



FEDERAL ACTIONS



Civil Service Commission

FISHERY METHODS AND EQUIPMENT SPECIALIST EXAMINATION ANNOUNCED: The U. S. Civil Service Commission on August 3 announced unassembled examinations for the position of Fishery Methods and Equipment specialist, grades GS-5 to GS-12. Entrance salaries range from \$3,410 to \$7,040 per year. **THE CLOSING DATE IS SEPTEMBER 28, 1954.**

The Fish and Wildlife Service requires Fishery Methods and Equipment Specialists for exploratory fishing and for improving methods of fishery operations. Only commercial fishermen with the required specialized experience, or men trained in fishery engineering, technology, or biology should apply for this examination. The positions require sea duty in varying localities, chiefly in the Atlantic and Pacific Oceans.

The duties include studying the occurrence and behavior of fish at sea and the best methods of locating them by visual, sonic, electronic, or other techniques; identifying species; and recording the number and weight of fish and the weather conditions at time of capture; studying the effectiveness of various kinds of bait and oxygen concentrations; temperature, salinity, and other water conditions affecting survival of bait fishes; making tests on the effectiveness of varied types of fishing gear and studying the influence of weather, currents, and other conditions on their efficiency; analyzing data obtained at sea and designing new equipment or methods or recommending modification of those presently used, for promoting the economical capture of ocean fish.

Except for the substitution of education for experience as provided for, applicants must have had experience of the length and of the kind commensurate in quality with the grade level for which application is made. The total experience must have been

of a progressively responsible nature in the fishery exploration and production area and must be such as to demonstrate the applicant's ability to perform the duties of the position. The amount of experience ranges from 3 years of general plus 1 year of specialized experience for the GS-5 grade, 3 years of general plus 4 years of specialized experience for the GS-12 grade.

The following are examples of the types of general experience that are considered qualifying: Mate or engineer on a fishing vessel, net loft supervisor, commercial fisherman, licensed deck officer, and similar or closely related types of experience.

The following are examples of the types of specialized experience that are considered qualifying: Port captain or fleet supervisor of a fishing fleet, master of fishing vessel over 25 net tons, navigator of fishing vessels operating offshore, designer of fishing vessels and equipment, cannery superintendent including supervision of fish production, technical employment in conducting fishery exploration or in developing fishery gear or equipment, and other closely related types of experience.

Competitors will not be required to report for a written test, but will be rated on the extent and quality of their experience and training relevant to the duties of the positions. Such ratings will be based upon competitors' statements in their applications and upon any additional evidence secured.

To apply for this examination, file Card Form 5001-ABC, Form 57, and Standard Form 15. These forms, as well as a copy of Announcement No. 413 (b) giving the particulars of this examination, may be obtained from the U. S. Civil Service Commission, Washington 25, D. C., or from any of its Regional Offices, or from any first- or second-class post office. Applications are to be sent to the Executive Secretary, Board of U. S. Civil Service Examiners, Fish and Wildlife Service, De-

partment of the Interior, Washington, D.C. Applications must be received in that office, or post marked not later than September 28, 1954.



Department of Defense

ARMY QUARTERMASTER CORPS

SURPLUS TRAWLERS OFFERED FOR SALE: Invitation for bids on five surplus large fishing trawlers located at Bremerhaven, Port of Embarkation, Germany, was issued by the Army Quartermaster Corps on August 3. The closing date for bids was September 2, 1954.

The following trawlers were offered for sale: Pan Trades Andros, Tern, Swell, Pacific, and Josephine Ess.



Foreign Operations Administration

INDO-CHINA AUTHORIZED TO BUY FISHING NET MATERIAL: Indo-China has been authorized by the Foreign Operations Administration to spend \$96,000 for the purchase of fishing net twine and weights. No contract period or terminal delivery date is specified as procurement will be carried out through the Emergency Procurement

Service, General Services Administration. Indo-China is authorized to make these purchases in the United States and possessions and Japan.

