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NATIONAL RECOVERY ADMINISTRATION

DIVISION OF REVIEW

SUMMARY OF ANALYSIS

OF

TRADE PRACTICE PROVISIONS IN NRA CODES

(EXCLUDING I, PRODUCTION CONTROL; II,
MINIMUM PRICE; III, OPEN PRICE
FILING; IV, BID FILING; V,
STANDARDS LABELING)

Includes:

- (1) List of trade practices found in codes
- (2) Types of restrictions placed on each practice
- (3) Number of times the restriction is cited in both codes and supplements.

July 20, 1935.

PRELIMINARY DRAFT

(NOT FOR RELEASE: FOR USE IN DIVISION ONLY)

MEMORANDUM TO SECTION HEADS

SUBJECT: WORK MATERIALS NO. 2
SUMMARY OF ANALYSIS OF CERTAIN TRADE PRACTICE
PROVISIONS IN NRA CODES

This material is tentative and preliminary. It is not an official document and is not released for general use. It is distributed to Section Heads for appropriate confidential use in connection with the research work in their respective fields.

L. C. Marshall
Director, Division of Review

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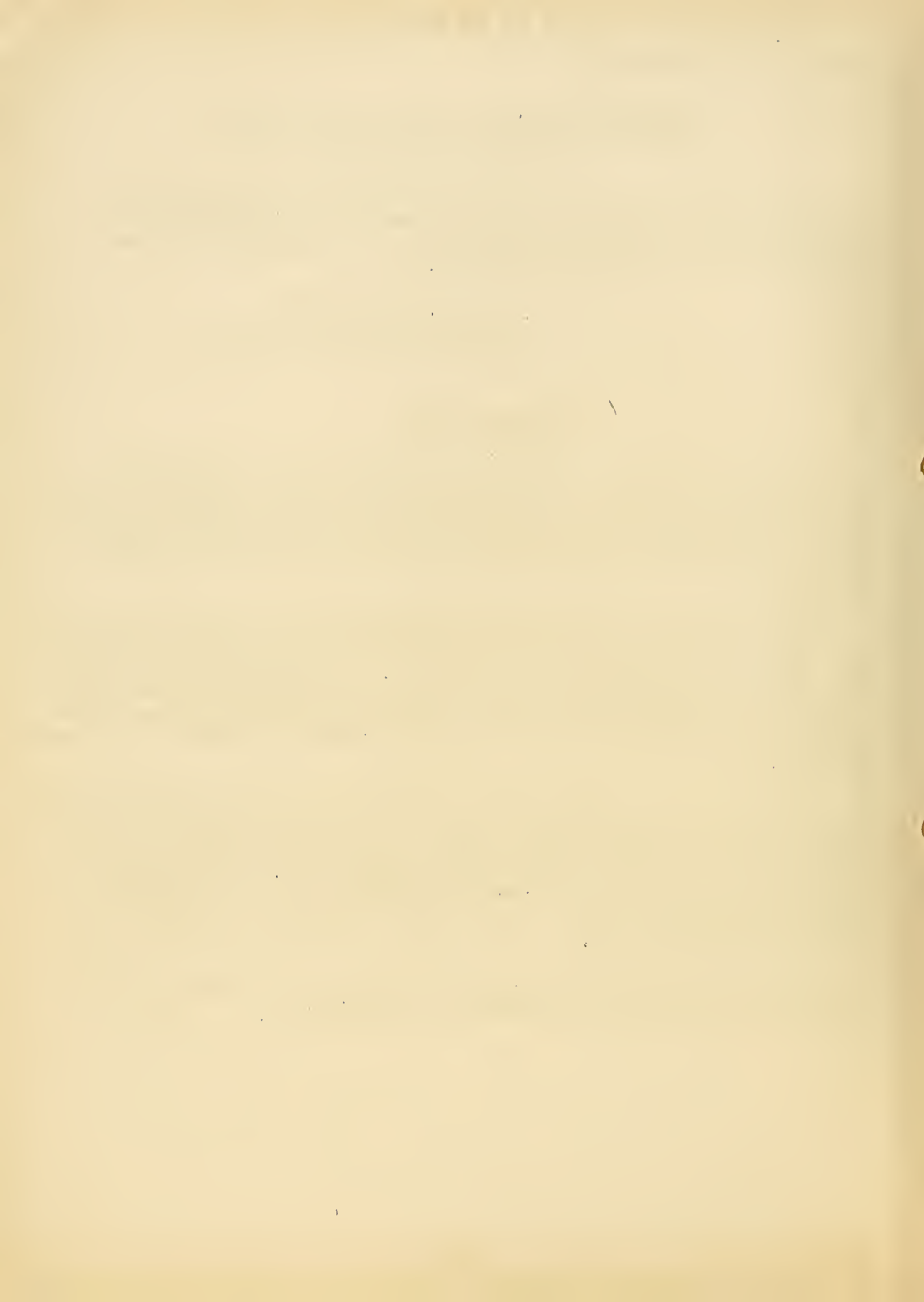
EXPLANATORY NOTES

This study includes a summary of an analysis of all trade practice provisions in the codes with the exception of provisions relating to (1) production control, (2) minimum price, (3) open price filing, (4) bid filing, and (5) standards and labeling. The codal provisions relating to these five subjects have been analyzed and at present are set forth elsewhere on charts.

All approved codes and supplements administered by NRA are included in this study with the exception of Number 141, Investment Bankers. Nineteen "LP" codes and the Petroleum Code, Number 10, were excluded from the analysis, since the trade practices therein were not administered by NRA. The analysis, thus, comprehends 555 codes and 189 supplements; from the latter figure are excluded seven "appendices", three "consolidations" and two "sub-divisions."

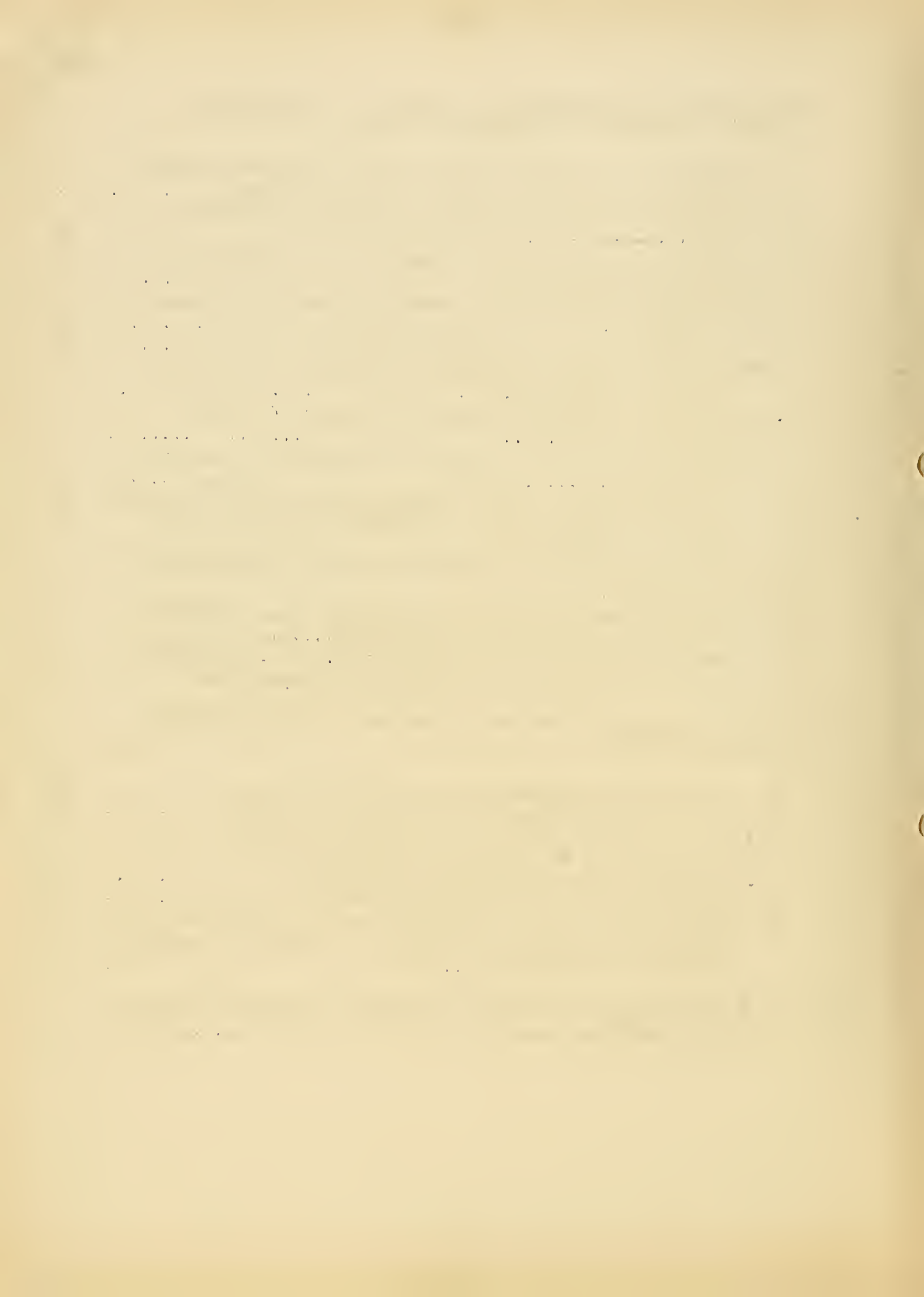
In addition to a listing of the various types of trade practices covered in the codes, there is included under each specific practice: (1) the different types of restrictions placed on it, and (2) the number of times the restriction is cited in both codes and supplements. In making the count, each supplement was regarded as a separate code and so counted. If the provision appeared in one or more than one division of any code, it was counted once and only once.

The classifications and sub-classifications are preliminary and tentative only, and should not be regarded as definitive.



