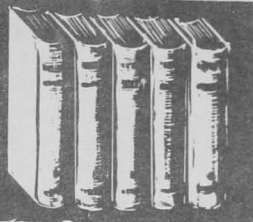




# FEDERAL ACTIONS



## Department of Commerce NATIONAL PRODUCTION AUTHORITY

CAN ORDER (M-25) REVISED: The revised can order (M-25), which goes into effect on October 1, makes three major changes in the original can regulation:

1. PUTS QUOTAS ON A 12-MONTH, INSTEAD OF A QUARTERLY BASIS.
2. DIVIDES ALL USES OF CANS BY CANNERS INTO THREE GROUPS, INSTEAD OF TWO.
3. FORBIDS CANNERS FROM SWITCHING THEIR CAN QUOTA FROM ONE PRODUCT TO ANOTHER.

Under the new revised order, the quotas for many fishery products have been revised; however, the use of cans for most major items has not been curtailed.

The NPA order amended by that agency on August 23 also:

Eliminates manufacturing and delivery preferences for cans, except with respect to DO-rated orders and any other orders under NPA directives.

Eliminates restrictions on the use of cans and parts of cans made entirely of black-plate rejects, tin-plate waste, or terneplate waste.

States that all adjustments or exceptions authorized with respect to 1951 not heretofore discontinued or terminated, including adjustments made pursuant to Direction 1, shall expire and terminate not later than December 31, 1951.

Is effective, unless otherwise amended, from October 1, 1951, to September 30, 1952.

Continues the previous requirement that a packer choose as his base year either the calendar year 1949 or 1950.

Prohibits a packer, unless authorized by NPA, to use cans for packing in excess of an amount of cans determined by applying the percentage for the product to the amount of cans which he used for packing that particular product during the corresponding quarter of his selected base year.

Permits the packers of "unlimited" products to use cans in unlimited quantity to pack that particular product.

Prohibits a packer from accepting delivery of any cans at a time when his inventory exceeds, or the delivery would create, a practicable minimum on the basis of his currently scheduled method and rate of delivery.

Allows a packer who used less than the limited amount of cans permitted for packing a particular product during the first, second, or third quarter of 1951

to use the unused amount for packing that product at any time during the balance of the calendar year 1951.

Permits a packer who uses less than the limited amount for a particular product during either the first or second quarter of 1952 to use the unused amount during a later period but no later than September 30, 1952.

Prohibits a packer from assigning, transferring, or surrendering to, or for the benefit of, any other person any part or parts of his permissible can quota for any calendar quarter.

Exempts from this order any person who purchases cans for packing and not for resale whose total use for packing all products in any calendar year is less than 250 base boxes of tin plate, terneplate, and black plate. A packer in this category must, however, comply in full with the material specification of this order.

Exempts orders having a DO rating from the inventory and quantity limits of this order.

Does not apply to the sale or delivery of cans where the person selling or delivering the same has received a validated import license from the Office of International Trade or has received from another person a certificate signed manually.

Requires, as did the previous Order M-25, that a manufacturer, jobber, or distributor sell or deliver cans only when he has received from the purchaser a certificate signed manually.

Quotas established for some fishery products by the revised order indicate that the quota for fish and seafood (frozen or refrigerated) was increased from 100 percent to unlimited, while the quotas for the following were reduced from 100 percent to 90 percent: chowder (all varieties), clam juice (1 gallon and larger cans), crab and crab meat (deviled), crawfish, finnan haddie, fish balls and cakes, fish frankfurters, fish livers, fish oil, fish paste, mullet, mussels, processed mussels, processed scallops, squid, and turtle. The following were reduced from 100 percent to 70 percent: clam juice (under 1-gallon-sized cans), lobster (processed or newberg), and menhaden.

The full text of M-25 follows (but only fishery products are abstracted from the original Schedule I in the order):

#### M-25-CANS

This amended order is found necessary and appropriate to promote the national defense and is issued pursuant to authority granted by section 101 of the Defense Production Act of 1950, as amended. In the formulation of this amended order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected by the issuance of this amended order has been rendered impracticable by the fact that it affects a very substantial number of different trades and industries.

NPA Order M-25, as amended July 1, 1951, and Amendment No. 1 thereto in

effect August 7, 1951, shall remain in full force and effect until this amended order (hereinafter referred to as "this order") becomes effective on October 1, 1951.

This order affects NPA Order M-25, as amended July 1, 1951, and Amendment No. 1 thereto, as follows: It establishes three separate groups of products, with new quotas of cans for the packing thereof which may be accepted and used by packers; it eliminates manufacturing and delivery preferences for cans except with respect to DO rated orders and any other orders under NPA directives; it eliminates restrictions on the use of cans and parts of cans made entirely of black plate rejects tin plate waste, or terneplate waste; it includes new provisions stating that all adjustments or excep-

tions authorized with respect to 1951 not heretofore discontinued or terminated, including adjustments made pursuant to Direction 1, shall expire and terminate not later than December 31, 1951; and it makes provision for the fourth quarter of 1951, and for the first, second, and third quarters of 1952. This order includes all provisions affecting cans (as herein defined) except Direction 1 to NPA Order M-25, as amended May 1, 1951.

#### Sec.

1. What this order does.
2. Definitions.
3. Restrictions on use of cans.
4. Other restrictions.
5. Restrictions on amount of cans that may be accepted.
6. Restrictions on amount of cans that may be used for packing.

- Sec.  
7. Certain adjustments and their termination.  
8. Restrictions on can manufacturers.  
9. Exceptions.  
10. Certification of delivery of cans.  
11. Applications for adjustment or exception.  
12. Records and reports.  
13. Communications.  
14. Violations.

**AUTHORITY:** Sections 1 to 14 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Sup., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

**SECTION 1. What this order does.** This order places restrictions upon the acceptance of, the delivery of, and the uses of cans. Schedule I sets out required plate specifications which vary according to the products packed. NPA Order M-24 permits the use of tin plate and terneplate for cans in accordance with the terms of this order. NPA Order M-3 sets forth specifications for solder that may be used in the manufacture of cans. Under the Controlled Materials Plan (CMP), allotments of tin plate, terneplate, and black plate are made to can manufacturers for the production of cans.

**Sec. 2. Definitions.** As used in this order:

(a) "Can" means any unused container made in whole or in part of tin plate, terneplate, or black plate, which is suitable for packing any product. The term includes any container which has a closure or fitting, made in whole or in part of tin plate, terneplate, or black plate, but does not include a glass container having such a closure or fitting. The term does not include fluid milk shipping containers, nor crown closures for cone-topped cans.

(b) "Tin plate" means steel sheets coated with tin, and includes "primes," "seconds," and all other forms of tin plate, except waste and waste-waste.

(c) "Terneplate" means steel sheets coated with terne metal, and includes "primes" and "seconds." The term does not include terneplate waste, or terneplate waste-waste. "Terne metal" means the lead-tin alloy used as the coating for terneplate, but does not include lead recovered from secondary sources, which contains less than 1.5 percent residual tin.

(d) "SCMT" means special coated manufacturers' terneplate.

(e) "Waste" means scrap tin plate or scrap terneplate (including strips and circles) produced in the ordinary course of manufacturing cans, or tin plate strips or terneplate strips produced in the ordinary course of manufacturing tin plate or terneplate. The term also includes tin plate or terneplate parts recovered from used cans.

