



Department of Commerce

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

BRITISH TOKEN IMPORT PLAN ADMINISTRATION PROCEDURES REVISED: The procedure governing the administration of the British Token Import Plan and the role of the Office of International Trade in this plan have been revised. The Federal Register of September 13, 1949, contains the new regulations.

The only item of interest to the fishing and allied industries included in the commodities subject to the plan is canned lobster.

The British Token Import Plan is an arrangement with the British Government which permits United States manufacturers, their authorized agents, or other qualified exporters, with established prewar trade connections in Great Britain to export to that area token shipments of specified commodities, the importation of which the British Government prohibited as a war measure.

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POSITIVE LIST OF COMMODITIES AMENDED: The Positive List of Commodities was amended effective August 12, 1949, and the list published in the Federal Register

of September 2, 1949. The list includes those commodities which require a validated export license from the Department of Commerce for shipment to any destination, whether to Country Group R and O destinations or to Country Group R destinations only (country groups for which validated licenses must be obtained). No edible fishery products appear in this list.

All edible fishery products and other commodities of interest to the fishing and allied industries not included in the Positive List of Commodities as amended may be exported under the general license GRO, which requires only that a shipper's export

declaration describing the commodity or commodities to be exported be filed with the Collector of Customs at the port of exit or with the Postmaster at the place of mailing.

Items in Positive List of Commodities of Interest to the Fishing and Allied Industries					
Dept. of Commerce Schedule B No.	Commodity	Unit	Processing Code and Related Commodity Group	Lb./Dollar Value Limits	Validated License Required
080905	<u>Animal and Fish Oils and Greases, Inedible</u> Sperm Oil	Lb.	FATS	10	R
119900	<u>Fodders and Feeds, N. E. S.</u> Fish meal for feed	L. ton	CERL	100	RC
319900	<u>Cotton Manufactures</u> Fish netting, tarred or not tarred (not a finished product)	-	TEXT 16	100	R
339916	<u>Vegetable Fibers and Manufactures</u> Flax (linen) fabrics, wide and narrow	Lb.	TEXT	1,000	R
339916	Gill nettings	Lb.	TEXT	1,000	R
379900	<u>Silk and Manufactures</u> Silk manufactures, n. e. s. i	-	TEXT	1,000	R
379900	Fishing line, unfinished	-	TEXT	1,000	R
385900	<u>Synthetic Fibers and Manufactures</u> Synthetic textile manufactures, n. e. s. i	-	TEXT 18	100	R
612200	<u>Iron and Steel Manufactures</u> Tin cans, finished or unfinished	Lb.	TMPL	1,000	R
684900	<u>Vegetable Fibers and Manufactures</u> Flax, hemp, and ramie yarns, and manufactures, n. e. s. i	-	TEXT	1,000	R
684900	Fishing nets, commercial	-	TEXT	1,000	R
684900	Seines, commercial	-	TEXT	1,000	R

1/Has reference to the value limits under the general license, Shipments of Limited Value.

Food and Drug Administration

PROPOSED CHANGES IN CANNED SHRIMP AND OYSTER LABELING REQUIREMENTS: With reference to the regulations on the inspection and labeling of canned shrimp and canned oysters published in codified form in the Federal Register of November 10, 1948, certain minor changes proposed by the Food and Drug Administration were announced in the Federal Register of October 6, 1949.

Canned Shrimp: It is proposed to amend paragraphs (a) and (c) of Section 155.10 and to add a new paragraph, numbered (d), to that section. The changes are indicated by underscoring:

"155.10 Labeling. (a) Labels on canned shrimp packed and certified under Section 155.0 to 155.13 may (instead of shall) bear the mark 'Production Supervised by U. S. Food and Drug Administration,' Such mark if used shall be plainly and conspicuously displayed (c) No commercial brand or brand name appearing on labeling approved as authorized under paragraph (b) of this section and bearing the mark 'Production Supervised by U. S. Food and Drug Administration,' and no labeling simulating."