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1. Concessions primarily related to time of buyer's payment

"Discounts"

Prohibited.....	7
Prohibited if excessive or unreasonable.....	3
Prohibited if secret.....	4
Prohibited if discriminatory.....	8
Maximum limit specified	1
Must be filed in accordance with open price provision.....	279
Code Authority with administrative approval to establish rules governing.....	1
Code Authority to study and recommend to N.R.A. rules governing.....	1
Members of industry with approval of Code Authority to establish rules governing.....	2

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Must be filed in accordance with open price provision.....	362
Code Authority to establish rules governing.....	2
Code Authority with administrative approval to establish rules governing.....	11
Code Authority to study and recommend to N.R.A. rules governing.....	2
Members of industry with Code Authority approval to establish rules governing.....	1

"Credit practices"

Code Authority with administrative approval to establish rules governing.....	3
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"Credit terms"

Prohibited if excessive or unreasonable.....	1
Prohibited if deceptive or misleading.....	21
Must be reported to Code Authority.....	1
Code Authority to establish rules governing.....	2
Code Authority with administrative approval to establish rules governing.....	10
Code Authority to study and recommend to N.R.A. rules governing.....	1
Members of industry to establish rules governing.....	1



I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

1. Concessions primarily related to time of buyer's payment (Continued)

"Cash discounts"

Prohibited.....	15
Prohibited if excessive or unreasonable.....	8
Maximum rate specified.....	227
Exact rate specified.....	29
Other restrictions on.....	2
Must be filed in accordance with open price provision.....	18
Code Authority with administrative approval to establish rules governing.....	8
Members of industry with approval of Code Authority to establish rules governing.....	1

Periods of free credit

Maximum limit specified.....	149
Length specified.....	12
Must be filed in accordance with open price system.....	1
Code Authority with administrative approval to establish rules governing.....	3

Interest rate beyond free credit period

Must cover cost of financing.....	1
Must be charged.....	5
Prohibited if unreasonable.....	1
Maximum limit specified.....	1
Minimum rate specified.....	20
Exact rate specified.....	47
Code Authority to establish rules governing.....	4

"Datings"

Prohibited.....	19
Prohibited if discriminatory.....	1
Maximum period specified.....	2
Detailed terms and conditions specified.....	3
Code Authority with administrative approval to establish rules governing.....	2



I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

1. Concessions primarily related to time of buyer's payment (Continued)

Seasonal datings

Detailed terms and conditions specified.....	41
Prohibited.....	2
Approval of Code Authority required.....	2
Code Authority to establish rules governing.....	1

Installment sales

Prohibited.....	1
Cost of financing must be recovered.....	2
Detailed terms and conditions specified.....	20
Other restrictions on.....	2
Written contract required.....	1
Code Authority with administrative approval to establish rules governing.....	1

Deferred payment

Detailed terms and conditions specified.....	39
Code Authority with administrative approval to establish rules governing.....	3
Down payment (other than installment sales) minimum specified.....	3

Anticipation of bills

Prohibited.....	6
Exact rate specified.....	21
Maximum rate specified.....	39
Code Authority with administrative approval to establish rules governing.....	2

Sales to delinquent accounts

Prohibited.....	3
Other restrictions on.....	6
Members of industry to establish rules governing.....	1

Sales not contingent upon buyer's credit standing

Prohibited.....	2
Other restrictions on.....	1

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

1. Concessions primarily related to time of buyer's payment (Continued)

Payment due when money received from other sources

Prohibited..... 1

Retained percentages

Prohibited..... 1

Maximum time or percentage specified..... 8

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

2. Concessions primarily related to risks of buyer

"Guarantees"

Prohibited.....	2
Prohibited if excessive.....	2
Prohibited if discriminatory.....	1
Prohibited if deceptive.....	13
Must be filed in accordance with open price provisions...	3
Members of industry to establish rules governing.....	2
Code Authority with administrative approval to establish rules governing.....	1

Price guarantees

Prohibited.....	158
Prohibited if discriminatory.....	2
Time limit specified.....	12
Prohibited unless seller protected against price decrease	5
Must be set forth in written agreement.....	2
Other restrictions on.....	17
Must be filed in accordance with open price provision...	3
Must be reported to Code Authority.....	2

Contracts for deferred delivery not subject to price change

Prohibited.....	8
Prohibited if discriminatory.....	1
Time limit specified.....	6
Must be in writing.....	2
Other restrictions on.....	3
Must be reported to Code Authority.....	5

Price offer not subject to change

Prohibited.....	2
Time limit specified.....	10
Must be set forth in written agreement.....	1
Other restrictions on.....	2
Must be filed in accordance with open price system.....	1
Must be reported to Code Authority.....	1

Advance notification of price change

Prohibited.....	13
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I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

2. Concessions primarily related to risks of buyer (Continued)

Delaying acceptance of order

Prohibited..... 1

"Options"

Prohibited..... 8

Time limit specified..... 3

Other restrictions on..... 8

Agreements indefinite as to time or quantity

Prohibited..... 55

Prohibited if discriminatory..... 1

Other restrictions on..... 7

Must be reported to Code Authority..... 2

Offers without time limit

Prohibited..... 6

Offers not exoiring within specified period of time

Prohibited..... 7

Offers without withdrawal provisions

Prohibited..... 2

Other restrictions on..... 1

Guarantees against defective goods

Excessive allowances prohibited..... 10

Prohibited if discriminatory..... 1

Limit specified on amount of allowance..... 3

Time limit specified..... 50

Must be set forth in written contract..... 1

Other restrictions on..... 19

Other restrictions on amount of allowance..... 2

Must be filed in accordance with open price system..... 2

Allowance must be reported to Code Authority..... 1

Acceptance of returns must be reported to Code Authority..... 5

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

2. Concessions primarily related to risks of buyer (Continued)

"Product guarantees"

Prohibited.....	7
Prohibited if excessive or unreasonable.....	2
Prohibited if deceptive.....	2
Time limit specified.....	11
Limit specified on amount of allowance.....	1
Must be set forth in a written agreement.....	2
Other restrictions on.....	5
Must be filed in accordance with open price provision.....	3
Must be reported to Code Authority.....	1
Code Authority with administrative approval to establish rules governing.....	4

"Product guarantees" against other than defective merchandise

Prohibited.....	31
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Uniform product guarantee specified in code..... 10

Guarantees in excess of manufacturers' warranty (distributing and fabricating codes)

Prohibited.....	9
-----------------	---

Maintenance guarantees

Prohibited.....	3
Time limit specified.....	4

Adjusting incorrect shipments

Prohibited if excessive or unreasonable.....	16
Time limit specified.....	21
Other restrictions on.....	4

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

2. Concessions primarily related to risks of buyer (Continued)

"Accepting return of merchandise"

Prohibited.....	11
Handling or service charge required.....	5
Prohibited if excessive or unreasonable.....	4
Excessive allowances prohibited	9
Prohibited if discriminatory.....	2
Limit specified on amount of allowance.....	5
Time limit specified.....	19
Other restrictions on.....	9
Other restrictions on allowances.....	3
Approval of Code Authority required.....	2
Acceptance of returns must be reported to Code Authority..	4
Code Authority with administrative approval to establish rules governing.....	2
Code Authority to study and recommend to NRA rules governing.....	2

Accepting return of obsolete, discontinued or "unsalable" merchandise

Prohibited.....	9
Handling or service charge required.....	1
Limit on amount of allowance specified.....	3
Acceptance of returns must be reported to Code Authority..	1
Code Authority with administrative approval to establish rules governing.....	1
Code Authority to study and recommend to NRA rules governing.....	1

Exchanging merchandise

Prohibited.....	4
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Accepting return of other than defective merchandise

Prohibited.....	39
Excessive allowances prohibited.....	1
Handling or service charge required.....	16
Maximum limit specified.....	1
Limit specified on amount of allowance.....	5
Time limit specified.....	10
Other restrictions on.....	9
Acceptance of returns must be reported to Code Authority..	1

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

2. Concessions primarily related to risks of buyer (Continued)

<u>Repurchase agreements</u>	—
Prohibited.....	6
<u>"Money-back" agreements</u>	
Must be filed in accordance with open price system.....	1
Code Authority to study and recommend to N.R.A. rules governing.....	1
<u>Sales subject to trial</u>	
Prohibited.....	10
Amount limited.....	2
Time limit specified.....	6
Other restrictions on.....	8
Must be reported to Code Authority.....	1
Approval of Code Authority required.....	1
<u>Sales on approval</u>	
Prohibited.....	8
Time limit specified.....	6
<u>Shipments without order</u>	
Prohibited.....	11
Other restrictions on.....	1
<u>Sales on consignment or memorandum</u>	
Prohibited.....	145
Prohibited except under circumstances defined by Code Authority.....	87
Prohibited except under circumstances defined by Code Authority with administrative approval.....	53
Prohibited if secret.....	1
Prohibited if discriminatory.....	1
Time limit specified.....	3
Must be set forth in written contract.....	5
Code Authority to establish rules governing.....	4
Code Authority to study and recommend to N.R.A. rules governing.....	1
Other restrictions on.....	9

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

2. Concessions primarily related to risks of buyer (Continued)

Storing goods with customer

Prohibited.....	22
Must pay reasonable remuneration.....	1
Other restrictions on.....	1

Display for direct sale in customer's store

Code Authority approval required.....	1
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Renting or leasing industry products

Prohibited.....	6
Prohibited unless charge made is adequate.....	4
Prohibited if discriminatory.....	1
Time limit specified.....	1
Must be set forth in written contract.....	3
Other restrictions on.....	3
Must be reported to Code Authority.....	1
Code Authority with administrative approval to establish rules governing.....	1
Code Authority to study and recommend to N.R.A. rules governing.....	