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INDONESIA AUTHORIZED TO BUY FISHING GEAR: Indonesia has been authorized by FOA to purchase fishing gear totaling \$9,000 (\$8,000 for flat shrimp trawls, balloon trawls, trawl doors, and spare parts for trawls; also \$1,000 for wire rope), according to a July 8 bulletin from that agency. No contract period or terminal delivery date was announced as procurement will be carried out through the Emergency Procurement Service, General Services Administration. Indonesia is authorized to make the purchases in the United States and possessions, Canada, European participating countries, and Japan.



Department of Health, Education, and Welfare

FOOD AND DRUG ADMINISTRATION

PROCEDURE FOR ESTABLISHING FOOD STANDARDS: A statement of interpretation of the procedures prescribed by the Federal Food, Drug and Cosmetic Act for establishing food standards was announced in the July 27 Federal Register as follows:

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

PROCEDURE FOR ESTABLISHING FOOD STANDARDS UNDER THE FEDERAL FOOD, DRUG AND COSMETIC ACT

Under the authority vested in the Secretary of Health, Education, and Welfare by the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 68 Stat. 54; 21 U. S. C. 341, 371) and pursuant to the provisions of the Administrative Procedure Act (sec. 3, 60 Stat. 237, 238; 5 U. S. C. 1002), the following statement of interpretation is issued:

§ 3.36 *Procedure for establishing food standards under the Federal Food, Drug, and Cosmetic Act.* The procedure prescribed in the Federal Food, Drug, and Cosmetic Act for the issuance, amendment, or repeal of standards for foods has recently been modified by Congress.

The new amendment permits any interested person showing reasonable grounds therefor to petition the Secretary of Health, Education, and Welfare to initiate action.

(a) If the petitioner shows that he is an interested person and furnishes reasonable grounds for his proposal, it is the duty of the Secretary to publish the proposal and afford opportunity for other interested persons to comment on it. After a study of all the facts available and of the comments received, the Secretary will act upon the proposal and publish an order, to which objection may be taken by persons who would be adversely affected. Thus the issues in controversy are singled out for a public hearing.

(b) Practical administration of the law requires that there be a substantial showing of merit before any proposal is published. In passing on proposals submitted by petitioners for initiating ac-

tions, it will be the policy of the Department of Health, Education, and Welfare to consider that reasonable grounds have been furnished when:

(1) The proposal includes or is accompanied by a statement of the facts that the petitioner asserts he is in a position to substantiate by evidence in the event the proceedings lead to a public hearing.

(2) The facts declared furnish substantial support of the proposal and warrant a conclusion that the proposal is reasonable.

(3) The proposal, if adopted, would promote honesty and fair dealing in the interest of consumers.

(c) Opportunity will be given to amend petitions regarded as inadequate. (Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interprets or applies sec. 401, 52 Stat. 1046, as amended 68 Stat. 54; 21 U. S. C. 341)

Dated: July 21, 1954.

[SEAL]

OVETA CULP HOBBY,
Secretary.



Department of the Interior

FISH AND WILDLIFE SERVICE

DR. O. LLOYD MEEHEAN APPOINTED ASSISTANT TO THE DIRECTOR:

Dr. O. Lloyd Meehean has been appointed Assistant to the Director of the Fish and Wildlife Service, in charge of technical staff services. He has been chief of the Service's Branch of Game Fish and Hatcheries since October 1945.



The establishment of the position is part of the administrative reorganization of the Washington

Office of the Service as recently recommended in a report by a survey team which studied the organization and operations of the Service for several months. Secretary of the Interior Douglas McKay approved the report on July 2.

In his new post Meehean will direct the activities carried on by the Service's branches of engineering, lands, river basin studies, and Federal aid.

As chief of the Branch of Game Fish and Hatcheries, Meehean was responsible for the administration and maintenance of Federal fish hatcheries.

Meehean has been associated with the Fish and Wildlife Service and its predecessor agency, the former Bureau of Fisheries, since 1930 when he became a biologist at the Fairport, Iowa, station. Prior to entering Federal service, Meehean in 1927 was an investigator of lakes and streams for the Minnesota Game and Fish Department, and for two years was in charge of a stream pollution survey for Duluth, Minnesota.