(f) "Waste-waste" means hot-dipped or electrolytic tin-coated steel sheets or steel sheets coated with terne metal which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(g) "Black plate" means steel sheets (other than tin plate or terneplate) 29-gage (128 pounds) or lighter. The term includes can manufacturing quality black plate (CMQ), "black plate rejects," chemically treated black plate (CTB), waste-waste, and waste.

(h) "Packer" means any person who either (1) purchases empty cans and fills such cans in packing any product or (2) purchases empty cans and has them filled for his account by another party, but who controls sale and distribution of the finished product after packing.

(i) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

**Sec. 3. Restrictions on use of cans.** Subject to the exceptions set forth in section 9 of this order, no packer shall purchase, accept delivery of, or use cans for any purpose other than for packing, in accordance with the groupings, the quota percentage limitations, and the can material specifications set out in Schedule I appearing at the end of this order, a product listed in Schedule I.

**Sec. 4. Other restrictions.** No person shall manufacture, sell, or deliver cans which he knows or has reason to believe will be accepted or used in violation of the terms of this order or any other order or regulation of the National Production Authority (hereinafter called "NPA"). No person shall sell or deliver cans which he knows or has reason to believe will be exported outside of the continental limits of the United States, its territories and possessions (unless such export is to Canada), except as permitted under paragraph (i) of section 9 of this order.

**Sec. 5. Restrictions on amount of cans that may be accepted.** No person shall accept delivery of any cans at a time when his inventory thereof exceeds, or by acceptance of such delivery would be made to exceed, a practicable minimum working inventory of cans required by him for packing products listed in Schedule I of this order in accordance with the provisions of said Schedule I. As used herein "practicable minimum working inventory" means the smallest quantity of cans with which a person can reasonably meet his deliveries or supply his services on the basis of his currently scheduled method and rate of operation.

**Sec. 6. Restrictions on amount of cans that may be used for packing.** (a) This order, by previous amendments, required a packer, commencing with the second quarter of 1951, to choose as his base year either the calendar year 1949 or the calendar year 1950. Such requirement continues to apply to all packers. Any packer who has so chosen his base year for computing his permissible can quotas for a calendar quarter, and any packer who has not heretofore chosen but hereafter chooses a base year for such purpose, must predicate on his base year so chosen all computations required by paragraph (b) of this section for the fourth calendar quarter of 1951 and for all succeeding quarters through the third calendar quarter of 1952.

(b) During the fourth calendar quarter of 1951 and each calendar quarter thereafter, to and including the third calendar quarter of 1952, no packer, unless or until otherwise authorized by NPA, may use cans for packing any particular product listed in Schedule I of this order in excess of an amount of cans determined by applying the percentage listed in Column (2) of Schedule I opposite a particular product to the amount of cans which he used for packing that particular product during the corresponding quarter of his selected base year. "The amount of cans," as the phrase is used in the preceding sentence and elsewhere in this order when applied to the corresponding quarter of his base year, means the total area or tonnage of tin plate, terneplate, and black plate (excluding the area or tonnage of tin plate waste, terneplate waste, and black plate rejects) used in the manufacture of such cans and parts of cans. Where the word "unlimited" appears in Column (2) of Schedule I opposite a particular product, a packer may use the specified cans in an unlimited quantity to pack that particular product, subject to the inventory restriction contained in section 5 of this order. If a packer used less than the limited amount of cans permitted for packing a particular product during the first, second, or third quarter of 1951, he may, unless otherwise directed by NPA, use the unused amount for packing that particular product at any time during the balance of the calendar year 1951. Commencing with the first calendar quarter of 1952, if a packer uses less than the limited amount of cans permitted for packing a particular product during either the first or second quarter of 1952, he may, unless otherwise directed by NPA, use the unused amount for packing that particular product during a later period but in no event after September 30, 1952. No packer may assign, transfer, or surrender, to or for the benefit of any other person, his permissible can quota for any calendar quarter or any part or parts of such quota.

(c) In certain instances Column (2) of Schedule I of this order authorizes one quota if a particular product is packed in cans of a larger size or sizes and a different quota if such product is packed in cans of smaller size or sizes. In such instances, the packer's base period usage for packing that product in cans of larger size or sizes determines his permitted base for packing such product in such larger size or sizes during the fourth quarter of 1951 and thereafter, and his base period usage for packing such product in cans of smaller size or sizes determines his permitted base for packing such product in such smaller size or sizes during the fourth quarter of 1951 and thereafter.

**Sec. 7. Certain adjustments and their termination.** In any case where, prior to December 31, 1951, the provisions of section 3 of this order may be subject to adjustment because of any of the reasons set forth in Direction 1 to NPA Order M-25, as amended May 1, 1951, or as from time to time hereafter amended,

determinations of adjustments effective until a date not later than December 31, 1951, may be made by the packer in accordance with the standards and subject to the conditions stated in said Direction 1: *Provided, however,* That all adjustments, exceptions, and grants authorized by NPA with respect to any portion of the calendar year 1951 which have not heretofore expired, terminated, or been discontinued, including any adjustments made pursuant to said Direction 1, whether as issued March 12, 1951, or as amended May 1, 1951, or as hereafter amended, shall expire, terminate, and be discontinued as of December 31, 1951, unless the same sooner expire or terminate by their own terms or are discontinued by appropriate action of NPA, and upon the expiration, termination, or discontinuance of any adjustment, exception, or grant, no packer shall rely upon, claim the benefit of, or use the same as a basis for his acceptance or use of cans: *Provided further,* That in any case where the provisions of section 6 of this order may be subject to adjustment with respect to the year 1952 because of any of the reasons set forth in Direction 1 to NPA Order M-25, as amended May 1, 1951, or as from time to time thereafter amended, determinations of adjustments may be made by the packer after January 1, 1952, in accordance with the standards and subject to the conditions stated in said Direction 1.

**SEC. 8. Restrictions on can manufacturers.** So far as practicable, every can manufacturer shall schedule his operations (including his ordering of tin plate, terneplate, and black plate) so as to permit delivery of cans in the quantities and at the times he reasonably anticipates will be required to bring about full deliveries as permitted in Schedule I of this order for packing products listed in each of the Groups, I, II, and III. In any event, he shall schedule his operations to insure delivery for all DO rated orders and any other orders under NPA directives.

**SEC. 9. Exceptions.** (a) The can material specifications set out in Schedule I of this order do not apply to the use of any cans which were in the inventory of a packer or in the inventory of a can manufacturer or in process of manufacture on January 27, 1951, or to tin plate or terneplate which was either in process at a tin mill, or in the inventory of a tin mill for the account of a can manufacturer, or in the inventory of a can manufacturer, on January 27, 1951. It is the intent of this paragraph that any tin plate or terneplate intended for use in the manufacture of cans in inventory or in process on January 27, 1951, as aforesaid, shall be used notwithstanding the can material specifications of this order. However, the restrictions of section 6 of this order are not excepted by this paragraph.

(b) The restrictions and limitations of this order do not apply to cans or parts of cans made entirely of tin plate waste or terneplate waste or black plate rejects, or entirely of any combination thereof.

(c) Any person who purchases cans for packing and not for resale and whose

total use of cans for packing all products in any calendar year requires less than 250 base boxes of tin plate, terneplate, and black plate shall be exempt from the use limitations of section 6 of this order but not from the can material specifications of Schedule I of this order. This exemption does not apply to any person who buys empty cans or parts thereof and sells such cans or parts thereof to a packer.