Resale guarantees

Prohibited.....	11
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Agreeing that payment be governed by sales of secondary product

Prohibited.....	1
-----------------	---

Accepting orders for specific job before customer secures award

Prohibited.....	2
-----------------	---

Guaranteeing accounts due customers

Prohibited.....	3
-----------------	---

"Compensation of customer for business losses"

Prohibited.....	1
Prohibited if discriminatory.....	1

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

2. Concessions primarily related to risks of buyer (Continued)

Unilateral agreements (buyer not bound)

Prohibited.....	33
Other restrictions on.....	2

Contracts containing penalty clauses

Prohibited.....	1
Prohibited unless provision for bonus.....	3

Contracts containing liquidated damages clauses

Prohibited.....	2
-----------------	---

Contracts not subject to adjustment necessitated by non-controllable factors

Prohibited.....	3
-----------------	---

Assuming liability for non-performance caused by non-controllable factors

Prohibited.....	15
-----------------	----

Assuming liability for damage to buyer's drawings or equipment caused by non-controllable factors

Prohibited.....	1
-----------------	---

Assuming liability for errors in plans or specifications furnished or approved by buyer

Prohibited.....	3
-----------------	---

Assuming liability for consequential damages

Prohibited.....	13
-----------------	----

Assuming liability for patent infringement

Prohibited.....	3
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Failure to give advance notice of discontinued lines

Prohibited.....	1
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I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

3. Concessions primarily related to supplying additional goods

"Any gratuities"

Prohibited	68
Prohibited if excessive.....	2
Prohibited if discriminatory.....	1
Must be filed in accordance with open price provision.....	2

Free deals

Prohibited.....	83
Prohibited if excessive.....	1
Policy memorandum No. 316.....	2

Premiums

Prohibited.....	49
Prohibited unless cost is recovered.....	11
Prohibited if excessive.....	3
Prohibited if secret.....	2
Prohibited if discriminatory.....	4
Prohibited if deceptive.....	52
Maximum limit specified.....	1
Other restrictions on.....	5
Policy memorandum No. 316.....	6
Must be filed in accordance with open price system.....	3

Sales of other or additional goods at reduced prices

Prohibited.....	25
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Combination sales

Prohibited.....	19
Prohibited unless total price equals sum of unit prices....	12
Other restrictions on.....	7
Code Authority to study and recommend to N.R.A. rules governing.....	1

Combination offers

Prohibited.....	26
Prohibited unless total price equals sum of unit prices....	2
Other restrictions on.....	3

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

3. Concessions primarily related to supplying additional goods (Cont'd)

Coupons

Prohibited.....	4
Prohibited unless cost is recovered.....	2
Other restrictions on.....	5

Samples

Prohibited.....	8
Prohibited unless adequate charge is made.....	17
Prohibited if excessive.....	3
Prohibited if deceptive.....	1
Maximum limit specified.....	17
Time limit specified.....	5
Other restrictions on.....	33
Must be filed in accordance with open price provisions....	1

Script books

Prohibited.....	1
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Prizes

Prohibited.....	21
Prohibited unless cost is recovered.....	4
Prohibited if discriminatory.....	5
Prohibited if deceptive.....	51
Other restrictions on.....	6
Policy memorandum No. 316.....	4
Must be filed in accordance with open price system.....	1

Sales promotion awards

Prohibited if discriminatory.....	1
Maximum limit specified.....	1
Other restrictions on.....	2

Containers

Prohibited unless adequate charge made.....	2
Other restrictions on.....	3

Special containers

Prohibited unless adequate charge made.....	14
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I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

3. Concessions primarily related to supplying additional goods (Cont'd)

Labels

Prohibited unless adequate charge made..... 1

Special labels

Prohibited unless adequate charge made..... 9

Special equipment

Prohibited..... 5

Prohibited unless adequate charge made..... 12

Other restrictions on..... 3

Accessories

Prohibited unless adequate charge made..... 3

Must be filed in accordance with open price system..... 1

Certain advertising material

Prohibited unless adequate charge made..... 1

Maximum limit specified..... 1

Other restrictions on..... 1

Display materials

Prohibited..... 5

Prohibited unless adequate charge made..... 4

Prohibited if excessive..... 1

Maximum limit specified..... 1

Other restrictions on..... 2

Code Authority to establish rules governing..... 1

Printed matter (other than advertising material)

Prohibited..... 1

Prohibited unless adequate charge made..... 4

Prohibited if discriminatory..... 1

Other restrictions on..... 1

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

4. Concessions rendered buyer through use of seller's employees or property

"Any unusual service"

Prohibited.....	25
Prohibited unless adequate charge made.....	36
Prohibited if unreasonable.....	1
Prohibited if secret.....	2
Must be set forth in written agreement.....	2
Must be filed in accordance with open price provision....	4

Providing sales help

Prohibited.....	8
Prohibited unless adequate charge made.....	1
Prohibited if excessive.....	1
Prohibited if secret.....	2
Prohibited if discriminatory.....	1
Prohibited unless represented as employees of manufacturer.....	1
Time limit specified.....	2
Other restrictions on.....	2

Demonstrating

Prohibited.....	9
Other restrictions on.....	5

Estimating

Prohibited unless adequate charge made.....	2
Other restrictions on.....	2

Furnishing drawings

Prohibited.....	2
Prohibited unless adequate charge made.....	8
Prohibited if excessive	1
Approval of Code Authority required with administrative approval.....	13

Furnishing plans and specifications

Prohibited unless adequate charge made.....	7
Other restrictions on.....	2
Approval of Code Authority required.....	1

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

4. Concessions rendered buyer through use of seller's employees property (Continued)

Furnishing surveys and formulae

Prohibited unless adequate charge made..... 4

Installation and erection

Prohibited..... 2
Prohibited unless adequate charge made..... 16
Other restrictions on..... 3
Must be filed in accordance with open price provision. 1
Code Authority to establish rules governing..... 1
Code Authority to study and recommend to Administrator rules governing..... 1

Inspections

Prohibited unless adequate charge made..... 4

Furnishing unusual processing services specified in codes

Prohibited..... 1
Prohibited unless adequate charge made..... 5
Prohibited if discriminatory..... 1

Stampings or markings

Prohibited..... 1
Prohibited unless adequate charge made..... 8
Other restrictions on..... 2

Repair and maintenance

Prohibited unless adequate charge made..... 14
Prohibited if discriminatory..... 1
Time limit specified..... 4
Other restrictions on..... 5

Reconditioning

Prohibited unless adequate charge made..... 11

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

4. Concessions rendered buyer through use of seller's employees or property (Continued)

Engineering services

Prohibited unless adequate charge made.....	6
Approval of Code Authority required.....	1
Code Authority with administrative approval to establish rules governing.....	1

"Handling"

Prohibited unless adequate charge made.....	8
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Crating or packing

Prohibited unless adequate charge made	6
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Repacking

Prohibited.....	1
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Delivery service by seller's trucks

Prohibited unless adequate charge made.....	5
Prohibited if excessive.....	1

Warehousing and storage

Prohibited.....	2
Prohibited unless adequate charge made.....	11
Prohibited if excessive.....	1
Time limit specified.....	2
Other restrictions on.....	2
Must be filed in accordance with open price provision.....	1

Lending of equipment

Prohibited.....	3
Prohibited unless adequate charge made.....	5
Time limit specified.....	2
Other restrictions on.....	1

Permitting retention of trade-in equipment

Prohibited.....	4
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I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

5. Concessions rendered buyer through financial assistance or favors

Favors

Prohibited.....	1
Prohibited if secret.....	1

Entertainment

Prohibited if excessive or lavish.....	17
--	----

Patronizing publications in which buyer is interested

Prohibited.....	15
Prohibited if unreasonable.....	1
Maximum limit specified.....	2
Other restrictions on.....	3

Participating in "Group Showing"

Prohibited.....	6
Other restrictions on.....	1
Approval of Code Authority required.....	1

Gifts

Prohibited.....	60
Prohibited if excessive.....	1
Prohibited if secret.....	3
Prohibited if discriminatory.....	4
Prohibited if deceptive or misleading.....	50
Maximum limit specified.....	1
Other restrictions on.....	3
Policy memorandum No. 316.....	2
Must be filed in accordance with open price provision.....	1
Code Authority with administrative approval to establish rules governing.....	2

Gifts to organizations (in which buyer is interested)

Prohibited.....	4
Other restrictions on.....	1
Approval of Code Authority required.....	1

Paying buyer's personal expenses

Prohibited.....	4
Prohibited if discriminatory.....	1

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

5. Concessions rendered buyer through financial assistance or favors
(Continued)

Paying permit or inspection fees of buyer

Prohibited..... 4

Paying customer's insurance

Prohibited..... 4

Prohibited if discriminatory..... 1

Must be set forth in written agreement..... 1

Paying customer's advertising expenses for products other than member's

Prohibited..... 2

Prohibited if discriminatory..... 1

Assuming reversed telephone or telegraph charges

Prohibited..... 14

Assisting customer to obtain used products for trade-ins

Prohibited..... 1

Assisting customer to find purchaser for used products

Prohibited..... 1

Other restrictions on..... 1

Subsidizing or financing buyer

Prohibited..... 26

Prohibited if secret..... 8

Must be set forth in written agreement..... 1

Employing customers, employees, relatives, associates

Prohibited..... 4

Other restrictions on..... 1

Purchase of buyer's capital stock

Prohibited..... 1

Must be filed in accordance with open price provision.... 2

Financing payments due customer

Prohibited unless adequate charge made..... 1

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

6. Concessions related to manner and/or time of shipment

Split shipments

Other restrictions on..... 6

Shipments smaller than specified minimum

Prohibited..... 4

Handling or service charge required..... 8

Other restrictions on..... 5

Tolerance in time of shipment

Limit specified..... 2

Deferred delivery

Prohibited..... 12

Time limit specified..... 61

Must be set forth in written agreement..... 5

Other restrictions on..... 10

Must be reported to Code Authority..... 2

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

7. Concessions through payment or diversion of commissions or fees to customer

Payment of commissions or fees by members to buyers

Prohibited.....	16
Prohibited if excessive.....	1
Prohibited if secret.....	1
Prohibited if discriminatory.....	1
Must be filed in accordance with open price provision.....	9

Payment of commissions or fees by members to other than bona fide or controlled sales representatives

Prohibited.....	12
Maximum limit specified.....	2

Payment of commissions or fees by members to purchasing agents compensated by buyers

Prohibited.....	20
Prohibited if secret.....	1
Other restrictions on.....	1

Payments of commissions or fees by agents of members to buyers

Prohibited.....	10
-----------------	----

Splitting of commissions or fees by agents of members with agents of buyers without buyer's knowledge

Prohibited.....	1
-----------------	---

Splitting of commissions or fees by members or their agents with buyers or their agents

Prohibited.....	60
-----------------	----

Payment of brokerage to other than bona fide brokers

Prohibited.....	17
-----------------	----

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is crucial for the company's financial health and for providing reliable information to stakeholders.

