

FILE NAME: National Safety Council (NSC)

DATE: 1936 July 28

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DOCUMENT DESCRIPTION: Memo from Donald Tulloch, Jr. to Licensees RE
Schedule II - Price Change

ASS INC.

DONALD TULLOCH, JR.,
16th Floor, Inquirer Building
Philadelphia, Penna.

TO ALL LICENSEES:

SCHEDULE II - Price change

Under separate cover you are being forwarded copies of revision of Schedule II.

You will note that many points indicate that I have used my best judgement in adopting compromises which seem to be in the best interests of the industry where differences of opinion on the part of licensee existed.

While these may not be wholly satisfactory, I'm sure they will work out for the benefit of all parties in the end.

Market conditions in Zone I are not sufficiently settled at the moment to permit adjustment of this area to the increasing cost of manufacture.

It is anticipated, however, that within ten days this will be possible, and you will hear from me further on that.

T. 7/28/36

FEDERAL TRADE COMMISSION
Booklet No. 4613 COMMISSION'S Exhibit No. 321
IN THE MATTER OF Acme Ash
DATE 9-9-42 WITNESS Bergman
REPORTER Trainor

Bergman Exhibit 133
Obtained 6-19-40 Letter
No. 1-12407 Att. 807 Interv.
Federal Trade Commission

C-321

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1430

1st Revision 2/4/36
*2nd Revision 6/10/36
*3rd Revision 8/29/36

SCHEDULE I

ARTICLE I

METHOD OF HANDLING ORDERS

1. 1. PRICES on individual Licensed Materials are defined in schedules attached
2. hereto and made a part hereof, and are subject to change by the Licensor
3. at any time.
4. 2. CONTRACTS may be offered to any class of buyer and may be of a continu-
5. ing type but must be subject to price and condition changes specified in
6. this schedule. All contracts must be negotiated in the form approved by
7. and on file with, the Licensor.
- *8. Any Licensee may quote customers under contract with other Licensees on
9. the basis of conditions and prices covered by the contract.
10. 3. ALL QUOTATIONS are subject to acceptance within fifteen days of date of
11. quotation, unless otherwise specified herein.
12. ALL ORDERS unless otherwise specified herein are subject to shipment
13. within thirty days of date of order and such orders shall be complete
14. with respect to prices, terms, and date of shipment. (Quotations to the
15. U.S. government are not subject to these restrictions).
16. 4. PRICE ADVANCE - In the event Licensor advances prices, no quotations or
17. sales may be made at old prices. Protection may be extended as follows:
18. (a) On Applied Contract Sales
19. 1. Approved Insulation Contractors, Plumbers, Steamfitters or Mechanical
20. Contractors, either direct or through Jobbers, will be protected at
21. prices in effect prior to the advance on all lump sum, time and
22. material and/or cost plus contracts existing at time of advance, pro-
23. vided a list of such contracts is filed with the Licensor within 15
24. days of price advance. This list must show the contractor's name,
25. name of the job, and the quantities and sizes of Licensed Materials
26. required to execute each job. Shipments on all such orders shall be
- *27. made within 6 months of price advance. All shipments to Plumbers,
28. Steamfitters, or Mechanical Contractors whether protected direct or
29. through Jobbers must in all cases be shipped direct to job site.
30. 2. Approved Insulation Contractors may be allowed 30 days to close out-
31. standing quotations for lump sum, time and material and/or cost plus
32. contracts. A list of proposals made by each contractor, detailing
33. quantities and sizes of Licensed Materials required must be filed
34. with the Licensor within 15 days of price advance. All such contract
35. proposals actually closed must be reported to the Licensor within
36. 45 days of price advance. Shipments on all such orders shall be made
37. within 6 months of date of price advance.
38. (b) On Sales of Materials Only.
39. 1. Approved Distributors and Approved Insulation Contractors, will be
40. privileged to order sufficient Licensed Materials to cover their
41. outstanding commitments, at prices in effect prior to advance, pro-
- *42. vided such orders are placed within 30 days of price advance. Shipment