The new paragraph (d) merely states that canned shrimp labeling shall be used only as authorized, and unauthorized use renders the user liable to certain penalties.

Canned Oysters: It is proposed to amend paragraphs (a) and (c) of Section 155.40. The proposed changes are the same as given above for canned shrimp, except for paragraph (d) which is already part of the original regulations for canned oysters.

With reference to these proposed changes, all interested parties were given an opportunity to submit their views in writing to the Federal Security Administrator, by November 6, 1949



Interstate Commerce Commission

REPORT ON RAILWAY EXPRESS' REQUEST FOR INCREASE IN ICE CHARGES: In connection with the request of the Railway Express Agency for increases in the ice charges, the Interstate Commerce Commission recently issued its Examiner's report on I.C.C. I & S Docket No. 5612 (Billing Weights on Iced Fish and Shellfish-Express). The report states that: "Proposed increases in billing weights for fish and shellfish, in boxes or other containers with ice as a refrigerant, when shipped in less-carload quantities by railway express, not shown to be just and reasonable." Exceptions to the examiner's report can be filed up to October 17, 1949.

The increases mentioned by the examiner refer to minimum charges which must be added for water ice in shipments of fresh and frozen fish and shellfish. The increases requested were:

- (1) For fresh and frozen fish, where a 25 percent addition to the net weight of the shipment is now made, a 50 percent addition was requested. (This section excludes the crustaceans listed in (2) below.)

- (2) For crawfish, crawfish tails, crab meat, dressed frogs and frog legs, live or boiled lobsters, lobster meat, lobster tails, shrimp and shrimp meat, where a 50 percent addition to the weight of the shipment is now made, a 75 percent addition was requested.
- (3) For mixed shipments of fish and oysters, where a 25 percent addition to the net weight of the shipment is now made, a 50 percent addition was requested.

With reference to these increases, the Examiner's proposed findings stated:

"The Commission should find, subject to provisos herein recited, that the present billing weights are and for the future will be just and reasonable for shipments of fresh fish and shellfish having gross weights at origins not greater than 175 and 200 percent, respectively, of the net weights shipped during the 9 months, September to May, and not greater than 200 and 225 percent, respectively, of net weights shipped in the other 3 months; provided that the billing weight for any shipment shall not be less than the weight of the commodity plus the actual or estimated weight of the container or containers; and provided further that this finding shall not apply to any container in which there is more than 100 pounds net weight of fish or shellfish.

"The Commission should further find that the billing weights herein proposed by respondent for the future will be just and reasonable

- (1) for shipments of fish and shellfish having gross weights at origins greater than 175 and 200 percent, respectively, of the net weights shipped during the 9 months, September to May, and greater than 200 and 225 percent, respectively, of net weights shipped in the other 3 months; and

- (2) for a net weight of more than 100 pounds of fish or shellfish in one container in any month regardless of the gross weight.

"For mixed shipments of fish and oysters, charges should be based on billing weights for fish, as hereinbefore outlined, plus the weight of the oysters. The findings herein do not apply to shipments accompanied by dry ice as a refrigerant, nor to shipments in Church containers.

"The Commission should further find that it will be just and reasonable for respondent to publish and collect, for re-icing shipments, a charge of 20 cents for each reicing of a box or barrel containing 50 pounds or less of fresh fish or other seafood; 25 cents for 51 to 100 pounds; and 30 cents for a box or barrel containing more than 100 pounds of net weight.

"The Commission should further find that the suspended schedules are not shown to be just and reasonable. An order should be entered requiring their cancellation and discontinuing the proceeding, without prejudice to the filing of new schedules in accordance with conclusions herein expressed."

The proposed findings are not effective until approved at a regular meeting of the I.C.C.