2. The second part of the document outlines the specific procedures for recording transactions. It details the steps from initial entry to final review, ensuring that all necessary information is captured and verified.

3. The third part of the document addresses the role of technology in modern accounting. It discusses how software solutions can streamline the recording process and reduce the risk of human error.

4. The fourth part of the document covers the importance of regular audits and reconciliations. It explains how these practices help identify discrepancies early and ensure the integrity of the financial data.

5. The fifth part of the document discusses the impact of accurate record-keeping on tax compliance. It highlights how proper documentation is essential for claiming deductions and avoiding penalties.

6. The sixth part of the document explores the benefits of transparency in financial reporting. It notes that clear and accurate records build trust with investors and other interested parties.

7. The seventh part of the document provides a summary of the key points discussed. It reiterates the importance of diligence and accuracy in every step of the recording process.

8. The eighth part of the document offers final thoughts and recommendations. It encourages the implementation of best practices to ensure the highest quality of financial reporting.

9. The ninth part of the document discusses the challenges of managing large volumes of data. It suggests strategies for organizing and accessing information efficiently.

10. The tenth part of the document addresses the need for ongoing education and training. It emphasizes that staying current in accounting practices is essential for success.

11. The eleventh part of the document provides a conclusion to the document. It expresses confidence in the company's ability to maintain high standards of financial integrity.

12. The twelfth part of the document includes a list of references and resources. It provides additional information for those interested in further exploring the topics discussed.

13. The thirteenth part of the document discusses the future of accounting. It looks at emerging trends and technologies that will shape the industry in the coming years.

14. The fourteenth part of the document provides a final summary of the document's content. It serves as a quick reference for the main points and conclusions.

15. The fifteenth part of the document includes a list of appendices. These provide additional details and data that support the main text of the document.

16. The sixteenth part of the document provides a list of contact information. It offers ways to reach the authors or the organization for further inquiries.

17. The seventeenth part of the document discusses the importance of ethical considerations in accounting. It stresses that honesty and integrity are the foundation of the profession.

18. The eighteenth part of the document provides a list of key terms and definitions. This helps ensure that all readers have a clear understanding of the terminology used throughout the document.

19. The nineteenth part of the document includes a list of acknowledgments. It thanks the individuals and organizations that provided support and assistance during the development of the document.

20. The twentieth part of the document provides a list of footnotes. These provide additional context and details for specific points mentioned in the main text.

21. The twenty-first part of the document discusses the importance of staying up-to-date with industry news. It encourages regular reading of professional journals and news sources.

22. The twenty-second part of the document provides a list of resources for further learning. It includes links to websites, books, and other materials that can be helpful.

23. The twenty-third part of the document includes a list of glossary terms. This provides a quick reference for the meanings of various accounting-related terms.

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I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

8. Concessions through allowances or payments for value rendered by buyer

"Allowances"

Prohibited.....	9
Prohibited if excessive or unreasonable.....	5
Prohibited if secret.....	9
Prohibited if discriminatory.....	8
Prohibited if misrepresentative.....	1
Must be set forth in written agreement.....	3
Other restrictions on.....	3
Must be filed in accordance with open price provision....	96
Must be reported to Code Authority.....	2

Trade-in allowances

Prohibited.....	27
Prohibited if excessive or unreasonable.....	9
Prohibited if discriminatory.....	6
Maximum limit specified.....	6
Must be set forth in written agreement.....	1
Other restrictions on.....	5
Must be filed in accordance with open price provision....	6
Must be reported to Code Authority.....	5
Code Authority with administrative approval to establish rules governing.....	8
Code Authority to study and recommend to Administrator rules governing.....	1
Members of industry with administrative approval to establish rules governing.....	1

Advertising allowances

Prohibited.....	44
Prohibited if excessive or unreasonable.....	34
Prohibited if secret.....	9
Prohibited if discriminatory.....	33
Prohibited if misrepresentative.....	13
Maximum limit specified.....	11
Must be set forth in written agreement.....	31
Other restrictions on.....	24
Must be filed in accordance with open price provision....	3
Must be reported to Code Authority.....	6
Must be reported to Code Authority for dissemination or availability to members.....	2
Policy memorandum, No. 326.....	2
Approval of Code Authority required.....	1

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

8. Concessions through allowances or payments for value rendered by buyer (Continued)

Catalogue allowances

Prohibited.....	9
Prohibited if secret.....	1
Prohibited if discriminatory.....	1

Distribution service allowances

Prohibited.....	8
Prohibited if excessive or unreasonable.....	7
Prohibited if secret.....	1
Prohibited if discriminatory.....	7
Prohibited if misrepresentative.....	1
Must be set forth in written agreement.....	8
Other restrictions on.....	2
Must be reported to Code Authority.....	1

Container allowances

Prohibited.....	3
Prohibited if excessive or unreasonable.....	13
Limit specified.....	3
Prohibited on containers smaller than specified size.....	1
Must be filed in accordance with open price provision.....	1

Installation allowance

Prohibited.....	1
-----------------	---

Allowance for further processing

Prohibited.....	1
-----------------	---

Maintenance or repair allowance

Prohibited if excessive or unreasonable.....	1
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Rental allowances for space hired

Prohibited.....	2
Prohibited if excessive or unreasonable.....	2
Prohibited if discriminatory.....	2

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

8. Concessions through allowances or payment for value rendered by buyer (Continued)

Allowance on supplies furnished by purchaser for production of product ordered

Prohibited if misrepresentative.....	1
Other restrictions on.....	1

Cartage allowances when buyer receives goods at factory

Prohibited.....	4
Prohibited if excessive or unreasonable.....	1
Limit specified.....	1
Other restrictions on.....	2
Must be filed in accordance with open price provision.....	1

"Allowance for any special service"

Prohibited.....	1
-----------------	---

Label Allowances

Prohibited if excessive.....	1
Maximum limit specified.....	1
Must be filed in accordance with open price provision.....	1

Purchasing from buyer

Prohibited.....	9
Prohibited if excessive or unreasonable.....	9
Prohibited if misrepresentative.....	1
Other restrictions on.....	3

Renting from buyer

Prohibited.....	4
-----------------	---

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

9. Concessions through acceptance of competitor's materials from buyers

Exchange of own for competitor's products

Prohibited..... 29

Purchase of competitor's products from customer

Prohibited..... 24

Prohibited if price paid is excessive..... 1

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

10. Concessions through sale of substandard or obsolete goods

Sale of seconds

Prohibited.....	7
Prohibited if misleading or deceptive.....	5
Maximum limit specified.....	5
Other restrictions on.....	5
Must be reported to Code Authority.....	3
Approval of Code Authority required.....	1
Code Authority subject to Administrative review to establish rules governing.....	1
Code Authority with administrative approval to establish rules governing.....	5
Code Authority to study and recommend to N.R.A. rules governing.....	1

Sale of used goods

Prohibited if misleading or deceptive.....	8
Prohibited unless value given in trade-in recovered.....	1
Prohibited except during specified periods.....	1
Prohibited unless segregated from new products.....	1
Must be reported to Code Authority for dissemination or availability to members.....	3

Sale of damaged goods

Prohibited.....	1
Prohibited if misleading or deceptive.....	3
Maximum limit specified.....	2
Other restrictions on.....	3
Must be reported to Code Authority.....	3
Code Authority with administrative approval to establish rules governing.....	2

Sale of rebuilt or overhauled goods

Prohibited.....	2
Prohibited if misleading or deceptive.....	5
Must be reported to Code Authority for dissemination or availability to members.....	1

Sale of demonstrators

Prohibited.....	2
Prohibited if misleading or deceptive.....	2
Prohibited except after specified period of time.....	2
Must be reported to Code Authority.....	3

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

10. Concessions through sale of substandard or obsolete goods (Continued)

Sale of obsolete goods

Prohibited.....	1
Prohibited if misleading or deceptive.....	3
Other restrictions on.....	5
Must be reported to Code Authority.....	1
Must be reported to Code Authority for dissemination to members.....	3
Approval of Code Authority required.....	3
Code Authority to establish rules governing.....	3
Code Authority to study and recommend to NRA rules governing.....	1

Sale of Surplus stock

Maximum limit specified.....	2
Prohibited except during specified periods.....	2
Other restrictions on.....	1
Approval of Code Authority required.....	1
Must be reported to Code Authority.....	2
Code Authority with administrative approval to establish rules governing.....	4
Code Authority subject to administrative review to establish rules governing.....	3
Code Authority to study and recommend to NRA rules governing.....	2

Sale of discontinued lines

Prohibited.....	1
Prohibited if misleading or deceptive.....	3
Maximum limit specified.....	5
Prohibited except during specified periods.....	1
Must be set forth in written contract.....	1
Other restrictions on.....	4
Must be reported to Code Authority.....	3
Must be reported to Code Authority for dissemination to members.....	2
Approval of Code Authority required.....	4
Code Authority with administrative approval to establish rules governing.....	3
Code Authority subject to administrative review to establish rules governing.....	3

