

## **RESOLUTION NO. 71**

*Adopted by National Executive Committee, The American Legion, May 5-7, 1947  
Amended by National Executive Committee, The American Legion, May 3-5, 1948*

### **RULES AND REGULATIONS FOR THE MANUFACTURE OR SALE OF ANY ARTICLE OF MERCHANDISE REPRODUCING THE EMBLEM OF THE AMERICAN LEGION**

WHEREAS, It has come to the attention of the National Organization that large quantities of merchandise bearing the Legion insignia or emblem thereon, and neither meeting the specifications heretofore adopted for the manufacture of such merchandise nor receiving approval for the manufacture thereof, are being manufactured and sold to Legionnaires, Departments and Posts, and that neither the National Organization nor the several Departments are receiving any financial benefit by reason of the sale of such unauthorized merchandise except in some few instances by the purchase of the Legion emblem or insignia from The American Legion National Emblem Sales; and

WHEREAS, It is the desire and intention that the individual Legionnaire and the several Posts and Departments shall have merchandise bearing the Legion emblem or insignia thereon of the best quality obtainable and at the best price and that any profits therefrom shall inure to the benefit of The American Legion for its many programs, particularly Rehabilitation and Child Welfare; and

WHEREAS, The basic endeavor of the National Emblem Committee and its Divisions always shall be to provide the best quality official Legion merchandise to our membership at a less price than would be available through any other medium, by the mass production of such Legion merchandise; and

WHEREAS, The manufacture, sale, or purchase for re-sale of any merchandise bearing thereon the insignia or emblem, or any colorable imitation thereof, of The American Legion, should be made only when authorized under the rules and regulations of The American Legion; now, therefor, be it

RESOLVED, By the National Executive Committee of The American Legion, at a regular meeting, held in Indianapolis, Indiana, on May 5th-7th, 1947, that the manufacture, sale or purchase for re-sale either separately or appended to, or to be appended to, or the reproduction on any article of merchandise manufactured or sold, of the badge, medal, emblem, or other insignia or any colorable imitation thereof, or the reproduction thereof for commercial purposes, of The American Legion or the printing, lithographing, engraving or other like reproduction on any poster, circular, periodical, magazine, newspaper or other publication, or the circulation or distribution of any such printed matter bearing the reproduction of such badge, medal, emblem or other insignia or colorable imitation thereof, of The American Legion, shall be in accordance with the following rules and regulations hereby declaring the policy of The American Legion:

1. That the word "Emblem" used hereafter shall mean insignia, badge, medal, emblem, or any colorable imitation thereof or the reproduction thereof, of The American Legion.
2. That the National officers are charged with resisting and restraining any unauthorized use of the name "The American Legion," or the emblem.
3. That the use of the emblem by the individual Legionnaire shall be limited to the wearing of the official insignia and to the possession of authorized jewelry or merchandise bearing the emblem.
4. That the use of the emblem by Posts shall be confined to using the imprint or reproduction of the emblem, or the gummed emblem, upon stationery, or upon Post publications, notices, posters, or placards, or matters of similar character used in the ordinary routine and conduct of legitimate Post business and activities sponsored and duly authorized by the Post, and to the use of authorized regalia or merchandise bearing the emblem. \*6

5. That the use of the emblem by Departments shall be the same as the use by Posts except that convention committees in the several Departments are privileged to use the emblem for decoration and souvenir purposes, subject in each instant to the approval of the National Adjutant.
6. That any other use of the name "The American Legion," or the emblem shall be subject to the approval of the National Adjutant: Provided, however, (a) that any requests for such other use of the emblem by Posts shall first be subject to Department approval before submission to the National Adjutant, and (b) that any other such use by the Departments, when approved by the National Adjutant, shall be confined within the territorial limits of the Department. \*1
7.
  - \* That written \*6 contracts for the official Legion uniform are to be made by the several Department organizations with uniform manufacturers of their choice. \*2
  - \* That written \*6 contracts made by Departments with contractors for the manufacture of Legion uniforms shall contain therein or as a part thereof, the standard specifications for uniforms and other Legion accessories, as adopted by the National Organization, and, further, that such written \*6 contracts shall provide that the contractor shall purchase direct from the National Emblem Sales the emblem and other approved accessories for use on uniforms, \*3 and that each order of such contractors to the National Emblem Sales shall bear the approval of the Department Adjutant.
  - \* That the official Legion uniform for men Legionnaires shall consist of trousers, and coat with belt, or an Eisenhower jacket; and that the official Legion uniform for women Legionnaires shall consist of a skirt, and coat with belt, or an Eisenhower jacket, or a one-piece type dress, and that the official Legion uniform for both men and women Legionnaires shall include shirt and tie and/or both. \*6
8. Deleted
9. That all merchandise bearing the Legion emblem shall be manufactured for commercial purposes only when made in accordance with specifications adopted by or upon the approval of the National Organization.
10. That the manufacture, sale or purchase for re-sale of any merchandise or equipment or products of any kind whatsoever bearing thereon the emblem, by any person or corporation without the prior approval of the National Organization of The American Legion, shall be prohibited and shall be considered in violation of the rules and regulations of the National Organization and the Act of Congress of the United States, approved June 25, 1948, it being Public Law No. 772, 80th Congress, 2nd Session, Chapter No. 645, Title 18 USC §705. \*5

\*1 The foregoing five paragraphs adopted by the 14th Annual National Convention in Portland, Oregon, September 12-15, 1932.

\*2 19th Annual National Convention in New York, September 20-23, 1937.

\*3 Digest of Minutes National Executive Committee meeting May 2-3, 1940, page 42.

\*4 Deleted

\*5 This Act of Congress (repealing Public Law No. 663, 78th Congress) provides that manufacture or sale or purchase for re-sale of any article of merchandise bearing the insignia or emblem of a veterans' organization incorporated by an Act of Congress is prohibited except when authorized under such rules and regulations as may be prescribed by such organization so incorporated.

\*6 As amended by National Executive Committee, May 3-5, 1948.