Meehean was recently appointed by the President as a member of the Water Pollution Control Advisory Board, United States Public Health Service. He is also one of the three Federal representatives on the Ohio Valley Water Sanitation Commission which is an interstate compact of eight states in the Ohio Valley. In Oc-

tober 1952 Meehean headed the United States delegation to the Indo-Pacific Fisheries Council meeting in Manila.

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DR. COTTAM RESIGNS AS ASSISTANT TO THE DIRECTOR:

The resignation of Dr. Clarence Cottam as Assistant to the Director of the Fish and Wildlife Service was announced on July 20 by Secretary of the Interior McKay. Cottam will assume the post of dean of the College of Biology and Agriculture at Brigham Young University in Provo, Utah, at the beginning of the new fall term.



Cottam joined the former Bureau of Biological Survey in 1929 as a biologist in the Section of Food Habits Research. In 1934 he was placed in charge of a section devoted to research on economic wildlife problems in the Division of Wildlife Research. Ten years later he became chief of that Division. In April 1946 Cottam succeeded Albert M. Day as Assistant Director of the Service when the latter was appointed as Service director. In April 1953, when the Service was being reorganized, Cottam was reassigned as an assistant to Director John L. Farley.



Eighty-Third Congress (Second Session)

AUGUST 1954

Listed below are public bills and resolutions introduced and referred to committees or passed by the Eighty-Third Congress (Second Session) and signed by the President that directly or indirectly affect the fisheries and allied industries. Public bills and resolutions are shown in this section only when introduced and, if

passed, when signed by the President; but also shown are the more pertinent reports, hearings, or chamber actions on some of the bills shown in this section from month to month.

CUSTOMS SIMPLIFICATION ACT: The Senate Committee on Finance on August 6 favorably reported H. R. 10009, Customs Simplification Act of 1954, with amendments (S. Rept. 2326). The bill authorizes the Tariff Commission to review customs tariff schedules, and transfers from the Treasury Department to the Tariff Commission the task of deciding whether dumping of goods by foreign countries in the United States market has resulted in injury to domestic producers. The bill requires the Tariff Commission to report to Congress by March 15, 1955, indicating the significant problems that have developed and suggesting standards and methods which might be adopted for simplification of existing tariff schedules without significant changes in tariff levels. H. R. 10009 was introduced in the House on July 22 and passed by the House on July 26.

The Senate on August 12 passed with amendment H. R. 10009 and sent it back to the House.

Customs Simplification Act of 1954, Senate Report No. 2453 (July 22, 1954, 83d Congress, 2nd Session), 25 pp., printed. The House Committee on Ways and Means reported favorably on H. R. 10009, without amendment, and recommended passage of the bill. The report explains the purpose of the bill; includes a general statement on the bill, a section-by-section analysis of the bill, and changes to be effected in the existing law.

DUTY ON FISH STICKS: A duty on fish sticks and similar products is under consideration by Congress in view of an amendment offered by Senators Saltonstall and Kennedy to H. R. 8628, a bill to amend the Tariff Act of 1930 to insure that crude silicon carbide imported into the United States will continue to be exempt from duty and with respect to the duties applicable to certain prepared fish. The amendment was agreed to and inserted at the end of the bill as follows:

Sec. 2. (a) Paragraph 720 of title I of the Tariff Act of 1930 (U.S.C., 1952 edition, title 19, sec. 1001, par. 720), is amended by adding at the end thereof the following subparagraph:

"(d) Fish sticks and similar products of any size or shape, fillets, or other portions of fish, if breaded, coated with batter, or similarly prepared, but not packed in oil or in oil and other substances, whether in bulk or in containers of any size or kind, and whether or not described or provided for elsewhere in this act, if uncooked, 20 percent ad valorem; cooked in any degree, 30 percent ad valorem."

(b) The foregoing amendment shall enter into effect as soon as practicable on a date to be specified by the President in a notice to the Secretary of the Treasury following such negotiations as may be necessary to effect a modification or a termination of the international obligations of the United States with which the amendment would be in conflict.

The bill was passed with amendment by the Senate on August 11 and sent back to the House.