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

10. Concessions through sale of substandard or obsolete goods (Continued)

Sale of "returns"

Other restrictions on..... 1

Wilful manufacture of substandard products

Prohibited..... 3

Sales of scrap

Other restrictions on..... 1

Sales of "chaff"

Prohibited..... 1

Sale of "culled" goods

Other restrictions on..... 2

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

11. Concessions granted during performance contrary to provisions of agreement

Rebates

Prohibited.....	91
Prohibited if excessive or unreasonable.....	3
Prohibited if secret.....	454
Prohibited if discriminatory.....	24
Prohibited if misrepresentative.....	1
Must be set forth in written agreement.....	6
Other restrictions on.....	2
Must be filed in accordance with open price provision.....	51
Must be reported to Code Authority.....	2
Code Authority to study and recommend to Administrator rules governing.....	1

Departure from credit terms of contract

Prohibited.....	20
Prohibited if discriminatory.....	22

Settlement of old accounts at less than full value

Prohibited.....	4
Approval of Code Authority required, subject to review or disapproval of Administrator.....	1

Permitting improper deductions when buyer renits

Prohibited.....	10
-----------------	----

Permitting buyer's cancellation or repudiation

Prohibited.....	33
Prohibited unless reimbursed for expense incurred.....	16
Other restrictions on.....	8
Must be reported to Code Authority.....	2
Code Authority with administrative approval to establish rules governing.....	1

Substitution of higher quality or greater quantity of goods

Prohibited.....	53
Prohibited unless adequate charge made.....	4
Prohibited if discriminatory.....	1
Limit specified.....	1

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

11. Concessions granted during performance contrary to provisions of agreement (Continued)

Substitution of new contract at lower price

Prohibited..... 6

Receipting bills before payment

Prohibited..... 2

"Extending or exceeding contract"

Prohibited..... 22

Other restrictions on..... 2

Code Authority to study and recommend to Administrator
rules governing..... 1

"Collateral agreement not to enforce part of contract"

Prohibited..... 9

Departure from delivery date of contract

Prohibited..... 1

Retroactive settlement or adjustments

Prohibited..... 5

Prohibited if discriminating..... 2

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

12. Acceptance of forms of payment in which concessions may be concealed

Accepting securities

Prohibited.....	2
Prohibited if at more than market value.....	12
Other restrictions on.....	4
Must be reported to Code Authority.....	1

Accepting buyer's capital stock

Prohibited.....	5
Must be filed in accordance with open price provision.....	1

Accepting goods from buyer

Prohibited.....	2
Other restrictions on.....	1

Accepting "real or personal property"

Prohibited if at more than market value.....	4
--	---

Accepting negotiable instruments

Time limit specified.....	1
Other restrictions on.....	2

Accepting other than "lawful money"

Prohibited.....	6
-----------------	---

Accepting credit transferred from one buyer to another

Prohibited.....	2
-----------------	---

Selling for customer account and accepting proceeds for credit

Prohibited.....	1
-----------------	---

Accepting form of payment other than specified in code

Prohibited.....	4
Prohibited if at more than market value.....	3

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

12. Acceptance of forms of payment in which concessions may be concealed
(Continued)

Accepting rental payments as part payment on purchases

- Limit specified..... 1
- Code Authority to establish rules governing..... 2

Accepting deposit made to another manufacturer

- Prohibited..... 1

Assignments (of receivables, etc.)

- Must be reported to Code Authority..... 1

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

13. Types of agreements, offers, invoicing, etc., by means of which concessions may be concealed

Oral agreements

Prohibited.....31
Limited as to amount involved and period of time..... 1

Oral offers

Prohibited.....15

Oral appraisals

Prohibited..... 1

Oral orders

Prohibited..... 3

False billing

Prohibited..... 380

False orders

Prohibited..... 15

False receipts

Prohibited..... 11

False agreements

Prohibited..... 32

False offers

Prohibited..... 139

Delayed billing

Prohibited..... 23
Maximum period specified..... 4
Other restrictions on..... 2
Code Authority to establish rules governing..... 1

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

13. Types of agreements, offers, invoicing, etc., by means of which concessions may be concealed (Continued)

Misdated invoices

Prohibited..... 112

Misdated contracts

Prohibited..... 35

Misdated orders

Prohibited..... 8

Misdated offers

Prohibited..... 17

Misdated receipts

Prohibited..... 10

Invoices omitting terms of sale

Prohibited..... 25

Invoices omitting date of shipment

Prohibited..... 15

Invoices omitting specifications

Prohibited..... 23

Invoices omitting other specified detail

Prohibited..... 19

Agreements omitting terms of sale

Prohibited..... 25

Agreements omitting date of shipment

Prohibited..... 18

I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

13. Types of agreements, offers, invoicing, etc., by means of which concessions may be concealed (Continued)

Agreements omitting specifications

Prohibited.....	38
Prohibited without provision for supply specifications within specified period.....	1
Seller may supply specifications after specified time...	1

Agreements omitting other specified detail

Prohibited.....	25
-----------------	----

Offers omitting terms of sale

Prohibited.....	10
-----------------	----

Offers omitting date of shipment

Prohibited.....	4
-----------------	---

Offers omitting specifications

Prohibited.....	9
-----------------	---

Offers omitting other specified detail

Prohibited.....	17
-----------------	----

Orders omitting terms of sale

Prohibited... ..	10
------------------	----

Orders omitting date of shipment

Prohibited.....	12
-----------------	----

Orders omitting specifications

Prohibited.....	11
-----------------	----

Orders omitting other specified detail

Prohibited.....	12
-----------------	----

Split billing

Prohibited.....	3
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I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

13. Types of agreements, offers, invoicing, etc., by means of which concessions may be concealed (Continued)

Lump sum offers

Prohibited.....	83
Other restrictions on.....	6

Unitized billing

Prohibited.....	10
-----------------	----

Orders not subject to member's acceptance

Prohibited.....	6
-----------------	---

Auction sales

Rules governing specified in code.....	1
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I. PROVISIONS PRIMARILY DESIGNED TO RESTRICT THE GRANTING OF INDIRECT CONCESSIONS TO INFLUENCE A SALE (Continued)

14. Types of agreements, offers, invoicing, etc., primarily designed to prevent the concealing of concessions

Uniform contract form

Form prescribed.....	5
Code recommends use of specified form.....	2
Code Authority to establish.....	4
Code Authority to establish with administrative approval.....	40
Code Authority to study and recommend to NRA rules governing.....	2
Members of industry to establish.....	3

Uniform order form

Form contained in code.....	1
Code Authority to establish with administrative approval.....	4
Members of industry to establish.....	1

Uniform bid or quotation form

Code Authority to establish.....	1
Code Authority to establish with administrative approval.....	10
Members of industry to establish.....	1
Recommended by code.....	1

Standard invoice form

Code Authority to establish subject to disapproval of NRA.....	1
--	---

Standard leasing form

Industry association form incorporated by reference.....	1
Code Authority to establish with administrative approval.....	1

Form of contract

Must be approved by Code Authority subject to review of NRA.....	1
Must be filed in accordance with open price provision....	1

II. PROVISIONS PRIMARILY DESIGNED TO PRESERVE OR MODIFY CHANNELS OF DISTRIBUTION

1. Provisions regulating customer classification

List of customer classes set forth in code

Specifically related to trade differentials.....	14
Not specifically related to trade differentials.....	20

Definition of customer classes

Set forth in code -- specifically related to trade differentials.....	44
Set forth in code -- not specifically related to trade differentials.....	18
Must be filed in accordance with open price provision....	6
Code Authority, with administrative approval, to establish definitions.....	20
Code Authority subject to NRA review to establish definitions.....	3

Classification of specific customers

Code Authority to classify.....	6
Policy memorandum No. 267.....	8

Submission of classified list of customers

Must be filed in accordance with open price provision....	9
Must be reported to Code Authority.....	6
Must be reported to Code Authority for classification....	3

Sales to other than certain specified classes of customers

Prohibited.....	9
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Sales to certain specified classes of customers

Prohibited.....	4
Code Authority to study and recommend to NRA rules governing.....	1

II. PROVISIONS PRIMARILY DESIGNED TO PRESERVE OR MODIFY CHANNELS OF DISTRIBUTION (Continued)

2. Restrictions on granting of trade differentials

Trade differentials

Prohibited.....	3
Prohibited if discriminatory.....	2
Specified in code.....	2
Maximum limit specified.....	6
Must be adequate as between specified classes.....	1
Code Authority may review and modify.....	4
Must be reported to Code Authority.....	3
Code Authority to determine with administrative approval.	30
Code Authority to study and recommend to NRA rules governing.....	2

Extension of trade differentials to parties not entitled thereto

Prohibited.....	44
Code Authority subject to administrative review to establish rules governing.....	1

Trade differentials to buyers' pools

Prohibited.....	3
-----------------	---

II. PROVISIONS PRIMARILY DESIGNED TO PRESERVE OR MODIFY CHANNELS OF DISTRIBUTION (Continued)

3. Restrictions on granting of quantity discounts

Quantity discounts

Prohibited.....	2
Prohibited if excessive.....	8
Prohibited if discriminatory.....	3
Prohibited if retroactive.....	2
Prohibited if based on purchase of more than one product.	1
Maximum limit specified.....	7
Time limit specified.....	1
Must be set forth in written agreement.....	2
Other restrictions on.....	13
Approval of Code Authority required.....	1
Code Authority to prescribe amount.....	2
Code Authority may review and modify.....	2
Must be filed in accordance with open price provision....	31
Must be reported to Code Authority.....	1