(d) The use limitations of section 6 of this order and the can material specifications in Schedule I do not apply to cans used to pack any product in home canning, community canning, or institutional (meaning such institutions as prisons, reform schools, and insane asylums) canning where the product is not to be sold. This exemption also applies to cans for packing laboratory samples and control samples, but not to cans for packing samples distributed for the purpose of advertising or for promoting the sale of a product, nor to any cans used for packing products which are later repacked and sold.

(e) Orders having a DO rating are exempt from the restrictions in sections 5 and 6 of this order on the amount of cans that may be accepted and used.

(f) The use of cans for packing any product which is required to be packed in cans, set aside, and reserved for purchase by any authorized Government agency is exempt from the use limitations of this order, but not from the can material specifications in Schedule I of this order: *Provided, however,* That whenever the product so to be packed by a packer, set aside, and reserved for purchase by any authorized Government agency is any one of the following:

|                |                |
|----------------|----------------|
| Beans, lima.   | Spinach.       |
| Beans, string. | Sweetpotatoes. |
| Carrots.       | Tomatoes.      |
| Catsup.        | Tomato juice.  |
| Corn.          | Tomato paste.  |
| Peas.          | Tomato puree.  |

then all or any No. 10 cans or larger, or any part or parts thereof, which the packer uses for packing that product, whether all or less than all of his pack in No. 10 cans or larger of that product is so set aside and reserved, may be made of 0.50 electrolytic tin plate instead of 0.25 electrolytic tin plate in any respect for which 0.25 electrolytic tin plate is prescribed by the applicable can material specifications in Schedule I of this order.

(g) The can material specifications set out in Schedule I of this order shall not apply to orders having a DO rating requiring the packing of products in accordance with Military Specifications of the Department of Defense for use outside the 48 States of the United States and the District of Columbia by the Armed Forces of the United States, including the United States Coast Guard. The can material specifications set out in Schedule I shall apply, however, to all other orders having a DO rating.

(h) The restrictions of this order shall not apply to military requirements for cans of a special design or style not normally produced or used commercially, nor to cans for emergency rations and supplies for lifeboats.

(i) The provisions of this order shall not apply to the sale or delivery of cans

where the person selling or delivering the same has received a validated export license therefor from the Office of International Trade, or has received from another person a certificate signed manually. This certificate shall be by letter in substantially the following form: the inapplicable words stricken therefrom, and shall be filed with each purchase order with the person selling or delivering to such other person cans for export:

To: \_\_\_\_\_, Seller:  
The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that (he has received a certificate from another person that) the Office of International Trade has issued to (him) (such other person) validated export license No. \_\_\_\_\_ for export shipment of all of the items included in the attached purchase order, and that all purchases from you of items included in the said purchase order and the acceptance of the same will be in compliance with the said validated export license.

In cases of export to those countries where the Office of International Trade does not require an export license, no certificate shall be required until such time as an export license is required by the Office of International Trade.

**SEC. 10. Certification of delivery of cans.** No manufacturer, jobber, or distributor shall sell or deliver cans unless he has received from the purchaser a certificate signed manually. This certificate shall be by letter in substantially the following form and, once filed by a purchaser with a manufacturer, jobber, or distributor, covers all future deliveries of cans from the manufacturer, jobber, or distributor to that purchaser:

To: \_\_\_\_\_ manufacturer, jobber, or distributor:  
The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M-25 of the National Production Authority, and that all purchases from you of items regulated by that order, and the acceptance and use of the same by the undersigned, will be in compliance with said order, and any amendments thereto.

**SEC. 11. Applications for adjustment or exception.** Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, that any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, submitted on Form NPAF-38 in triplicate, and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor. Form NPAF-38 must be executed as therein required.

**SEC. 12. Records and reports.** (a) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who have maintained or may maintain such microfilm or other photographic records in the regular and usual course of business.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

**SEC. 13. Communications.** All communications concerning this order shall be addressed to the National Production Authority, Containers and Packaging Division, Washington 25, D. C., Ref: M-25.

**SEC. 14. Violations.** Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

**NOTE:** All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Schedule I is hereto attached and made a part of this order.

This order, issued August 23, 1951, shall take effect on October 1, 1951, at 12:01 a. m. Eastern Standard Time. Until such time, NPA Order M-25, as amended July 1, 1951 and Amendment No. 1 thereto in effect August 7, 1951, shall remain in full force and effect.

NATIONAL PRODUCTION  
AUTHORITY,

MANLY FLEISCHMANN,  
Administrator.

SCHEDULE I—CAN SPECIFICATIONS

Columns (3) and (4) specify the weight of tin-coating per base box of tin plate or terneplate which may be used for the parts of cans for the products listed in Column (1). Any packer may also use for packing a listed product black plate cans or cans with a tin-coating lighter than that specified for that product. He may also use, without restriction or limitation, cans, or parts of cans, made entirely of tin plate waste or terneplate waste or black plate rejects, or entirely of any combination thereof. Wherever 0.25 pound electrolytic tin plate is specified, SCMT may be used. Tin plate menders arising in the production of electrolytic tin plate may be used only where hot-dipped tin plate is permitted in this schedule. When only a figure is given in Columns (3) and (4), this means that tin plate may be used for the part, and the figure given indicates the maximum weight of tin-coating on each base box of plate. Electrolytic 0.25 pound tin plate may be used in place of black plate in that part of a can which, after filling, is required to be hermetically closed by soldering, or in that part of a can to which a nozzle is required to be attached by soldering. Nozzles and fittings so attached may also be made of 0.25 pound electrolytic tin plate, except that 0.50 pound electrolytic tin plate may be used for drawn soldered fittings. However, the total area or tonnage of 0.25 pound or 0.50 pound electrolytic tin plate or both used in the parts described or specified in either or both the two preceding sentences is limited to not more than the permitted quota percent, as shown in Column (2) of Schedule I, of the total area or tonnage of plate used in such parts for packing a particular product during the corresponding period of 1949 or 1950.

| Product<br>(1)   | Groupings and quota percentages<br>(2) |          |           | Can materials                   |                           |
|--|--|----------|-----------|---------------------------------|---------------------------|
|  |  |          |           | Soldered or welded parts<br>(3) | Non-soldered parts<br>(4) |
|  | Group I                                | Group II | Group III |                                 |                           |
| <i>Fish and shellfish</i>  |  |          | 70        |                                 |                           |
| 85. Caviar.....  |  |          |           | .25                             | .25                       |
| 86. Chowder, all varieties.....  |  | 90       |           | .25                             | .25                       |
| Inside enameled cans.....  |  |          |           | 1.25                            | .25                       |
| Plain body cans.....   |  |          |           | .25                             | .25                       |
| 87. Clam juice.....  |  |          |           |                                 |                           |
| 1-gallon and larger cans.....  |  | 90       |           |                                 |                           |
| Other sizes.....   |  |          | 70        |                                 |                           |
| 88. Clams, processed.....  | 100                                    |          |           | .25                             | .25                       |
| 89. Codfish, salted, dry.....  |  |          | 70        | .25                             | .25                       |
| 90. Crab and crabmeat.....   |  |          |           | .25                             | .25                       |
| Deviled.....   |  | 90       |           |                                 |                           |
| Processed.....   | Unlimited                              |          |           |                                 |                           |
| 91. Crawfish.....  |  | 90       |           | .25                             | .25                       |
| 92. Eels.....  |  |          | 70        | .25                             | .25                       |
| 93. Finnan haddie.....   |  |          |           |                                 |                           |
| Round cans.....  |  | 90       |           | .25                             | .25                       |
| Drawn cans.....  |  |          |           | .50                             | .50                       |
| 94. Fish and seafood, frozen or refrigerated.....                                      | Unlimited                              |          |           | .25                             | .25                       |
| 95. Fishballs and cakes.....   |  | 90       |           | .25                             | .25                       |
| 96. Fish flakes and ground fish for human consumption only, excluding tuna flakes..... |  |          |           | .25                             | .25                       |
| 97. Fish frankfurters.....   | 100                                    |          |           | .25                             | .25                       |
| 98. Fish livers.....   |  | 90       |           |                                 |                           |
| In reusable 5-gallon square cans.....  |  | 90       |           | 1.25                            | 1.25                      |
| In nonreusable 5-gallon square cans and smaller size cans.....                         |  |          |           | .50                             | .50                       |

