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NO COMMENT

By James W. Douhat
One of the major pieces of legislation pending in Congress is opposed by industry on the ground that it would prevent price reductions to meet competition.

This is regarded as unfair to the public and to industry because it would encourage price rigidity and deprive consumers of the benefits of free and open competition.

The principal threat at the present time comes from a Senate bill sponsored by Senator Kefauver (D. Tenn.) and others.

It would nullify the defense now available to price discrimination charges, that price cuts were made in good faith to meet lower prices put into effect by competitors.

Enactment of this measure would place in jeopardy current business practices and threaten with legal prosecution anyone who wishes to retain customers by meeting lower prices available from competitors.

This bill has been reported, without recommendations, by a Senate Judiciary Subcommittee to the full committee. The full committee started considering it May 5 and action can now be expected at anytime.

A similar measure by Rep. Patman (D. Tex.) is pending in the House Judiciary Committee. If the Senate should pass its bill, House action would be promptly urged by supporters of the proposal.

Not to be overlooked is the fact that the House in 1956, passed the Patman bill by the overwhelming vote of 393 to 3.

Admittedly many House members were not aware of the serious import of the legislation and cast their votes on the basis of incomplete information.

They were swayed (for the time being) by arguments from the bill's supporters that it was intended to protect small business and preserve equality of opportunity.

Opponents of the measure made certain that members of the Senate understood its real nature. The result was that there was no Senate action in 1956—and the bill died with the expiration of the 84th Congress.

But its advocates started all over again when the 85th Congress convened in January, 1957. They decided to try first for Senate action and then, if successful, renew the battle in the House.

An increasing number of Congressmen are becoming aware that the measure, if enacted, could well drive many manufacturers, wholesalers, jobbers and other distributors out of business.

Actually small businesses likely would suffer the most. The freedom to meet the price of his competitor is especially vital to the small manufacturer or distributor, who may not be able to offer all the credit or other facilities at the disposal of larger companies— (Continued on Page 3)



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