Quantities on which discounts may be granted

Set forth in code.....	4
------------------------	---

Quantity discounts based on more than one shipment

Prohibited.....	13
Prohibited if discriminatory.....	5
Prohibited if misleading or deceptive.....	1
Time limit specified.....	1
Must be set forth in written agreement.....	3
Other restrictions on.....	3
Code Authority to study and recommend to NRA rules governing.....	1

Quantity discounts on pooled orders

Prohibited.....	18
Other restrictions on.....	1
Must be filed in accordance with open price provision....	1

Quantity discounts on less than bona fide order or shipment

Prohibited.....	17
Prohibited if discriminatory.....	1

II. PROVISIONS PRIMARILY DESIGNED TO PRESERVE OR MODIFY CHANNELS OF DISTRIBUTION (Continued)

3. Restrictions on granting of quantity discounts (Continued)

Pool car sales below L.C.L. prices

Prohibited.....	3
Other restrictions on.....	1
Code Authority to establish rules governing.....	1

"Volume" discounts

Prohibited.....	6
Prohibited if discriminatory.....	1
Code Authority with administrative approval to establish rates.....	3

II. PROVISIONS PRIMARILY DESIGNED TO PRESERVE OR MODIFY CHANNELS OF DISTRIBUTION (Continued)

4. Provisions for the maintenance of resale prices and adherence to codal provisions by customers

Adherence to member's published prices

Sales to customers not adhering - prohibited.....	5
Contracts requiring adherence by customers - mandatory.....	7
Contracts requiring adherence by customers - permitted.....	2
Sales by customers at other than manufacturer's published prices - prohibited (distribution codes).....	5
Sales to agents, brokers, or other controlled sales representatives not adhering to - prohibited.....	7
Contracts requiring adherence by agents, brokers, or other controlled sales representatives - mandatory.....	4
Contracts requiring adherence by agents, brokers, or other controlled sales representatives - permitted.....	1

Adherence to codal price provisions

Sales to customers not adhering - prohibited.....	3
Sales to agents, brokers, or other controlled sales representatives not adhering - prohibited.....	14

Adherence to trade practice provisions of code

Contracts requiring adherence by customers - mandatory.....	9
Contracts requiring adherence by customers - permitted.....	1
Sales to agents, brokers, or other controlled sales representatives not adhering - prohibited.....	27
Contracts requiring adherence by agents, brokers, or other controlled sales representatives - mandatory.....	6

Adherence to all provisions of code

Sales to customers not adhering - prohibited.....	31
Contracts requiring adherence by customers - mandatory.....	2
Sales to agents, brokers, or other controlled sales representatives not adhering - prohibited.....	13
Contracts requiring adherence by agents, brokers or other controlled sales representatives - mandatory.....	1

Adherence to certain specified terms of seller's code

Mandatory.....	3
----------------	---

Contracts with agents, brokers, or other controlled sales representatives requiring them to file prices

Mandatory.....	3
Permitted.....	1

II. PROVISIONS PRIMARILY DESIGNED TO PRESERVE OR MODIFY CHANNELS OF DISTRIBUTION (Continued)

5. Prohibition of discriminatory practices

Discrimination between any buyers

Prices - prohibited.....	11
Prices and terms - prohibited.....	8
prohibited if secret.....	1
Terms - prohibited if secret.....	2
Services - prohibited.....	2
prohibited if secret.....	2
Privileges - prohibited.....	1
Services and privileges - prohibited.....	19
prohibited if secret.....	10

Discrimination between buyers of same class

Prices - prohibited.....	48
Prices and terms - prohibited.....	18
prohibited if secret.....	2
Terms - prohibited.....	5
Services - prohibited.....	1
Privileges - prohibited.....	2
Services and privileges - prohibited.....	71
prohibited if secret.....	170

Discrimination between buyers of same quantity

Prices - prohibited.....	40
Prices and terms - prohibited.....	10
Terms - prohibited.....	1
Services and privileges - prohibited.....	5
prohibited if secret.....	2
Privileges - prohibited.....	1

Discrimination between buyers of same quality or grade

Prices - prohibited.....	30
Prices and terms - prohibited.....	6
Terms - prohibited.....	1
Services and privileges - prohibited.....	5
prohibited if secret.....	1
Privileges - prohibited.....	1

Discrimination between buyers in same territory

Prices - prohibited.....	27
Prices and terms - prohibited.....	10
Terms - prohibited.....	1
Services and privileges - prohibited.....	8
Privileges - prohibited.....	1

II. PROVISIONS PRIMARILY DESIGNED TO PRESERVE OR MODIFY CHANNELS OF DISTRIBUTION (Continued)

5. Prohibition of discriminatory practices (Continued)

Discrimination between localities and sections

Prices - prohibited.....	1
Prices and terms - prohibited.....	1

Discrimination between buyers of "like style of goods"

Prices - prohibited.....	6
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Discrimination between buyers "for whom selling cost is same"

Prices - prohibited.....	4
Prices and terms - prohibited.....	1
Services and privileges - prohibited.....	1

Discrimination between buyers "similarly situated"

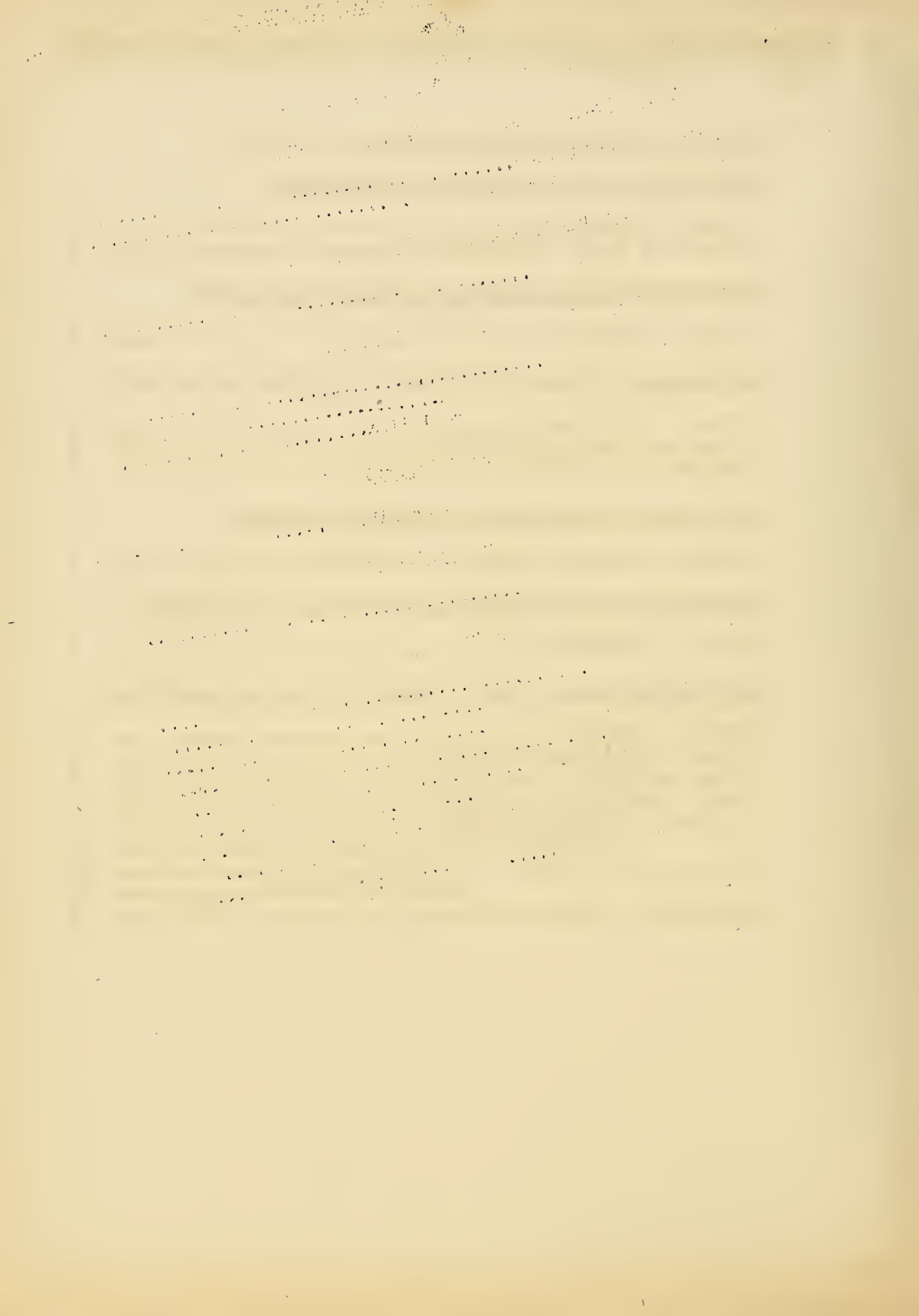
Prices, terms and privileges - prohibited.....	1
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Discrimination between member's affiliates and other buyers

Prices - prohibited.....	2
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Discrimination between buyers "under like terms and conditions"

Prices - prohibited.....	47
Prices - prohibited if secret.....	2
Prices and terms - prohibited.....	4
Terms - prohibited.....	2
Services - prohibited.....	2
prohibited if secret.....	1
Services and privileges - prohibited.....	99
prohibited if secret.....	98
Privileges - prohibited.....	4



II. PROVISIONS PRIMARILY DESIGNED TO PRESERVE OR MODIFY CHANNELS OF DISTRIBUTION (Continued)

6. Provisions relating to controlled sales representatives

List of agents, brokers, or other controlled sales representatives

Must be reported to Code Authority.....	9
Must be reported to Code Authority for dissemination to other members.....	2

Definition of agents, brokers, or other controlled sales representatives

Set forth in code.....	19
------------------------	----

Contracts between members and agents, brokers, or other controlled sales representatives

Required by code.....	3
Must be approved by Code Authority.....	2
Code Authority with administrative approval to establish rules governing.....	3
Must be reported to Code Authority.....	2