| Product<br>(1)   | Groupings and quota percentages<br>(2) |          |           | Can materials                   |                           |
|--|--|----------|-----------|---------------------------------|---------------------------|
|  | Group I                                | Group II | Group III | Soldered or welded parts<br>(3) | Non-soldered parts<br>(4) |
| <i>Fish and shellfish—Continued</i>  |  |          |           |                                 |                           |
| 99. Fish oil.....  |  | 90       |           | .50                             | .50                       |
| 100. Fish paste.....   |  | 90       |           | .25                             | .25                       |
| 101. Fish, pickled.....  |  |          | 70        | 1.50                            | 1.50                      |
| 102. Fish roe.....   | Unlimited                              |          |           | .25                             | .25                       |
| In round double-seamed cans.....   |  |          |           | .50                             | .50                       |
| In oval drawn cans.....  |  |          | 70        | .25                             | .25                       |
| 103. Halibut.....  |  |          |           |                                 |                           |
| 104. Herring, in oil, or brine (including sea and river alewives, anchovies, mackerel, pilchards and sardines) (1.25 tin plate may be used for scored covers).....   | Unlimited                              |          |           | .25                             | .25                       |
| Round cans.....  |  |          |           | .25                             | .25                       |
| 1/4 drawn caps.....  |  |          |           | .50                             | .50                       |
| 3/4 3-piece cans.....  |  |          |           | .50                             | .50                       |
| Oval or oblong drawn (other than 1/4 drawn).....   |  |          |           | .50                             | .50                       |
| 105. Herring in tomato or mustard sauce (including sea and river alewives, anchovies, mackerel, pilchards and sardines in oval, round, oblong or drawn cans) (1.25 tin plate may be used for scored covers)..... | Unlimited                              |          |           | .50                             | .50                       |
| 106. Lobster, processed or Newberg.....  |  |          | 70        | .25                             | .25                       |
| 107. Menhaden.....   |  |          | 70        | .25                             | .25                       |
| 108. Mullet.....   |  | 90       |           | .25                             | .25                       |
| 109. Mussels, processed.....   |  | 90       |           | .25                             | .25                       |
| 110. Oysters, processed.....   |  | 100      |           | .25                             | .25                       |
| 111. Salmon.....   | Unlimited                              |          |           |                                 |                           |
| In round double-seamed cans.....   |  |          |           | 1.25                            | .25                       |
| In oval or drawn cans.....   |  |          |           | .50                             | .50                       |
| 112. Scallops, processed.....  |  | 90       |           | .25                             | .25                       |
| 113. Shad.....   | Unlimited                              |          |           |                                 |                           |
| In round double-seamed cans.....   |  |          |           | .25                             | .25                       |
| In oval or drawn cans.....   |  |          |           | .50                             | .50                       |
| 114. Shrimp, processed.....  | Unlimited                              |          |           | .25                             | .25                       |
| 115. Squid.....  |  | 90       |           |                                 |                           |
| Enameled cans.....   |  |          |           | .25                             | .25                       |
| Plain bodies.....  |  |          |           | 1.25                            | .25                       |
| 116. Tuna, including tuna flakes.....  | Unlimited                              |          |           | .25                             | .25                       |
| 117. Turtle.....   |  | 90       |           | .25                             | .25                       |
| <i>Miscellaneous food products</i>   |  |          |           |                                 |                           |
| 174. Animal and pet food.....  |  |          | 70        | .25                             | .25                       |
| 175. Baby food.....  | Unlimited                              |          |           |                                 |                           |
| Fish.....  |  |          |           | .50                             | .50                       |
| 184. Chinese food specialties.....   |  | 90       |           | 1.25                            | .25                       |
| Chop suey.....   |  |          |           |                                 |                           |
| Chow mein.....   |  |          |           |                                 |                           |
| Egg foo yong.....  |  |          |           |                                 |                           |
| 197. Dietary foods, special formula.....   |  | 90       |           |                                 |                           |
| Dry.....   |  |          |           | CMQ                             | CMQ                       |
| Wet.....   |  |          |           | .50                             | .50                       |
| 219. Soups, dehydrated.....  |  | 90       |           | .50                             | CMQ                       |
| 5-gallon square cans only.....   |  |          |           |                                 |                           |
| 220. Soups, liquid.....  |  | 90       |           |                                 |                           |
| Nonseasonal.....   |  |          |           | .75                             | .50                       |
| All other nonseasonal.....   |  |          | 70        | CMQ                             | CMQ                       |
| 230. All other nonprocessed foods.....   |  |          | 70        | .25                             | .25                       |
| 231. All other processed foods.....  |  |          |           |                                 |                           |
| <i>Nonfood products</i>  |  |          |           |                                 |                           |
| 271. Oils (industrial):.....   |  | 90       |           |                                 |                           |
| Animal, fish, or vegetable.....  |  |          |           | .50                             | .50                       |
| 5-gallon square cans.....  |  |          |           | .25                             | .25                       |
| All other sizes.....   |  |          |           |                                 |                           |

\* \* \* \* \*

AMENDMENT TO CAN ORDER M-25 CLARIFIES SELECTION OF BASE PERIODS: An amendment to NPA Order M-25 (Cans) clarifies certain misunderstandings regarding the selection of base periods. Amendment 1 to M-25 states that packers of canned goods may choose one base period for one product and another base period for another product in determining the number of cans they will be permitted to use for any specific product.

For details see: M-25 (Cans), Amdt. 1 dated Oct. 8, 1951.

\* \* \* \* \*

MARINE MAINTENANCE, REPAIR, AND OPERATING SUPPLIES ORDER EXTENDED: Priority assistance for procurement of marine maintenance, repair, and operating supplies (MRO) and minor capital additions by ship operators, marine suppliers, and ship-

repair yards has been extended into the fourth quarter, pending further changes now being prepared, NFA announced on October 1.

M-70, as amended, authorizes water transportation systems (any domestically-owned American flag vessel of any type): (1) to apply for CMP allotment numbers to obtain steel, copper, and aluminum and a DO-R-9 rating for non-controlled materials; and (2) to build up their inventories in advance of orders to 120 percent of their base period (fourth quarter 1950, or--for domestic vessel operators--an option to use the first quarter as the base).

