

annual automatic increase in compensation under the Act of July 6, 1945 (Public Law 134, Seventy-ninth Congress, as amended and supplemented, or to a longevity increase in compensation under the Act of May 3, 1950 (Public Law 500, Eighty-first Congress), shall be granted such increase in his rate of basic compensation, and his rate of basic compensation as an employee in a position under the Classification Act of 1949, as amended, shall, as of such date, be adjusted as follows:

59 Stat. 435.
39 USC 56, 626,
85 1-876.
64 Stat. 101.
39 USC 8 8 8
note.

63 Stat. 954.
5 USC 1071 note.

(A) In the case of an employee whose rate of basic compensation prior to such transfer was in excess of the maximum scheduled rate of the grade in which his position has been classified under the Classification Act of 1949, as amended, the increase in compensation granted by this section shall be added to such rate of basic compensation.

(B) In the case of an employee whose rate of basic compensation prior to such transfer was less than the maximum scheduled rate of the grade in which his position has been classified under the Classification Act of 1949, as amended, the increase in compensation granted by this section shall be considered as part of the rate of basic compensation of such employee for the purpose of determining the rate of basic compensation to be established for such employee in accordance with the grade in which his position has been so classified.

SEC. 2. The rate of basic compensation of any employee transferred from the field service of the Post Office Department to the General Services Administration pursuant to Reorganization Plan Numbered 18 shall not be reduced by reason of the subsequent reassignment or transfer of such employee to another position in the same or equivalent rate of pay or grade of the Classification Act of 1949, as amended. The rate of basic compensation of any such employee which has been reduced for such reason prior to the date of enactment of this Act shall be restored, as of the date of such reduction in rate, to the rate which such employee was receiving immediately prior to such reduction, plus any increase in rate of basic compensation to which such employee may be entitled under the first section of this Act.

Retroactive pay.

SEC. 3. No retroactive compensation shall be payable by reason of the enactment of this Act in the case of any individual not occupying a position under the Classification Act of 1949, as amended, on the date of enactment of this Act, except that such retroactive compensation shall be paid, if otherwise due under this Act, (1) to an individual on furlough without pay, for services rendered during the period beginning July 1, 1950, and ending with the day immediately preceding the date on which such furlough commenced, (2) to a retired employee for services rendered during the period beginning July 1, 1950, and ending with the date of his retirement, and (3) in accordance with Public Law 636, Eighty-first Congress, for services rendered during the period beginning July 1, 1950, and ending with the date of death.

64 Stat. 395.
5 USC 61f-61k.

Approved July 14, 1952.

Public Law 542

CHAPTER 745

AN ACT

To amend the Federal Trade Commission Act with respect to certain contracts and agreements which establish minimum or stipulated resale prices and which are extended by State law to persons who are not parties to such contracts and agreements, and for certain other purposes.

July 14, 1952
[H. R. 5767]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose

State fair-trade laws.

of this Act to protect the rights of States under the United States Constitution to regulate their internal affairs and more particularly to enact statutes and laws, and to adopt policies, which authorize contracts and agreements prescribing minimum or stipulated prices for the resale of commodities and to extend the minimum or stipulated prices prescribed by such contracts and agreements to persons who are not parties thereto. It is the further purpose of this Act to permit such statutes, laws, and public policies to apply to commodities, contracts, agreements, and activities in or affecting interstate or foreign commerce.

Federal Trade
Commission Act,
amendment.
38 Stat. 719.
15 USC 45.

SEC. 2. Section 5 (a) of the Federal Trade Commission Act, as amended, is hereby amended to read as follows:

“SEC. 5. (a) (1) Unfair methods of competition in commerce, and unfair or deceptive acts or practices in commerce, are hereby declared unlawful.

“(2) Nothing contained in this Act or in any of the Antitrust Acts shall render unlawful any contracts or agreements prescribing minimum or stipulated prices, or requiring a vendee to enter into contracts or agreements prescribing minimum or stipulated prices, for the resale of a commodity which bears, or the label or container of which bears, the trade-mark, brand, or name of the producer or distributor of such commodity and which is in free and open competition with commodities of the same general class produced or distributed by others, when contracts or agreements of that description are lawful as applied to intrastate transactions under any statute, law, or public policy now or hereafter in effect in any State, Territory, or the District of Columbia in which such resale is to be made, or to which the commodity is to be transported for such resale.

“(3) Nothing contained in this Act or in any of the Antitrust Acts shall render unlawful the exercise or the enforcement of any right or right of action created by any statute, law, or public policy now or hereafter in effect in any State, Territory, or the District of Columbia, which in substance provides that willfully and knowingly advertising, offering for sale, or selling any commodity at less than the price or prices prescribed in such contracts or agreements whether the person so advertising, offering for sale, or selling is or is not a party to such a contract or agreement, is unfair competition and is actionable at the suit of any person damaged thereby.

“(4) Neither the making of contracts or agreements as described in paragraph (2) of this subsection, nor the exercise or enforcement of any right or right of action as described in paragraph (3) of this subsection shall constitute an unlawful burden or restraint upon, or interference with, commerce.

“(5) Nothing contained in paragraph (2) of this subsection shall make lawful contracts or agreements providing for the establishment or maintenance of minimum or stipulated resale prices on any commodity referred to in paragraph (2) of this subsection, between manufacturers, or between producers, or between wholesalers, or between brokers, or between factors, or between retailers, or between persons, firms, or corporations in competition with each other.

“(6) The Commission is hereby empowered and directed to prevent persons, partnerships, or corporations, except banks, common carriers subject to the Acts to regulate commerce, air carriers and foreign air carriers subject to the Civil Aeronautics Act of 1938, and persons, partnerships, or corporations subject to the Packers and Stockyards Act, 1921, except as provided in section 406 (b) of said Act, from using unfair methods of competition in commerce and unfair or deceptive acts or practices in commerce.”

52 Stat. 973.
49 USC 681.

42 Stat. 159, 169.
7 USC 181, 227.

Approved July 14, 1952.