Sales through agents, brokers or other controlled sales representatives

Limit specified.....	1
Other restrictions on.....	5
Code Authority subject to review of NRA to establish rules governing.....	1

Dealing with other than member's bona fide agents or other controlled sales representatives

Prohibited.....	4
Prohibited if secret.....	1
Other restrictions on.....	1

Commissions or fees to controlled sales representatives

Prohibited.....	3
Prohibited if excessive or unreasonable.....	4
Exact rate prescribed.....	1
Maximum limit specified.....	5
Must be set forth in written agreement.....	1
Other restrictions on.....	2
Must be filed in accordance with open price provision....	4
Members of industry with approval of Code Authority to establish maximum limit.....	1

Activities of agents

Other restrictions on.....	2
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II. PROVISIONS PRIMARILY DESIGNED TO PRESERVE OR MODIFY CHANNELS OF DISTRIBUTION (Continued)

7. Miscellaneous provisions designed to preserve or modify channels of distribution

Number of sales outlets

Maximum limit specified..... 1

Selling directly in competition with retailer or other trade factor

Prohibited..... 31

Other restrictions on..... 1

Approval of Code Authority required..... 1

Sales for export to buyers not under contract not to resell within United States

Prohibited..... 4

Permitting diversion of product by customer for un contemplated uses

Prohibited..... 1

Must be set forth in written agreement..... 1

Assuming transportation costs of customer reships to other customers

Prohibited..... 2

Direct from factory to customer shipments (distribution codes)

Prohibited unless compensating charge is made..... 1

Other restrictions on..... 3

Sales for resale of special brands or unbranded merchandise

Restrictions on..... 1

Concessions to induce exclusive purchase

Prohibited..... 3

List of contractors

Must be reported to Code Authority..... 6

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III. PROVISIONS PRIMARILY DESIGNED TO PRESERVE OR MODIFY GEOGRAPHICAL RELATIONSHIPS

Basing point system

Detailed rules prescribed in code.....	3
Code Authority, subject to administrative review, to establish.....	1

Sales in other zones below lowest filed price in those zones

Prohibited.....	3
May not be more than twenty percent below.....	1

Sales outside of seller's own zone

Code Authority with administrative approval to establish rules governing.....	1
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Sales by outsiders in enfranchised territory

Prohibited.....	3
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Equalization of freight rates

Permitted by code.....	10
Must be filed in accordance with open price provision.....	2

Dumping

Prohibited.....	23
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Warehouse sales (rather than from factory)

Prohibited.....	1
Prohibited unless adequate additional charge made.....	4
Other restrictions on.....	5
Code Authority to study and recommend to NRA rules governing.....	1

F. O. B. origin basis of selling

Required by code.....	86
Permitted by code.....	11

F. O. B. destination basis of selling

Required by code.....	1
Permitted by code.....	2
Other restrictions on.....	1

III. PROVISIONS PRIMARILY DESIGNED TO PRESERVE OR MODIFY GEOGRAPHICAL RELATIONSHIPS (Continued)

Delivered basis of selling

Prohibited.....	2
Required by code.....	5
Permitted by code.....	6

Omitting freight charges in computing delivered price

Prohibited.....	31
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Prepayment of freight charges

Prohibited.....	14
Prohibited unless cost recovered.....	6
Prohibited if secret.....	3
Prohibited if discriminatory.....	6
Maximum limit specified.....	2
Minimum specified.....	1
Other restrictions on.....	1
Permitted by code.....	7
Must be filed in accordance with open price system.....	3

Freight allowances

Prohibited.....	33
Prohibited if excessive.....	7
Prohibited if discriminatory.....	3
Maximum limit specified.....	5
Minimum specified.....	3
Other restrictions on.....	6
Must be filed in accordance with open price provision.....	12
Code Authority to establish rules governing.....	1
Code Authority with administrative approval to establish rules governing.....	3
Code Authority to study and recommend to NRA rules governing.....	1
Members of industry with approval of Code Authority to establish rules governing.....	1

Freight or transportation terms

Must be filed in accordance with open price provision.....	26
Code Authority with administrative approval to establish rules governing.....	2
Code Authority to study and recommend to NRA rules governing.....	3

III. PROVISIONS PRIMARILY DESIGNED TO PRESERVE OR MODIFY GEOGRAPHICAL RELATIONSHIPS (Continued)

Freight or transportation charges

Prohibited if secret.....	1
Minimum charge specified.....	1
Must be filed in accordance with open price provision.....	7
Code Authority, subject to NRA review, to establish rules governing.....	1

Diversion of shipment from original destination

Prohibited.....	3
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Seeking freight rate reduction from I.C.C.

Must be reported to Code Authority.....	1
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IV. PROVISIONS PRIMARILY DESIGNED TO RESTRICT USE OF COMPETITOR'S DESIGNS OR STYLES AND THE IMITATION OF COMPETITOR'S IDENTIFICATIONS

1. Designs and styles

Design or style piracy

Prohibited.....	45
Prohibited if deceptive or misrepresentative.....	1
Prohibited without creator's consent.....	12
Prohibited if registered with Code Authority.....	9
Prohibited if registered with bureau other than Code Authority.....	9
Prohibited during specified period after creation.....	17
Prohibited if sold below creator's published price.....	2
Other restrictions on.....	2
Code Authority, with administrative approval, to establish rules governing.....	6
Code Authority to study and recommend to NRA rules governing.....	5

Registration of designs and styles

Required by code.....	2
Permitted by code.....	4
Code Authority to establish rules governing.....	10

Piracy of ideas, sketches, and drawings

Prohibited.....	5
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2. Identifications

Imitation of trademarks

Prohibited.....	176
Prohibited if deceptive or misleading.....	2

Imitation of competitor's identifications other than trademarks (specified in code)

Prohibited.....	142
Prohibited if deceptive or misleading.....	2

Registration of identifying marks

Required by code.....	9
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v. PROVISIONS PRIMARILY DESIGNED TO LIMIT USE OF COERCIVE AND PREDACIOUS DEVICES

1. Coercive device by members as sellers

"Coercion"

Prohibited..... 8

Tying contracts

Prohibited..... 113

Other restrictions on..... 2

Threats of litigation

Prohibited..... 231

Collusion with competitors in preparation of bids

Prohibited..... 25

Threats of repudiation of contract

Prohibited..... 11

Other restrictions on..... 3

Disclaimers (of legal responsibility)

Prohibited..... 1

Shipments without buyer's order or consent

Prohibited..... 2

Sales contingent upon certain conditions (other than tying contracts)

Prohibited..... 5

Must be set forth in written agreement..... 3

Concessions contingent upon purchaser's agreement not to deal with competitor

Prohibited..... 1

Urging a substitute product

Prohibited..... 8

Failure to offer new product to exclusive customers

Prohibited..... 1

Failure to permit adequate inspection by customer

Prohibited..... 1

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V. PROVISIONS PRIMARILY DESIGNED TO LIMIT USE OF COERCIVE AND PREDACIOUS DEVICES (Continued)

2. Coercive devices by members as buyers

Deferring payment for products purchased

Prohibited.....	1
Maximum period specified.....	8

Repudiation of buying agreement

Prohibited.....	11
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Failure to furnish written acknowledgement of purchase

Prohibited.....	8
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Payment in other than money or equivalent

Prohibited.....	8
Prohibited if excessive or unreasonable.....	1

Deferring "pricing" of products purchased

Maximum period specified.....	1
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V. PROVISIONS PRIMARILY DESIGNED TO LIMIT USE OF COERCIVE AND PREDACIOUS DEVICES

3. Predacious devices used against competitors

Violence or threats of violence

Prohibited..... 7

Intimidation or threats of intimidation

Prohibited..... 8

Espionage of competitor

Prohibited..... 144

Enticement of competitor's employees

Prohibited..... 73

Blacklisting

Prohibited..... 23

Collusion with awarding authority

Prohibited..... 23

Connivance to have all bids rejected

Prohibited..... 9

Collusion with architect or builder

Prohibited..... 3

Espionage of competitor's unopened bids

Prohibited..... 3

Interference with contracts or contractual relations

Prohibited..... 431

Coercion to force revision of filed prices

Prohibited..... 75

Coercion to force change in customer classification

Prohibited..... 1

V. PROVISIONS PRIMARILY DESIGNED TO LIMIT USE OF COERCIVE AND PREDACIOUS DEVICES

3. Predacious devices used against competitors (Continued)

<u>Malicious interference with or refusal to sell customers buying from competitor</u>	
Prohibited.....	1
<u>Tampering with competitor's property</u>	
Prohibited.....	7
Prohibited until after specified time.....	1
Other restrictions on.....	1
<u>Retention or use of competitor's identified container</u>	
Prohibited.....	7
Other restrictions on.....	1
<u>Acceptance of orders or goods designated for competitor</u>	
Prohibited.....	2
<u>Use of competitor's services or equipment</u>	
Prohibited.....	8
<u>Collusion to withhold instruments of production from certain producers</u>	
Prohibited.....	1
<u>Purchases in excess of requirements to hinder competitors</u>	
Prohibited.....	3
<u>Use of competitor's designs and specifications</u>	
Prohibited.....	6
<u>Substitution of other for competitor's products in repair of competitor's product</u>	
Prohibited unless competitor gives consent.....	2

VI. PROVISIONS PRIMARILY DESIGNED TO LIMIT DECEPTION AND MISREPRESENTATION

1. In relations with customers

"Misrepresentation"

Prohibited..... 19

Misrepresentation of prices

Prohibited..... 72

Misrepresentation of products, services, policies, values, credit terms and form of business

