

HD 2500

.M33

7624

C.1

Address of the Honorable Charles H. March,
Member of the Federal Trade Commission,
Opening the Trade Practice Conference
for the

Resistance Welder Manufacturing Industry

April 30, 1940.

Members of the Resistance Welder Manufacturing Industry:

It is indeed a pleasure for me to attend this conference and extend to you the assistance and cooperation of the Federal Trade Commission in weeding out unfair trade practices from your industry. By maintaining healthful competitive conditions in your industry, you will be serving your own best interests as well as that of the consuming public.

The Federal Trade Commission combines in a unique way the interests of competing business and the consuming public. We are equally concerned with the problems of all, and we welcome the opportunity to be of service in these matters.

Your industry has a great opportunity before it in this trade practice conference procedure. It has the opportunity of demonstrating the value of cooperative endeavor under the Federal Trade Commission auspices in maintaining business on a high and irreproachable plane

of fair and ethical conduct. There has been much said of late about cooperation between government and business. This trade practice conference procedure affords an effective way of achieving this.

It is much better for the members of an industry to sit down around a conference table in a fair and sensible discussion of their problems with competent representatives of the government and there arrive at a satisfactory and workable solution under the law, than to go their wilful way engaging in unlawful and unfair trade practices, which course must inevitably result in compulsory corrective proceedings at law by the government. With a unity of purpose, we can rightfully expect to speed progress toward the goal of fair service for the common good of all. For this reason we are met here today; and to this purpose are our efforts dedicated.

This conference affords the members of the industry opportunity to assemble for the purpose of formulating and submitting proposed trade practice rules for the approval of the Commission. The rules proposed here will be submitted to the Commission for its consideration in the course of the proceedings. After preliminary consideration

in the Commission, the rules in appropriate form will be made available and all interested or affected parties, upon due public notice, will be afforded full opportunity to present any views, suggestions, or criticisms which they may have concerning the trade practice rules proposed for the industry. Therefore, under this plan, no one need fear that this conference today will be his last chance to be heard for there will be still further opportunity afforded by the Commission upon the public notice mentioned. The rules that are approved by the Commission must, necessarily, be within the law and to the public interest. Illegal acts or practices cannot and will not receive sanction by the Commission. This is in harmony with the reasonable and wise governmental policy of protecting honest business and the consuming public. The Commission proposes to see that the rules for your industry, when finally promulgated, neither work inequities or hardships nor give undue competitive advantage of one member or group over any other member or group. These rules must meet the test of fairness and justice and your legal rights under them will in no way be jeopardized. In cooperating under good rules, all members of the industry are on the same fair competitive basis

and are given the protection of the Commission's authority as a disinterested and impartial umpire to see that the game of competition is played fairly and within the requirements of the law. Whatever unfair and dishonest practices may be prevalent throughout your industry as the result of circumstances rather than deliberate design or unscrupulous scheming, can be easily corrected at a single stroke by this conference we are beginning today. This has been the history of these trade practice conferences. Unfair trade practices have been abandoned. Dishonest methods of competition have been discarded. Industry has developed the habit of self-discipline and the selfish interests of the unscrupulous few have yielded to the broader interests of the fair minded majority. The experience of the Federal Trade Commission has shown that compliance with trade practice rules has not been difficult to obtain. Most businessmen respect and abide by their agreements. However, compulsory statutory processes are available at all times for the enforcement within Federal jurisdiction of all Group I rules against any offender even though he has refused formally to accept these rules or has refrained from taking any part in conference proceedings.

This is so because the practices prohibited by Group I rules are violative of law.

The law requires that there be no collusive price fixing or monopolistic combination. A healthy growth and expansion of business, as well as the public welfare, demands that industry be protected from their blighting effects. The Federal Trade Commission Act is the legislative expression of that public policy by Congress which supports the American competitive system. It means a civilized competition governed by fair rules and not a brutal, unscrupulous warfare in which the powerful may wantonly destroy the weak. It means that monopoly and monopolistic practices must relax their grip and allow business to develop and expand in an atmosphere of freedom and fair competition.

In conclusion, I express the confidence that this will be a harmonious and helpful conference. No charges are brought here against individuals or individual concerns. The subjects discussed are intended to relate to unfair practices or methods; not personalities. This is a place where competitors come together in a spirit of mutual cooperation to the benefit of the industry as a

whole. Personal grievances should be laid aside that each may the better assist in this cooperative effort to eliminate unfair trade practices and to condemn all trade evils or trade abuses that may be stifling your industry's improvement and progress. With this spirit prevailing, among you, I know from experience that the resulting rules will bring new hope and inspiration for fairer and more enlightened competition in your industry. In furthering this purpose, it is a pleasure for the Federal Trade Commission to cooperate with you and place at your disposal all of its facilities for bringing about a better day in your industry.