air cell".

Same paragraph, line 16, after the word "foot" and before the period (.), insert -- either net or list less discount --

Same page, paragraph 4, line 32, cancel "either saturated rag" and line 33, cancel "felt or saturated" and insert -- water repellent -- .

Same paragraph, line 35, cancel "either" and insert -- the --, and line 36, cancel "saturated" and insert -- water repellent

Same page, lines 42 and 43 should be changed to correspond with Definition 6 of Frost Proof Type as amended by our suggestions above.

Page 2, following line 6, you should include 6 ply per inch, 8 ply per inch and wool felt.

Same page, paragraph headed "Factory Zones", line 10, change "fifty" to -- three hundred --.

Page 4, paragraph F. - Sheets and Blocks -, line 7, after the word "decimals" insert -- and increasing fourth decimal by 1 if there is a fifth decimal in excess of 0.

Same page, line 15, after the word "sheets" and before the period (.), insert -- calculate same to the fourth decimal and increase fourth decimal by 1 if there is a fifth decimal in excess of 0.

Page 6, add the following foot notes:

-- 1. All classes to get 10% net lower price on carloads as defined on page ().

2. Class A accounts to get carload price on all shipments with carload rate of freight allowed. --

1935 NATIONAL TRADE COMMISSION

EXHIBIT NO. 4613 CO. 20000'S 16-10

ALLIED

W. 1935

Sept. 25, 1935.

Page 7, line 4, change "1/2" to -- 1/4 -- .

Line 7, change "1/2" to -- 1/4 -- .

Add the following at the end of Page 7:

-- 1. All classes to get 10% net lower price on carloads as defined on page () .

2. Class A accounts to get carload price on all shipments with carload rate of freight allowed. --

Also add the following memorandum to Page 7:

-- Use less than 1" thick pipe covering discounts to price less than 1" thick boards of corresponding construction. --

In connection with Careycel boards when used on ducts for air conditioning, it will be necessary to provide an exception in the price schedule and we suggest that you, at the bottom of Page 7, add the following:

-- Laminated type sheets coming within Definition 4 of the list of materials may, when sold for use on ducts of air conditioning systems, be sold at lower prices to meet the competition of cork, Celotex, etc. --

Schedule III.

Page 1, paragraph 3, following line marked 4, after "250" insert -- or 500 -- .

Same page, line 7, after "250" insert -- or 500 -- .

Same page, last line, cancel "250" and insert -- 350 -- .

Page 2, paragraph F, cancel section marked 1, beginning with line 16 and ending with line 20.

In paragraph marked 2, line 21, change "shipments" to -- sales -- .

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WITNESSES
CARTER

Sept. 25, 1935.

Page 3, paragraph 1, line 10, after the word "plus" insert

-- actual trucking charge but not less than -- .

Same line, after the word "published" insert

-- rail and/or water --.

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IN THE MATTER OF

Schedule IV.

Page 1, paragraph 2, Unit of Sale, line 5, the word "foot"

first instance, should be changed to -- feet -- .

Line 6, same correction.

Line 7, the word "shoots" should be changed to -- sheets --.

Line 8, last word "shoots" should be changed to --sheets--.

Line 9, the letter "e" in a number of instances, as well as in the next line appears to be an "o". Possibly this was due to defective type in the machine.

Same page, line 7, cancel "standard size" and insert after the word "priced" -- net or at list less discount -- .

Same page, Section 3, line 13, before "5/8" insert -- 1/2 --.

Page 2, Section Flat Sheets - Standard Size, lines 25 and 26,

cancel "dropping all but four decimals" and insert -- calculate same to the fourth decimal and increase fourth decimal by 1 if there is a fifth decimal in excess of 0. --

Same page, line 32, after the word "sheets" and before the period (.), insert -- calculate same to the fourth decimal and increase fourth decimal by 1 if there is a fifth decimal in excess of 0. --

Page 4, line 1, before "5/8" insert -- 1/2 -- .

Same page, line 7, after the last word "size" insert --

Calculate same to the fourth decimal and increase the fourth decimal by 1 if there is a fifth decimal in excess of 0. --

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IN THE MATTER OF
WITNESS

Sept. 25, 1935.

Schedule V.

Page 1, line 19, cancel "fifty and" .

Page 3, it is noted that in line 7 reference is made to "Jumbo" and in line 27, reference is made to "Jumbo rolls", but that there is a difference in the price although in both instances the same material would appear to be referred to. Please advise with explanation.

Page 4, paragraph F, cancel lines 29 to 32 inclusive.

Line 33, cancel "shipments" and insert -- sales -- .

Page 6, in the last paragraph, the compilation is stated to be figured to the third decimal point only. What, if anything, is to be done with the fourth decimal if it should be in excess of 0?

While a few of the above changes may appear to you to be unimportant, most of them are, in our opinion, necessary before we can see our way to executing the License Agreement.

Awaiting your further advice and with kindest personal regards,
I am

Very truly yours,



Geo. W. Mills, Jr. *EI

FEDERAL TRADE COMMISSION
DOCKET NO. 4613 COMMISSION'S EXHIBIT NO. 16-G
IN THE MATTER OF _____
DATE _____ WITNESS _____
BY _____