Boxet No. 4613

IN THE MATTER OF

Exhibit No. 3
Cecile Gub
Bergman

1st Revision 2/4/36
2nd Revision 8/29/36

SCHEDULE II

1. (a) ZONE DESCRIPTION

1. STATE	ZONE	NOTES
2. Alabama	II	
3. Arizona	V	
4. Arkansas	IV	
5. Colorado (NOTE 1)	IV	NOTE 1 - except the following Counties which are in ZONE V - Alamosa, Archuleta, Chaffee, Conejos, Delta, Dolores, Eagle, Garfield, Gunnison, Hinsdale, Lake, LaPlate, Mesa, Mineral, Moffat, Montezuma, Montrose, Ouray, Pitkin, Rio Blanco, Rio Grande, Routt, Saguache, San Juan, San Miguel.
6. Colorado (Counties names Note 1)	V	
7. Connecticut	I	
8. Delaware	I	
9. District of Columbia	I	
10. Florida	II	
11. Georgia	II	
12. Idaho	V	
13. Illinois	III	
14. Indiana	III	
15. Iowa (NOTE 2)	IV	NOTE 2 - except the following Counties which are in ZONE III - Alameda, Clayton, Clinton, Des Moines, Dubuque, Jackson, Lee, Louisa, Muscatine, Scott.
16. Kansas	IV	
17. Kentucky	III	
18. Louisiana	IV	
19. Maine	I	
20. Maryland	I	
21. Massachusetts	I	
22. Michigan	III	
23. Minnesota	IV	
24. Mississippi	II	
25. Missouri (NOTE 3)	IV	NOTE 3 - except the following Counties which are in ZONE III - Cape Girardeau, Clark, Jefferson, Lewis, Lincoln, Marion, Mississippi, New Madrid, Pemiscot, Perry, Pike, Ralls, Saint Charles, Sainte Genevieve, St. Louis, Scott.
26. Montana	V	
27. Nebraska	IV	
28. New Hampshire	I	
29. New Jersey	I	
30. New York	I	
31. New Mexico	V	
32. Nevada (Except Washoe County)	V	
33. North Carolina	II	
34. North Dakota	IV	
35. Ohio	III	
36. Oklahoma	IV	
37. Oregon (NOTE 4)	V	NOTE 4 - following Counties only - Baker, Crook, Deschutes, Grant, Harney, Jefferson, Lake, Malheur, Umatilla, Union, Wallowa, Wheeler.
38. Pennsylvania	I	
39. Rhode Island	I	
40. South Carolina	II	
41. South Dakota	IV	
42. Tennessee	II	
43. Texas (Except El Paso County)	IV	
44. Texas (El Paso County only)	V	
45. Utah	V	
46. Vermont	I	
47. Virginia	I	

Bergman Exhibit 1526
Obtained 6-19-40 Letter Interview
4-12-40 Atty. JPB
Federal Trade Commission

FEDERAL TRADE COMMISSION
Docket No. 4613 COMMISSIONER Exhibit No. 323-B
IN THE MATTER OF *Acme Ash*
DATE 4-9-42 *Bergman*
4-9-42 *Irwin*

1st Revision 2/4/36
2nd Revision 8/29/36

SCHEDULE II

1. (a) ZONE DESCRIPTION

- | 1. <u>STATE</u> | <u>ZONE</u> | <u>NOTES</u> |
|-----------------------------|-------------|--|
| 2. Washington (NOTE 5) | V | NOTE 5 - following Counties only - |
| 3. | | Adams, Asotin, Columbia, Ferry, Franklin, |
| 4. | | Garfield, Lincoln, Pend, Oreille, Spokane, |
| 5. | | Stevens, Walla Walla, Whitman. |
| 6. West Virginia | I | |
| 7. Wisconsin (NOTE 6) | III | NOTE 6 - Except the following Counties |
| 8. | | which are in ZONE IV - Ashland, Barron, |
| 9. | | Bayfield, Buffalo, Burnett, Chippewa, |
| 10. | | Clark, Douglas, Dunn, Eau Claire, Iron, |
| 11. | | Jackson, La Crosse, Monroe, Pepin, Pierce, |
| 12. | | Polk, Price, Rusk, Saint Croix, Sawyer, |
| 13. | | Taylor, Trempealeau, Vernon, Washburn. |
| 14. Wyoming (NOTE 7) | IV | NOTE 7 - except the following Counties |
| 15. Wyoming (Counties names | | which are in ZONE V - Big Horn, Fremont, |
| 16. Note 7) | V | Hot Springs, Lincoln, Park, Sublette, |
| 17. | | Sweetwater, Teton, Uinta, Washakie, |
| 18. | | Yellowstone National Park. |
19. In areas where the effect of this change is to increase prices regular pro-
20. visions of the Schedule, governing price increase, shall prevail.

21. (b) FREIGHT ALLOWANCE

22. The freight allowance that may be made on all shipments of Low Pressure P/C
23. and/or Sheets and/or Blocks and/or Wool Felt and/or Anti-Sweat and/or Frost
24. Proof Pipe coverings whether shipped via rail freight, water freight or Motor
25. truck freight or any combination thereof shall be the charges actually paid
26. by the customer but not to exceed the published through rail freight rate to
27. the final unloading point, less any stop over charges.

28. (c) EXTRA CHARGES - Deduct from discount as follows:

29. For 4 oz. canvas - 1 point
30. 5 oz. " - 2 points
31. 6 oz. " - 3 points
32. 7 oz. " - 3 points
33. 8 oz. " - 4 points
34. Waterproof Jackets - attached or separate cut to size, with or without
35. accessories - 8 points.
36. Solid Brass Bands - 5 points.
37. No allowance is made for omission of canvas and/or bands, omission of accessor-
38. ies with waterproof jacket, or for omission of crates or cartons in bulk
39. shipments.

FEDERAL TRADE COMMISSION

Docket No. 4613
IN THE MATTER OF
DATE 6-9-42
REPORTED BY
COMMISSIONER EXHIBIT No. 323-C
Acme Lub
Bergman
C. J. Linder

Bergman Exhibit 152C

Obtained 6-19-40
1-12-47 Atty. J. O. P.
Letter Interview
Federal Trade Commission

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