Ship operators, marine suppliers, and ship-repair yards were permitted to apply a DO-rating or CMP allotment number for MRO supplies and minor capital additions during the third quarter.

For details see: M-70 (Marine Maintenance, Repair, and Operating Supplies and Minor Capital Additions), as amended Oct. 1, 1951.

NOTE: FULL TEXTS OF MATERIALS ORDERS MAY BE OBTAINED FROM NATIONAL PRODUCTION AUTHORITY, WASHINGTON 25, D.C., OR FROM ANY DEPARTMENT OF COMMERCE REGIONAL OR FIELD OFFICE.



## Economic Stabilization Agency

### OFFICE OF PRICE STABILIZATION

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL: Republished by OPS in October were Ceiling Price Regulation 15 (Ceiling Prices of Certain Foods Sold at Retail in Group 3 and Group 4 Stores) to incorporate the text of Amendments 1 through 6, and Ceiling Price Regulation 16 (Ceiling Prices...in Group 1 and Group 2 Stores) to also incorporate the text of Amendments 1 through 6. These regulations fix ceiling prices for "dry groceries" listed in Table A and the "perishables" listed in Table B for Group 3 and 4 retail stores (all retail stores, other than "independent" retail stores, doing an annual business of less than \$375,000 and for all retail stores, whether "independent" or not, doing an annual business of \$375,000 or more) and Group 1 and 2 stores (all "independent" retail stores doing an annual business of under \$375,000). These regulations were originally issued on March 28, 1951.

Only tables A of both orders contain food commodities of interest to the fishing and allied industries. These commodities and the mark-ups over "net cost" allowed by these regulations are as follows:

Mark-ups Over "Net Cost" Allowed for Dry Groceries Covered by These Regulations by Group of Stores and Commodities

| Food Commodities           | Allowed Mark-ups Over Net Cost  |   |   |  |
|----------------------------|---|---|---|--|
|                            | Ceiling Price Regulation 15   |   | Ceiling Price Regulation 16   |  |
|                            | Group 3--Retailer other than independent with annual volume under \$375,000 | Group 4--Any retailer with annual volume of \$375,000 or more | Group 1--Independent retailers with net annual volume of under \$75,000 | Group 2--Independent retailers with net annual volume of \$75,000 or more, but less than \$375,000 |
|                            | Percent   | Percent   | Percent   | Percent  |
| 1. Baby foods .....        | 18  | 16  | 25  | 23   |
| 7. Dog and cat foods ....  | 24  | 24  | 27  | 27   |
| 8. Fish, processed .....   | 21  | 21  | 27  | 27   |
| 10. Frozen foods .....     | 27  | 27  | 27  | 26   |
| 27. Soups, canned .....    | 19  | 19  | 27  | 40   |
| 36. Miscellaneous foods .. | 35  | 35  | 40  | 40   |

For those specific commodities listed above of interest to the fishery and allied industries, on the following page are given the commodity definitions (applicable to both domestic and imported items), commodities excluded from these

regulations but subject to GCPR or other applicable regulations, and commodities excluded from price control at wholesale and retail:

| (b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items  | (c) <i>Commodities excluded from this regulation, but subject to GCPR or other applicable regulations</i>   | (d) <i>Commodities excluded from price control at wholesale and retail</i>  |
|--|---|---|
| (1) "Baby foods" means "baby" or "junior" cereals, fruits, vegetables, meats, pudding, soups and mixtures thereof, packed in hermetically sealed containers. Not included in this definition are dry baby cereals.   | (1) "Baby foods".<br>Excluded are:<br>Dry baby cereals.   | (1) "Baby foods".<br>Excluded are:<br>None.   |
| (7) "Dog and cat food" shall not include any item prepared by you for pet food, or any frozen dog or cat food.   | (7) "Dog and cat food".<br>Excluded are:<br>None.   | (7) "Dog and cat food".<br>Excluded are:<br>None.   |
| (8) "Fish, processed" includes canned fish, canned seafood, and salted or otherwise processed fish, such as fish cakes. Not included in this definition are frozen food products in which fish or seafood are combined with other ingredients, clams, crab meat, lobster, lobster bisque, and oysters.   | (8) "Fish, processed".<br>Excluded are:<br>Frozen fish and seafood, canned clams and kippered, marinated, dried or smoked fish and seafood (except sardines).   | (8) "Fish, processed".<br>Excluded are:<br>Fresh fish and seafood, canned clam juice, fish and seafood pates, pastes and purees, sauce containing fish and seafood, fish roe, caviar, fish and seafood hors d'oeuvres; and imported "fish, processed" if imported in consumer size containers, except tuna, crab meat and salmon. |
| (10) "Frozen foods" means packaged quick-frozen or cold-packed foods sold from refrigerated cabinets or lockers, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of more than 50 pounds), vegetables, vegetable juices, and mixtures, including mushrooms, dog and cat foods not prepared by you for pet foods, applesauce, macaroni and spaghetti products, chop suey, chow mein, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash, frozen instant coffee, concentrated frozen fresh milk, frozen meat pies, frozen pies and pastries. | (10) "Frozen foods".<br>Excluded are:<br>Frozen fruits, berries, fruit or berry juices and mixtures in containers of a capacity of more than 50 pounds, frozen fish and seafood, frozen meat, poultry, ice cream, sherbet and frozen confections. | (10) "Frozen foods".<br>Excluded are:<br>Frozen hollandaise sauce.  |
| (27) "Soups, canned" includes soups, broths and chowder. Not included in this definition are meat stews, "baby" or "junior" soups, dehydrated soups, and frozen soups.   | (27) "Soups, canned".<br>Excluded are:<br>All bisques (except tomato, chicken, celery and mushroom), vichyssoise, minestrone and bouillabaisse.   | (27) "Soups, canned".<br>Excluded are:<br>Turtle, wine and sherry flavored, fish or seafood soups (except clam chowder), smoked turkey and game bird soups; almond, artichoke, broccoli, cucumber and watercress soups; all imported soups if imported in consumer size containers.   |
| (36) "Miscellaneous foods" shall include all other dry grocery items except those specifically excluded in paragraphs (c) and (d) of this section. Among the items included under this heading are the following:<br>Crab meat.<br>Oysters (canned)  | (36) "Miscellaneous foods".<br>Excluded are:<br>Feed, animal or poultry (other than pet food).<br>Frozen fish and seafood.  | (36) "Miscellaneous foods".<br>Excluded are:<br>Truffles, capers, canned snails, cane or beet sugar, rattlesnake meat, easter egg dye, and olive oil.   |

For details see: CPR 15, Collation 1, Including Amdts. 1-6 (Ceiling Prices of Certain Foods Sold at Retail in Group 3 and Group 4 Stores) and CPR 16, Collation 1, Including Amdts. 1-6 (Ceiling Prices of Certain Foods Sold at Retail in Group 1 and Group 2 Stores).

\* \* \* \* \*

IMPORTS CEILING PRICE REGULATION: CPR 31 (Imports), republished to incorporate the text of Amendments 1 through 9 by OPS on September 26, provides a formula whereby importers, wholesalers, and retailers of imported commodities shall compute their ceiling prices for sales thereof on the basis of prices in effect during a base period extending from July 1, 1949, to June 30, 1950. All of the provisions of the GCPR, except section 14, heretofore applicable to importers and to the sale of imported commodities are superseded by this order except with respect to the sale of certain commodities. Fishery products and byproducts imported under CPR 31. The effective date of this regulation was September 1, 1951.