Prohibited..... 228

Misrepresentation of products, services, policies, values and credit terms

Prohibited..... 107

Misrepresentation of products

Prohibited..... 142

Misrepresentation of services

Prohibited..... 14

Misrepresentation of marketing conditions

Prohibited..... 5

Misrepresentation of credit terms

Prohibited..... 1

Misrepresentation of form of business

Prohibited..... 7

Misrepresentation of origin

Prohibited..... 3

Misrepresentation of affiliations

Prohibited..... 5

VI. PROVISIONS PRIMARILY DESIGNED TO LIMIT DECEPTION AND MISREPRESENTATION

1. In relations with customers (Continued)

Inaccurate advertising

Prohibited..... 480

Lotteries

Prohibited..... 64

Permitting broadcasting of, prohibited..... 1

Deceptive display of goods

Prohibited..... 2

Deceptive labeling, branding, marking, or packing

Prohibited..... 414

Code Authority to study and recommend to NRA rules governing..... 1

Defamation of or inaccurate reference to competitor

Prohibited..... 530

Representing competitor's sales or installations as own

Prohibited..... 2

Selling from competitor's samples or advertising material

Prohibited..... 6

Removal of manufacturer's label

Prohibited..... 12

Inaccurate or persistent underselling claims

Prohibited..... 17

"Deceptive selling methods"

Prohibited..... 57

Deceptive offers

Prohibited..... 7

VI. PROVISIONS PRIMARILY DESIGNED TO LIMIT DECEPTION AND MISREPRESENTATION

1. In relations with customers (Continued)

Deceptive billing

Prohibited..... 2

Deceptive promise of delivery

Prohibited..... 5

Deceptive appraisals

Prohibited..... 2

Resale price tags

Prohibited if deceptive..... 3

Limit specified..... 1

False measures

Prohibited..... 19

Substitution of lower quality goods

Prohibited..... 31

Shipping or performing at variance from contract or representation

Prohibited..... 67

Other restrictions..... 8

Transfer of assets to avoid performance of contract

Prohibited..... 1

Commercial bribery

Prohibited..... 518

Acting both as agent and undisclosed principal

Prohibited..... 1

Bidding without adequate capital to perform

Prohibited..... 2

VI. PROVISIONS PRIMARILY DESIGNED TO LIMIT DECEPTION AND MISREPRESENTATION

1. In relations with customers (Continued)

Changing specifications in computing offer

Prohibited.....	1
Prohibited if secret.....	1

Bids on other than requirements of plans or specifications

Prohibited.....	6
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Underestimating quantities or making inadequate specifications

Prohibited.....	10
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Fake, fictitious, or blind bids

Prohibited.....	9
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Failure to disclose subcontractors upon request of awarding authority

Prohibited.....	22
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Failure to furnish awardee evidence of bidder's financial standing

Prohibited.....	1
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Uniform price offer

Prohibited.....	3
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Failure to post insurance information

Prohibited.....	2
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VI. PROVISIONS PRIMARILY DESIGNED TO LIMIT DECEPTION AND MISREPRESENTATION

2. In relations with others

Inaccurate representations to prospective sales representatives

Prohibited..... 2

Inaccurate representations to parties from whom member buys

Prohibited..... 3

Concealed relationship with selling agency (other than company owned stores)

Prohibited..... 4

Accepting rebate or commission undisclosed to principal

Prohibited..... 1

Offer of sale unauthorized by owner

Prohibited..... 1

Establishing deceptive or misleading conditions of bidding

Prohibited..... 3

Sales to customers who misrepresent or inaccurately advertise

Prohibited..... 2

Failure to inform subcontractor if lien rights waived

Prohibited..... 2

Acceptance by awarding authority of possibly erroneous bid without proof by bidder

Prohibited..... 22

Inviting of bids from unreliable bidders by awarding authority

Prohibited..... 22

Furnishing of inadequate specifications by awarding authority

Prohibited..... 22

Breaking up combination package prepared by manufacturer for advertising purposes

Prohibited..... 1

VII. PROVISIONS OF A SPECIAL NATURE PRIMARILY DESIGNED TO REGULATE BIDDING AND AWARDING PRACTICES

A. Provisions Primarily Designed to Make Original Offer the Effective or final offer

1. Limitations on bidders

Bid peddling or making alternative offers (unless specifications changed or all bids rejected)

Prohibited..... 63

Submitting bid for first time after closing date

Prohibited..... 4

Submitting alternates unless competitors have same privilege

Prohibited..... 2

Subcontractors' bids to contractor within specified time before closing date

Required by code..... 22

Withdrawal of bid

Prohibited during specified period after closing date.. 1

Parties permitted to bid after rejection of bids or revision of specifications

Restrictions on..... 2

2. Limitations on awarding authority

Bid shopping prohibited..... 27

Accepting bids after closing date - prohibited..... 22

Award at other than bidder's original price - prohibited..... 22

Accepting rebates not included in original bid - prohibited..... 22

Rejecting bids and calling for new bids - restrictions on..... 22

Failure to designate specific closing date - prohibited..... 22

Considering alternate proposals - prohibited if discriminatory..... 22

Revealing competitor's bid to any bidder - prohibited..... 24

Delaying award or rejection of all bids beyond specified period - prohibited..... 22

VII. PROVISIONS OF A SPECIAL NATURE PRIMARILY DESIGNED TO REGULATE BIDDING AND AWARDING PRACTICES

B. Provisions Primarily Designed to Eliminate Waste in Bidding

Inviting unnecessary number of bids - Prohibited.....	22
Accepting uninvited bids - prohibited	22
Code Authority to establish estimating bureau.....	5

C. Other Bidding Limitations of a Special Nature

Making deposit for specifications without provision for return - prohibited.....	3
Extending time for acceptance of bid - prohibited.....	1
Submitting bids prior to announcement of plans or specifications - prohibited.....	3
Bids other than at price announced by awarder - prohibited...	2
Accepting financing from general contractor - prohibited.....	1
Collusion with bidders by awarding authority - prohibited....	22

VIII. OTHER TRADE PRACTICE PROVISIONS

1. Provisions Primarily Designed to Preserve or Modify Productive Functions of the Industry or Trade

Sales of unfinished products

Prohibited..... 4

Contracting out of work

Prohibited..... 2

Other restrictions on..... 7

Code Authority, with administrative approval, to establish rules governing..... 1

Working on materials furnished by others

Prohibited..... 5

Other restrictions on..... 5

Permitting performance of industry function by non-member

Prohibited..... 2

Sharing with processor compensation received for industry function

Prohibited..... 1

Leasing productive equipment to non-members

Prohibited..... 2

Restrictions on sale of product..... 1

Renting or leasing space or equipment to shop workers

Prohibited..... 3

Other restrictions on..... 1

Subletting contracts to another member

Restrictions on..... 1

Code Authority to study and recommend to NRA rules governing..... 1

Supplying trade secrets to non-industry producers

Prohibited..... 3

Buying prison-made goods

Prohibited..... 7

Other restrictions on..... 28

VIII. OTHER TRADE PRACTICE PROVISIONS

1. Provisions Primarily Designed to Preserve or Modify Productive Functions of the Industry or Trade (Continued)

Processing prison-made goods

Restrictions on..... 2

Selling prison-made goods

Prohibited..... 2

Other restrictions on..... 30

2. Restrictions on members as buyers

Accepting certain concessions from sellers

Prohibited..... 3

Prohibited if secret..... 1

Must be set forth in written agreement..... 2

Subsidizing parties from whom materials are purchased

Prohibited..... 1

Absorbing transportation costs on goods purchased

Prohibited..... 2

Buying contracts with price unspecified

Prohibited..... 1

Accepting delivery of purchase before season opens

Prohibited..... 1

Subsidizing agents from whom member buys

Must be reported to Code Authority for dissemination or availability to members..... 1

Giving rebates to subcontractors

Prohibited..... 1

"Incomplete" purchase contracts

Prohibited..... 1

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VIII. OTHER TRADE PRACTICE PROVISIONS

2. Restrictions on members as buyers (Continued)

Buying offers without time limit

Prohibited..... 1

Registration of agents from whom members buy

Code Authority, with administrative approval, to establish rules governing..... 1

Buying illegally produced goods

Prohibited..... 2

Buying from code violators

Prohibited..... 7

3. Provisions for conservation

Conservation measures

Code contains detailed rules..... 3
Code Authority to study and recommend to NRA..... 12

4. Restrictions on advertising other than inaccurate

Advertising other than inaccurate

Restrictions on..... 5

Comparative demonstration or display of own and competitor's products

Prohibited..... 2

5. Provisions peculiar to transportation or warehousing codes

Accepting products not in good condition

Prohibited..... 1
Other restrictions on..... 1

Contracting to give service for period of time

Prohibited..... 1

VIII. OTHER TRADE PRACTICE PROVISIONS

6. Provisions relating to price differentials between classes of products

Price differentials between classes of products

Code Authority to determine.....	5
Set forth in code.....	1
Industry association differentials incorporated by reference.....	1
Must reflect differences in cost.....	9

IX. ENABLING PROVISIONS OTHER THAN FOR "TRADE PRACTICES" IN GENERAL

"Merchandising plans"

Code Authority, with administrative approval, to establish rules governing.....	8
Code Authority to study and recommend to NRA rules governing.....	5
Industry to establish rules governing.....	2

"Methods of quoting"

Code Authority, with administrative approval, to establish rules governing.....	1
Code Authority to study and recommend to NRA rules governing	2

"Methods of distribution"

Code Authority, with administrative approval, to establish rules governing.....	1
Code Authority to study and recommend to NRA rules governing	2

*Methods of marketing"

Code Authority to recommend to NRA rules governing.....	5
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"Methods of advertising"

Code Authority, with administrative approval, to establish rules governing.....	1
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"Methods of bidding"

Code Authority to establish rules governing.....	2
Code Authority to study and recommend to NRA rules governing	1

"Methods of delivery"

Code Authority, with administrative approval, to establish rules governing.....	1
Code Authority to study and recommend to NRA rules governing.	1

"Methods of purchasing"

Code Authority to study and recommend to NRA rules governing.	1
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