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MANY TRUCKS CARRYING FRESH AND FROZEN FISH NOW EXEMPTED FROM I.C.C. REGULATIONS: On September 23rd the Interstate Commerce Commission made the following decision in the Monark Egg Case docketed by the Commission as MC 89207:

"On further consideration, we find that the term 'fish (including shell fish)' as used in section 203 (b) (6) of the Interstate Commerce Act, includes frozen, quick frozen, and unfrozen fish in the various forms in which it is shipped, such as live fish, fish in the round, beheaded and gutted fish, filleted fish, beheaded shrimp, and oysters, clams, crabs, and lobsters, with or without shells, including crab meat and lobster meat, but excluding fish in hermetically sealed containers or fish which has been otherwise treated for preserving such as smoked, salted, pickled, spiced, corned or kippered."

This decision confirms broad exemptions from the Interstate Commerce Act to trucks transporting fresh and frozen fish. Shipments of these products can now be made in trucks which will be subject to only a minimum of regulation in the form of safety requirements with respect to equipment, brakes, lights, and regulations with respect to hours of service. Trucks carrying fresh and frozen fish, provided these trucks do not carry for compensation any passengers and property other than exempt property as defined in section 203 (b) (6) of the Inter-

state Commerce Act, are now exempt from regulations of the Interstate Commerce Commission which require that they obtain permits or licenses from the Commission, file schedules of tariffs, etc. (See Commercial Fisheries Review, May 1949, page 63).



Department of State

RATIFICATION OF INTERNATIONAL FISHERY AGREEMENTS: The President on September 1, 1949, ratified the International Convention for the Northwest Atlantic Fisheries and the Convention between the United States and Mexico for the establishment of an International Commission for the Scientific Investigation of Tuna; and on August 30, 1949, ratified the Convention between the United States and Costa Rica for the establishment of an Inter-American Tropical Tuna Commission.

The Senate on August 17 had previously unanimously advised and consented to the ratification of these three international fishery agreements, according to an announcement by the Secretary of State on August 18.

Identification of the agreements is as follows:

1. International Convention for the Northwest Atlantic Fisheries signed at Washington, February 8, 1949, by plenipotentiaries of the United States of America, Canada, Newfoundland, Denmark, France, Iceland, Italy, Norway, Portugal, Spain, United Kingdom, all countries that have a fishing interest in the area. Covers the species of the Northwest Atlantic Ocean that are of international interest. (See Commercial Fisheries Review, March 1949, pp. 73-82; December 1948, pp. 65-74.)
2. Convention for the Establishment of an Inter-American Tropical Tuna Commission, signed at Washington, May 31, 1949, by plenipotentiaries of the United States of America and Costa Rica. (See Commercial Fisheries Review, June 1949, pp. 59-62.)
3. Convention for the Establishment of an International Convention for the Scientific Investigation of Tuna, signed at Mexico City on January 25, 1949, by plenipotentiaries of the United States of America and the United Mexican States. (See Commercial Fisheries Review, February 1949, pp. 68-9; December 1948, pp. 74-77.)

These conventions will not enter into force until ratifications of the other governments have been completed, except that the Northwest Atlantic Convention may enter into force when four countries have ratified. Since the conventions were negotiated upon the initiative of the United States, it is believed that notification of ratification by the United States will stimulate prompt ratification by the other nations involved.

All three of the agreements establish commissions charged with the duty of scientific investigation of the particular fisheries. No regulatory powers are involved, although in the case of the Northwest Atlantic Fisheries the Commission is empowered to recommend regulations which may be issued and enforced by the individual contracting governments.

The fisheries concerned supply the American people with more than one billion pounds of protein food annually. The tuna fishery of the West Coast caught

enough tuna in 1948 to fill 7 million cases, valued at \$112,600,000 to the canners. There has been comparatively little scientific investigation of the species that support this fishery, and further knowledge is essential for the protection of the resource upon which this rapidly-expanding industry is dependent.

In the Northwest Atlantic, the oldest American fishery, depletion of the stocks has been evident for some years and has become especially acute on the New England banks.



Eighty-first Congress (first session)

SEPTEMBER 1949

Listed below are all the public bills, resolutions, etc., introduced and referred to committees, or passed by the Eighty-First Congress and signed by the President during September 1949 (unless otherwise specified), which affect in any way the fisheries and fishing and allied industries.