With respect to the sale by other than importers of imported commodities at wholesale and retail levels, CPR 7 shall govern the pricing at the retail level of all imported non-food commodities specifically covered thereby, and CPR 14, 15, and 16 shall govern the pricing at the wholesale and retail level of all imported food commodities specifically covered thereby. Any imported commodity which does not specifically fall within the coverage of CPR 7, 14, 15, and 16 shall be priced for wholesale or retail sale under sections 4 and 5 of CPR 31.

For details see: CPR 31, Collation 1, including Amdts. 1-9, dated Sept. 26, 1951.

\* \* \* \* \*

ADJUSTMENT OF CEILING PRICES FOR CERTAIN INSTITUTIONAL SELLERS: Wholesale grocers who sell to institutions were authorized by OPS to use their business volume for either their most recent fiscal year before May 1, 1951, or the 1950 calendar year in qualifying for a special markup for performing extra services in institutional sales. This adjustment is contained in Amendment 9 to CPR 14 issued on October 15, effective October 20.

In order to qualify for the extra markup, wholesalers must show that their total gross margin on institutional sales of foods listed in table "A" of the wholesale grocery regulation (CPR 14) was at least 19 percent of gross sales for 1950 or the fiscal year.

For details see: Amdt. 9 (Adjustment of Ceiling Prices for Certain Institutional Sellers) to CPR 14 (Ceiling Prices of Certain Foods Sold at Wholesale), issued Oct. 15, 1951.

\* \* \* \* \*

INTERPRETATION OF EFFECT OF FREIGHT INCREASES ON CEILING PRICES: A general interpretation of the effect of recent freight increases on ceiling prices was issued by OPS on September 10 for the information of sellers operating under price regulations.

The full text of General Interpretation 3 follows:

GEN. INT. 3—INCREASE IN RAILROAD  
FREIGHT RATES

A number of sellers have inquired as to whether they may add to their ceiling prices the increases in railroad rates recently authorized by the Interstate Commerce Commission (Ex Parte 175, August 2, 1951).

Inclusion of freight in ceiling prices is determined by the specific regulation which may be applicable to the seller, and increases in freight rates may be added to a ceiling price only where such regulation permits this addition. With respect to sellers under the General Ceiling Price Regulation, Interpretation 1 under GCPR, issued April 9, 1951, states that increases in freight may be passed along to the purchaser only in the situations specified and only in connection with outbound freight charges.

Inasmuch as the increases allowed by the ICC could become effective only after August 2, 1951, such freight rate increases would not constitute a cost increase which must be reflected in ceiling prices under section 104 (e) of the Defense Production Act Amendments of 1951, which provides that certain cost increases occurring prior to July 26, 1951, must be reflected in ceiling prices.

It is the policy of the Office of Price Stabilization to afford relief to sellers where cost increases would result in inequities, and various of the regulations issued provide for adjustments in certain cases. Freight costs would constitute "costs" under these adjustment provisions and may, in appropriate cases, provide a basis for relief under the applicable regulations.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

HAROLD LEVENTHAL,  
Chief Counsel,  
Office of Price Stabilization.

SEPTEMBER 10, 1951.

\* \* \* \* \*

SHIPS MATERIALS COST ADJUSTMENT UNDER CPR 30: Amendment 17 to CPR 30 (Machinery and Related Manufactured Goods) issued on October 8 by OPS gives an alternative method of determining materials cost adjustments for manufacturers who have not already filed their computations. (CPR 30 as amended on June 20 includes

ships. Ships are defined as "any ship or boat powered by an inboard engine and barges and cargo-carrying barges whether powered or not." Sales of ships by others than manufacturers are covered by GCPR.)

Designed to simplify the calculations necessary to determine materials cost adjustments, this new amendment permits manufacturers to compute their materials cost adjustments by making required computations only for those materials which account for 75 percent of the cost of all materials. However, manufacturers must include in their computations each manufacturing material which accounts for 3 percent or more of their total manufacturing materials costs.

For details see: Amdt. 17 (Alternative Method of Determining Materials Cost Adjustment) dated Oct. 8, 1951, to CPR 30 (Machinery and Related Manufactured Goods).

\* \* \* \* \*

NEW SHIPS AND REPAIR AND CONVERSION OF SHIPS TEMPORARILY NOT UNDER PRICE CONTROL: Application of price controls to sales by shipbuilders of certain new ships and to repair and conversion of ships was temporarily suspended by OPS on October 11 by the issuance of GOR 9, Amdt. 7 (Temporary Suspension of Application of Ceiling Price Regulations to Sales of Certain New Ships by Shipbuilders and to Repair and Conversion of Ships).

This action is taken pending a study being made by OPS to develop a price regulation tailored to the pricing practices and needs of the shipbuilding industry.

Shipbuilders have been covered by Ceiling Price Regulation 30 (Machinery) or by the General Ceiling Price Regulation (GCPR) if they do not use CPR 30. Because of the peculiar pricing problems related to this industry, pricing under the applicable regulations has been found to be impractical.

The suspension of price control in this instance will run for sixty days from the effective date of the amendment, or such earlier date as may be specified by a regulation issued by OPS. The regulation became effective on October 15, and applies only to sales, by the builder, of any new ship, barge, canal boat, lighter or tug, 65 feet or more in length and to the repair and conversion of the same type of craft of 65 feet or more in length.

For details see: GOR 9, Amdt. 7 (Temporary Suspension of Application of Ceiling Price Regulations to Sales of Certain New Ships by Shipbuilders and to Repair and Conversion of Ships), issued Oct. 10, 1951.

\* \* \* \* \*

HAWAIIAN WHOLESALE GROCERY REGULATION INCLUDES FISHERY PRODUCTS: CPR 69, issued by OPS on September 6, fixes ceiling prices for listed items when sold at wholesale in the Territory of Hawaii. Since the Territories of the United States were excluded from the coverage of CPR-14, sales of groceries at wholesale in Hawaii had continued subject to CPR 9 except in the case of locally-produced, manufactured, or processed items which were covered by GCPR. Among the commodities included in the listed items are frozen meats (including fish), canned seafood (including all processed fish and seafood packed in metal, glass, or any other containers, and includes, but is not limited to oysters, codfish cakes, flakes, barracuda, squid, mackerel, abalone, crab meat, lobster, salmon, sardines, shrimp, canned clam juice and broth), and dried and shredded seafood (includes but is not limited to fish, shrimp, and cod in a dried condition), and imported foods (includes any food item imported directly into Hawaii from a country other

than the United States, its Territories and Possessions). With certain minor exceptions, the margins provided by this regulation for the items listed are identical with the regular OPS margins.

For details see: CPR 69 (Hawaiian Wholesale Grocery Regulation), issued Sept. 6, 1951.

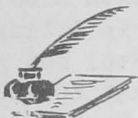
\* \* \* \* \*

CONSUMER ADVISORY COMMITTEE REQUESTS MORE FORMAL CONSULTATION ON REGULATIONS: A formal statement, suggesting that it be given an opportunity to review and offer suggestions on proposed pricing regulations, is being drawn up by the Policies and Regulations Subcommittee of the Consumer Advisory Committee of the Office of Price Stabilization, members said on September 12.