The Senate amendment to H. R. 8628, was adopted by the House on August 16, clearing the bill for the President.

DUTY ON SHRIMP: H. R. 10170 (Boykin), a bill to provide for an ad valorem duty on the importation of shrimp; to the Committee on Ways and Means. Introduced on August 4,

the bill would provide a 35-percent ad-valorem duty on shrimp, shrimp tails, and shrimp meat, fresh and frozen (whether or not packed in ice), or prepared, canned, or preserved in any manner.

Also H. R. 10171 (Grant), H. R. 10173 (Hebert), H. R. 10174 (Long), H. R. 10175 (Lyle), H. R. 10176 (Morrison), H. R. 10177 (Passman), H. R. 10179 (Thompson of Louisiana), H. R. 10180 (Thompson of Texas), similar to H. R. 10170.

LABELING OF FOREIGN-PRODUCED TROUT: The House on August 10 passed with committee amendments and returned to Senate, S. 2033, relating to the labeling of packages containing foreign-produced trout sold in the U. S., and requiring certain information to appear on a placard in public eating places serving such trout. Adopted an amendment removing the requirement of labeling such foreign-produced trout on menus but require such information to be exhibited on wall signs or placards.

Senate on August 12 concurred in House amendments to S. 2033, thus clearing bill for White House.

Senator McCarron on August 13 entered motion to reconsider vote by which Senate on August 12 concurred in House amendment with a perfecting amendment, and House was requested to return the bill to the Senate.

S. 2033, was cleared for the President on August 19 when the House agreed to Senate amendments to House amendments to the bill.

NORTH PACIFIC FISHERIES CONVENTION: The House on July 28 passed and returned to Senate S. 3713, to give effect to the International Convention for the High Seas Fisheries of the North Pacific Ocean, signed at Tokyo, May 9, 1952, after adopting committee amendments.

The President on August 12 signed S. 3713 (P. L. 579).

PHILIPPINE TRADE ACT: The President on July 5 signed H. R. 9315, to provide for an extension on a reciprocal basis of the period of the free entry of Philippine articles in the United States (P. L. 474). The law reads:

AN ACT

411 68 Stat. 448.

To provide for an extension on a reciprocal basis of the period of the free entry of Philippine articles in the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the duty-free Philippine trade-treatment provided for in section 201 of the Philippine Trade Act of reciprocal trade, 1946 (60 Stat. 143) shall apply in lieu of the treatment specified in Extension paragraph (1) and (2) of subsection (a) of section 202 of that Act, 22 USC 1251, to Philippine articles entered, or withdrawn from warehouse, in the 1252, United States for consumption during such period after July 3, 1954, but not after December 31, 1955, as the President may declare by proclamation to be a period during which United States articles, as defined in that Act, will be admitted into the Republic of the Philippines free of ordinary customs duty, as such duty is defined in that Act. Notwithstanding any such proclamation, paragraph (2) of such subsection shall be considered as having been in effect for the purpose of applying the provisions of paragraph (3) of such subsection.

Approved July 5, 1954.

PROTECTION OF U. S. FISHERMEN ON HIGH SEAS: The Senate Committee on Interstate and Foreign Commerce on August 4 favorably reported without amendment, H. R. 9584, protecting the rights of U. S. fishermen and others on the high seas and in territorial waters of foreign countries. (S. Rept. 2214).

Protecting the Rights of Vessels of the United States on the High Seas and in Territorial Waters of Foreign Countries.

Senate Report No. 2214 (August 4, 1954, 83d Congress, 2nd Session), 7 pp., printed. The report explains that the bill provides that in case of seizure of any privately-owned vessel of the United States, large or small, by a foreign country on asserted rights or claims to territorial waters or on the high seas, which rights or claims are not recognized by the United States, the Secretary of State shall take appropriate action to attend to the welfare of the vessel and its crew while it is held by such country and to secure the release of the vessel and its crew.

The traditional policy of the United States is to support the principle of the freedom of the seas, and to this end this country does not recognize claims to jurisdiction over alleged territorial waters greater in breadth than 3 marine miles from the coast, since it is the view of the United States, acting through the State Department, that under international law it is not required to recognize such claims.