PUBLIC BILLS AND RESOLUTIONS INTRODUCED AND REFERRED TO COMMITTEES:

House of Representatives:

H. R. 6190 (Wickersham) - A bill to establish rearing ponds and a fish hatchery in southwestern Oklahoma; to the Committee on Merchant Marine and Fisheries.

H. R. 6204 (King) - A bill to implement the International Convention for the Establishment of an International Commission for the Scientific Investigation of Tuna, signed at Mexico City under date of January 25, 1949, by the United States of America and the United Mexican States, and the Convention for the Establishment of an Inter-American Tropical Tuna Commission, signed at Washington under date of May 31, 1949, by the United States of America and the Republic of Costa Rica; to the Committee on Foreign Affairs.

The following bills introduced prior to September 1, 1949, were not previously shown under this section:

H. R. 5991 (Walter) - A bill to promote the exploration, development, and conservation of certain resources in the submerged coastal lands and to provide for the use, control, and disposition of said lands and resources and of lands beneath inland waters; to the Committee on the Judiciary. This bill states that "...for the purposes of this Act the seaward boundary of every coastal State shall be deemed to be three geographical miles from its coast line, or at such distance as it existed at the time such State became a member of the Union..." It further states that "... Any State which is found by appropriate court action to have owned or possessed, prior to the passage of this Act, the rights of management, use, or disposition of the lands, minerals, or other natural resources within its submerged coastal lands shall not by this Act be deprived of any such rights and powers..." (Introduced August 15, 1949.)

H. R. 5992 (Walter) - Same as 5991. (Introduced August 15, 1949.)

H. R. 5894 (Lucas) - A bill to provide for the amendment of the Fair Labor Standards Act of 1938, and for other purposes; to the Committee

on Education and Labor. With reference to minimum wages and maximum hours, this bill exempts "any employee employed as a seaman; or any employee employed in the catching, taking, harvesting, cultivating, or farming of any kind of fish, shellfish, crustacea, sponges, seaweeds, or other aquatic forms of animal and vegetable life, including the going to and returning from work and including employment in the loading, unloading, or packing of such products for shipment or in propagating, processing, marketing, freezing, canning, curing, storing, or distributing the above products or byproducts thereof..." (Introduced August 5, 1949.)

H. R. 5615 (Kee) - A bill to promote the foreign policy of the United States and to authorize participation in a cooperative endeavor for assisting in the development of economically underdeveloped areas of the world; to the Committee on Foreign Affairs. (Introduced July 12, 1949.)

H. R. 4893 (Colmer) - A bill to amend the Agricultural Act of 1948 by adding thereto a new section to establish an average parity price for fats and oils and to aid in maintaining such parity price to producers; to the Committee on Agriculture. This bill includes marine oil produced in the United States. (Introduced May 27, 1949.)

Senate

S. 2561 (Saltonstall) - A bill to establish a program of foreign economic development; to the Committee on Foreign Relations.

BILLS PASSED AND SIGNED BY THE PRESIDENT:

Trade Agreements Extension Act of 1949:

H. R. 1211, (P. L. 307), signed September 26, 1949 - Authorizes extension of reciprocal trade agreements.



AQUATIC RESOURCES OF THE RYUKYU AREA

The offshore fishing in the Ryukyu Islands is done primarily in the deeper waters through which the major flow of the Kuroshio passes, or where offshoots of the current tend to swing against areas of lesser depth. Three major types of fishing operations have been practiced in the offshore waters: pole and line angling for skipjack; long line fishing for tunas, spearfishes, and sharks; and hook and line angling for bottom fish (chiefly snappers) in areas some distance from the main island groups but where submerged reefs are known to be present. During 1926-40, the offshore fisheries of the Ryukyu Retto produced an annual average catch of slightly more than 4,150 metric tons. The skipjack accounted for most of the catch, normally constituting about 80 percent of the total offshore landings. The greater part of this was processed into dried skipjack stick and exported to Japan.

--Fishery Leaflet 333