The statement, authorized by the full committee in a meeting on September 11 in OPS Headquarters, will be presented to the Assistant Director of Price Stabilization. Members of the committee were told that while OPS felt the consumer's interest was now represented by OPS officials in deliberations on pricing regulations, the possibilities of more formal consumer consultation would be considered.

The Assistant Director also told the meeting that OPS recognized that, in order to facilitate compliance with ceiling price regulations and assist the consumer in knowing whether or not selling prices are authorized by OPS, the Agency must issue more tailored regulations setting up easily identifiable ceiling prices. This process is a current goal of the Agency.

NOTE: FULL TEXTS OF PRICE ORDERS MAY BE OBTAINED FROM THE OFFICE OF PRICE STABILIZATION, WASHINGTON 25, D. C., OR FROM THE REGIONAL OPS OFFICE IN YOUR AREA.



## General Services Administration

NEW CANNED SALMON FEDERAL SPECIFICATIONS ISSUED: New canned salmon specifications for use by all Federal agencies in procuring this commodity were issued on August 8 by the General Services Administration. The new specifications, PP-S-31b dated August 8, 1951, supersede PP-S-31a dated July 29, 1941.

The requirements of the new specifications indicate that canned salmon shall be of the latest pack, and shall not have been prepared from frozen salmon unless otherwise specified in the invitation for bids. The only major change is the provision that natural salmon oil may be added.

Copies of PP-S-31b are for sale by the Superintendent of Documents, Washington 25, D. C., at 5 cents per copy.



## Department of the Interior DEFENSE FISHERIES ADMINISTRATION

PRIORITY ASSISTANCE FOR CONVERSION AND CONSTRUCTION OF BRISTOL BAY GILL-NET BOATS: Arrangements have been made with the Ordnance and Shipbuilding Division of NPA to expedite the issuance of priorities for the conversion and construction

of Bristol Bay gill-net boats, the Defense Fisheries Administration announced early in October.

Priorities for the conversion of these craft will be granted in accordance with the provisions of NPA Regulation M-70. Since the cost of the conversion will be in excess of the quota provisions of M-70, and the capital addition will be greater than \$750, the maximum allowed in the order, it will be necessary for each firm with a program for converting gill-net vessels to power to make application in triplicate to NPA at Washington, D. C., for adjustment in its MRO quota in accordance with the provisions of Section 16 of Order M-70.

Officials of the Ordnance and Shipbuilding Division of NPA have indicated that they expect to be able to provide the materials required for the construction of new Bristol Bay gill-net boats. Application for the controlled materials required for the construction of these craft and a preference rating to be used in obtaining the other items required should be requested from NPA on Form CMP-4B. This application can be filed either with the local office of NPA or the Washington office, depending upon the amount of materials required. The applications are to be filed by the firm actually engaged in constructing the new boats. If the builders' requirements of controlled materials do not exceed 100 tons of carbon steel per quarter, 5 tons of alloy, 500 pounds of stainless steel, 2 tons of copper products, and 1,000 pounds of aluminum, the application should be filed with the local NPA office. If a greater amount of controlled materials are required, the application should be submitted to Washington, D. C.

In submitting CMP-4B applications, builders should submit separate applications for the various types of craft they propose to build; that is, request for materials for Bristol Bay gill-net boats should be requested separately from materials required for purse-seiners. In filing applications with the NPA Washington office for the conversion of Bristol Bay gill-net boats or for the construction of new boats, it is requested that copies be forwarded to the Defense Fisheries Administration, Washington 25, D. C., so that they can assist in expediting approval.



## Eighty-Second Congress (First Session)

SEPTEMBER 1951

Listed below are public bills and resolutions introduced and referred to committees, or passed by the Eighty-Second Congress (First Session) and signed by the President, that affect in any way the fisheries and allied industries. Public bills and resolutions are shown in this section only when introduced and if passed when they are signed by the President. The more pertinent reports, hearings, or chamber actions on some of the bills shown in this section from month to month are also listed.

### BILLS AND RESOLUTIONS INTRODUCED:

Ceiling Prices--Provisions for Increased Costs: S. 2155 (Capehart, for himself, Bricker, Schoepfel, and Dirksen) - A bill to amend the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency. (Provides for the President, 60 days after enactment, to issue regulations establishing manufacturers' and processors' prices

at the highest level prevailing during a representative base period between January 1, 1950, and June 24, 1950, adjusted for increases or decreases in costs between such period and July 26, 1951. Thereafter, no price ceiling shall be increased except to the extent necessary to reflect direct and indirect labor cost increases occurring after July 26, 1951 and paid by the seller.)

Defense Production Act of 1950 Amendment: S. 2170 (Maybank, for himself, Fulbright, Robertson, Sparkman, Freer, Douglas, Benton, and Moody) - A bill to amend the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency. Reported to the Senate on the same date without amendment. (Provides that ceiling prices for sales of manufacturers or processors shall not be lower than those prevailing before the date of issuance of a regulation, or lower than those prevailing during January 25, 1951, to February 24, 1951. However, this shall not prohibit the establishment or maintenance of a ceiling price applicable to the sales of manufacturers or processors which (1) reflects the highest level of prices prevailing during a representative base period between January 1, 1950, and June 24, 1950, inclusive, adjusted for increases or decreases in costs between such period and July 26, 1951, or (2) is established under a regulation issued prior to the enactment of this paragraph. The adjustment for increases or decreases in costs as prescribed in (1) shall include adjustment for changes in necessary and unavoidable costs, including all labor, material, and transportation costs and a reasonable allowance, as determined by the President, for changes in all other necessary and unavoidable costs, including selling, advertising, office and all other production, distribution, and administration costs, which he finds are properly allocable to the production and sale of the materials sold by the manufacturers and processors. President is to make appropriate provision for adjustment for any manufacturer or processor whose ceiling prices result in financial hardship.)

Fats and Oils Import Control Amendment Repeal: S. 2104 (Maybank) - A bill to repeal section 104 of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency. (This section deals with certain import controls on fats and oils, including oil-bearing materials, fatty acids, butter,.....)

Fishermen's Organizations Have Voice in Ex-vessel Sales of Fish: S. 2175 (Magnuson) - A bill to make clear that fishermen's organizations, regardless of their technical legal status, have a voice in the ex-vessel sale of fish or other aquatic products on which the livelihood of their members depends; to the Committee

on Interstate and Foreign Commerce. (Amends section 1 of Public Law 464, 73rd Congress, entitled "An Act authorizing associations of producers of aquatic products.")

Also: H. R. 5667 (Shelley)...

Investigation of Fishing Facilities for Hire: H. Res. 411 (O'Toole) - A resolution to investigate practices in the fishing industry involving vessels of less than 20 tons; to the Committee on Rules. (Calls for the investigation of the "practices of the business that offers fishing facilities for hire in vessels of less than twenty tons.")

Social Security Coverage for Fishermen: H. R. 5408 (Mitchell) - A bill to extend coverage under the Federal old-age and survivors insurance system to employees performing services in the catching, taking, harvesting, cultivating, or farming of any kind of fish, shellfish, and other aquatic forms of animal or vegetable life; to the Committee on Ways and Means.

Tuna Import Duty: H. R. 5308 (Scudder) - A bill to amend the Tariff Act of 1930, so as to impose certain duties upon the importation of tuna fish; to the Committee on Ways and Means. (Provides for an import duty of 5 cents per pound on fresh and frozen tuna.)