The protection offered by this bill includes all documented United States vessels, as well as smaller vessels, including pleasure craft, of less than five tons which are not documented but are certificated by the Coast Guard. Specifically, however, the need for this legislation at this time has developed from seizures of American-flag fishing vessels which have taken place in the last several years as the result of extravagant territorial claims by foreign countries; claims which are strictly contrary to the traditional position of the United States with regard to the seaward limits of national jurisdiction. Some of these seizures have been made where there was no dispute of material facts with respect to the location or activity of the fishing vessels at the time of the seizure. In this connection, the committee was apprehensive lest the situations which have occurred to date shall be enlarged in scope and gradually work to the detriment of the long-established principle of the freedom of the seas which has stood for all of our national life as a guiding principle in international affairs.

Section 2 is the heart of the bill. It provides authority for the Secretary of State to take such action as he deems appropriate to secure the prompt release of a vessel of the United States which has been seized on the sea by a foreign country on the basis of rights or claims asserted by that country but not recognized by the United States. The Secretary of State shall take these actions where there is no dispute of material fact between the two countries with respect to the location or activity of the vessel at the time of its seizure.

No definition is made of the rights on the sea which shall be recognized by the United States. Consequently this bill does not affect in any way the flexibility with which the United States can deal with problems arising in this field of foreign affairs. If, as a result of needs not now foreseen, it becomes necessary for the United States to recognize under international law or policy rights or claims by foreign nations on the sea which it does not now recognize, it can do so with no impediment provided by this legislation. But whatever rights on the sea that the United States understands it has under international law at any particular time or place become, under this legislation, rights which its private vessels can exercise with the benefits of protection of United States law provided by the bill. Thus the fisherman and any American operator can know where and how he can operate on the sea without being molested in those operations by a foreign government.

Section 3 of the bill provides for the reimbursement to the owners by the Secretary of State of fines actually paid to secure the prompt release of the vessel and its crew. The

bill, as introduced, provided in section 2 that the Secretary of State should "pay any fines or post any bonds that may be required by such country for such release." This provision was deleted by your committee at the suggestion of the Department of State to avoid any appearance of recognizing to any extent the validity of foreign claims by thus subjecting itself to the jurisdiction of foreign courts. Accordingly, following the Department's suggestion, the bill is amended as here reported, leaving the Secretary of State completely free, as provided in section 5 of the bill, to make and collect on claims against a foreign country because of the seizure of a United States vessel by such country.

Section 4 excepts two sorts of seizures from the provisions of this bill: (1) Seizures made by a country at war with the United States; (2) seizures made in accordance with the provisions of any fishery convention or treaty to which the United States is a party. The first is self-explanatory. With respect to the second, it may be stated that the United States is already a party to several fishery conservation treaties with several foreign countries.

More important than the desire to protect present treaties from the effect of this legislation, however, is the desire to provide even further flexibility to the Executive in the conduct of this branch of foreign affairs. If for any reason it becomes desirable for the United States to restrict its fishermen's activity off the shore of another country or countries, or to prohibit them entirely, either for a stated period of time or forever, this can be readily accomplished by engaging to do so under treaty with such country or countries.

It is the hope and expectation of your committee that the effect of the passage of this legislation will be even to reduce the number of seizures per year that have been made in recent years, and to deter possible extension of claims to territoriality on the high seas which would affect the rights of other classes of American-vessel operators.

The Report also contains correspondence from various U. S. Government agencies explaining their views on the bill, and a section-by-section analysis.

H. R. 9584 was passed without amendment by the Senate and cleared for the President on August 11.

RETURN OF FISHING VESSELS: The President on August 13 signed S. J. Res. 67, to repeal certain World War II laws relating to return of fishing vessels (P. L. 580).

Repealing Certain World War II Laws Relating to Return of Fishing Vessels, House Report No. 2550 (July 27, 1954, 83d Congress, 2nd Session), 5 pp., printed. The House Committee on Merchant Marine and Fisheries, to whom was referred the joint resolution (S. J. Res. 67) to repeal certain World War II laws relating to return of fishing vessels, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the joint resolution do pass.

The purpose of the joint resolution is to effect the repeal of two laws governing the return of fishing vessels requisitioned by the Maritime Commission during the last war. The laws to be repealed set up a priority system in favor of the former owners of fishing vessels and other small craft and were designed to aid the fishing industry in providing a source of food. That they have long since served their purpose is demonstrated by the fact that at present but two applications are pending for vessels covered and these would be handled under existing law.

Congress, in the Federal Property and Administrative Services Act of 1949 (Public Law 152, 81st Cong.), established a uniform system for the disposal of Government surplus property and the enactment of this joint resolution will bring the handling of small-vessel disposal into conformity with the generally applicable procedures.

The Report contains comments from the offices of the Comptroller General of the United States and the Secretary of Commerce, and lists the changes in the existing law.

SOCIAL SECURITY FOR FISHERMEN: Senate passed on August 13 H. R. 9366, providing for expanded coverage and an improved old-age and survivors insurance program. Bill would cover employed fishermen, clam diggers, etc., who are now excluded under the present law.

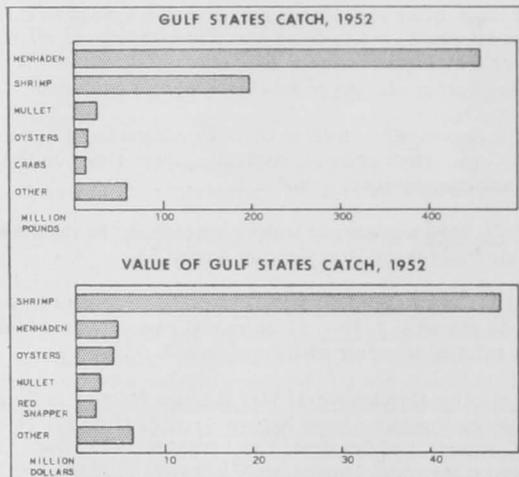
The Senate on August 20 adopted conference report on H. R. 9366, clearing bill for President.

Social Security Amendments of 1954, Senate Report No. 1987 (July 27, 1954, 83d Congress, 2nd Session), 183 pp., printed. The Report gives considerable detail in the following sections: I. Purpose and scope of the bill. II. Summary of principal provisions of the bill (extends coverage to include about 50,000 employees engaged in fishing and related activities, on vessels of 10 net tons or less or on shore). III. Extension of old-age and survivors insurance coverage. IV. Average monthly wage. V. Earnings base. VI. Increase in old-age and survivors insurance benefits. VII. Improvement of the retirement test. VIII. Insured status. IX. Preservation of benefit rights for disabled. X. Miscellaneous provisions. XI. Actuarial cost estimates for old-age and survivors insurance system. XII. Public assistance. The report also contains a section-by-section analysis of the five sections of the bill; the amendments to Internal Revenue Code contained in the bill; and changes in the existing law on social security.



GULF FISHERIES--1952

Gulf Fisheries--1952, C.F.S. No. 1005, is an annual summary of the fisheries of the Gulf States (Florida west coast, Alabama, Mississippi, and Texas) for 1952. It includes tables summarizing the catch by species and by states, catch of certain shellfish in numbers and bushels, operating units by states, and lists the pounds of meats per bushel for certain shellfish. The bulletin also contains supplementary tables showing the operating unit and catch data by districts for the entire State of Florida.



The 1952 catch of fish and shellfish in the Gulf area amounted to 759,507,000 pounds, valued at \$68,221,000 ex-vessel. This represents an increase of 17 percent in quantity and 7 percent in value, compared with the landings of the previous year. Menhaden amounted to nearly 460 million pounds and comprised 61 percent of the total landings. Shrimp receipts (198 million pounds) accounted for 26 percent of the total poundage but 71 percent of the total value. Supplementary tables showing the operating unit and catch data by districts for the entire State of Florida are shown at the end of the bulletin.

Copies of C.F.S. No. 1005 are available free upon request from the Division of Information, U. S. Fish and Wildlife Service, Washington 25, D. C.