Tuna Import Duty: H. R. 5367 (McKinnon) - A bill to amend the Tariff Act of 1930, so as to impose certain duties upon the importation of tuna fish; to the Committee on Ways and Means. (Provides for a duty of 30 percent ad valorem for fresh and frozen tuna except that for 15 percent of the average annual consumption of tuna during the preceding three calendar years the rate of duty shall be 15 percent ad valorem. Average apparent annual consumption of tuna in any calendar year shall be the amount of fresh and frozen tuna landed in the United States on U. S. vessels plus the quantity imported, reduced to a round-weight basis.)

Also H. R. 5371 (Tollefson)...  
H. R. 5380 (Bramblett)...  
H. R. 5409 (Mitchell)...  
H. R. 5429 (King)...

Tuna Import Duty: H. R. 5475 (Poulson) - A bill to amend the Tariff Act of 1930, so as to impose certain duties upon

the importation of tuna fish; to the Committee on Ways and Means. (Provides for a 5 cents per pound duty on all fresh and frozen tuna and tuna-like fish, and a duty of 45 percent ad valorem for tuna and tuna-like fish prepared or preserved in any manner when packed in air-tight containers weighing with their contents not more than fifteen pounds each.)

Tuna (Albacore) Import Duty: H. R. 5370 (Tollefson) - A bill to amend the Tariff Act of 1930, so as to impose certain duties upon the importation of albacore; to the Committee on Ways and Means. (Provisions are the same as H. R. 5367, except that a duty of 45 percent ad valorem for fresh and frozen Albacore shall be imposed, but the duty for 15 percent of the average annual consumption of albacore shall be 22½ percent ad valorem.)

Water Pollution Prevention: H. R. 5474 (Byrnes of Wisconsin) - A bill to encourage the prevention of water pollution by allowing amounts paid for industrial waste treatment works to be amortized at an accelerated rate for income-tax purposes; to the Committee on Ways and Means.

#### CHAMBER ACTIONS:

Collisions At Sea: Senate reported (Sept. 26) H. R. 5013, to authorize the President to proclaim regulations for preventing collisions involving water-borne craft upon the high seas and in waters connected therewith (S. Rept. 838).

Defense Production--President's Message: Received a message (Sept. 12) from the President submitting certain recommendations to revise and strengthen the stabilization program by amending the Defense Production Act. The message was referred to the Committee on Banking and Currency.

Fats and Oils Import Controls: Senate Committee on Banking and Currency (Sept 20) voted to report without amendment S. 2104, to repeal section 104 of the Defense Production Act of 1950, relative to import controls on fats and oils and related products.

Senate reported (Sept. 20) S. 2104.

Marketing Facilities for Perishable Commodities: House reported (Sept. 14) H. R. 39, to encourage the improvement and development of marketing facilities for

handling perishable agricultural commodities (H. Rept. 972).

House voted on Sept. 26 (180 to 162) to recommit to the Committee on Agriculture H. R. 39, to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities.

Price Ceilings--Modification of Manufacturers and Processors' Costs Provisions: Senate Committee on Banking and Currency (Sept. 20) voted to report with amendments S. 2092, to amend the Defense Production Act of 1950, regarding price ceilings for manufacturers and processors. (The amendments are designed to make the so-called Capehart amendment to the Defense Production Act more workable.)

Senate reported (Sept. 24) S. 2170, to amend the Defense Production Act of 1950, regarding price ceilings for manufacturers and processors, with minority views (S. Rept. 796).

#### CONGRESSIONAL REPORTS:

Amending the Defense Production Act of 1950, As Amended, Senate Report No. 796 (September 24, 1951, 82d Congress, 1st Session), 18 p., printed, pursuant to S. 2170 (82d Congress, 1st Session), to amend the Defense Production Act of 1950, as amended. Committee on Banking and Currency recommended passage of the bill.

Authorizing the President to Proclaim Regulations for Preventing Collisions at Sea, Senate Report No. 838 (September 26, 1951, 82d Congress, 1st Session), 9 p., printed, pursuant to H. R. 5013 (82d Congress, 1st Session), to authorize the President to proclaim regulations for preventing collisions at sea. Committee on Interstate and Foreign Commerce recommended passage of the bill without amendment and accepted House Report No. 807 dated August 20, 1951, on this same bill. The purpose of the bill is to authorize the President to proclaim regulations for preventing collisions involving water-borne craft, whether aircraft or surface vessels, upon the high seas and in all waters connected therewith, except certain designated inland water areas and aircraft in Territorial waters of the United States; and authorizes the President to accept, on behalf of the United States, the revised international regulations drafted at the

International Conference on Safety of Life at Sea which convened in London in 1948.

Marketing Facilities Improvement Act, House Report No. 972 (September 14, 1951, 82d Congress, 1st Session), 10 p., printed pursuant to H. R. 39 (82d Congress, 1st Session), to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities. Committee on Agriculture recommended passage of the bill without amendment. This report explains the purpose of the bill and points out that no federal loans or grants are involved, and that it would result in potential savings to consumers and benefit farmers. An analysis of the bill is included. Although mainly intended for agricultural commodities the bill defines "Perishable agricultural commodities" as follows: "means agricultural commodities and products thereof, consisting principally of fresh fruits and vegetables, handled alone or in combination with poultry, eggs, meats, seafood, and dairy products."

Repealing Section 104 of the Defense Production Act of 1950, As Amended, Senate Report No. 790 (September 20, 1951, 82d

Congress, 1st Session), 11 p., printed, pursuant to S. 2104 (82d Congress, 1st Session), to repeal section 104 of the Defense Production Act of 1950, as amended. Committee on Banking and Currency recommended passage of the bill. Section 104 reads as follows in part: "Import controls of fats and oils (including oil-bearing materials, fatty acids, and....), .... are necessary for the protection of the essential security interests and economy of the United States in the existing emergency in international relations, and no imports of any such commodity or product shall be admitted to the United States until after June 30, 1952...."

BILLS SIGNED BY THE PRESIDENT:

Certain Mollusk Imports Barred: H. R. 4443, to prevent the entry of certain mollusks into the U. S. Signed September 22, 1951 (P. L. 152). Prohibits entry of terrestrial or fresh-water mollusks.

Interior Appropriations for 1952: H. R. 3790, Interior Appropriations for 1952. Signed August 31, 1951 (P.L. 136).



U. S. PACKAGED FISH PRODUCTION--1950

DO YOU KNOW....

That fresh and frozen packaged fish production (fillets, steaks, and split butterfly) in the continental United States during 1950 totaled 191,524,111 pounds, valued at \$53,482,794 to the processor. This was a decrease of 1 percent in quantity but an increase of 11 percent in value as compared with the previous year.

The principal items produced were ocean perch (rosefish) fillets (63,128,125 pounds, valued at \$15,126,456) and haddock fillets (51,192,045 pounds, valued at \$14,275,193).

Production of groundfish fillets (cod, cusk, haddock, hake, pollock, and ocean perch or rosefish) during 1950 amounted to 136,572,409 pounds, valued at \$34,044,854. Imports of these fillets during the year amounted to 64,799,711 pounds, valued at \$11,735,589.

It is estimated that about 575,000,000 pounds of round fish were required for the 191,524,111 pounds of packaged fish produced in 1950.

Packaged Fish--1950, C.F.S. No. 672.