


# FEDERAL ACTIONS



## Department of Commerce

### BUREAU OF THE CENSUS

#### EXPORT COMMODITY CLASSIFICATION FOR FISH STICKS AND SOLE:

Sole, frozen cooked fish sticks, and fried fish sticks are additional items which have been added to the applicable statistical export commodity classifications (Schedule B) by the Bureau of the

Schedule B Commodity No.	Commodity Description	Listings to be Inserted
007109	Fish, fresh or frozen, whether or not whole, however packed (including fillets): Other	Sole.
008990	Fish, shellfish, and other marine animal products, prepared or preserved, n. e. c.	Cooked fish sticks, frozen, Fish sticks, fried.
081990	Fish oils and fish liver oils, n. e. c.	Pollock liver oil.

Census, according to the January 1955 Foreign Trade Statistics Notes from that agency. These listings are included in Collectors' Bulletin 11 which gives new items to be added to those already shown within the numbered classification in the printed Schedule B.



## Department of Defense

### SARDINES EXEMPTED FROM "BUY AMERICAN ACT:"

Sardines and bulk agar are included in a new list recently issued by the Department of Defense of supplies and materials to be procured for public use without regard to the so-called Buy American Act. The list is part of an amendment to the Armed Services Procurement Regulations, governing purchases for the

armed services. The items on the list are substantially the same as those listed in 1950.



## Department of Health, Education, and Welfare

### PUBLIC HEALTH SERVICE

#### SHELLFISH CERTIFICATION LIMITATIONS PROPOSED:

A proposal for limiting the scope of the shellfish certification program was announced by the Public Health Service Shellfish Sanitation Section. It was stated that this plan will not be adopted as Service policy until it is acceptable to the majority of the states.

The need to limit the shellfish certification program stems from personnel and financial limitations of both the states and the Public Health Service; from statutory responsibilities of other governmental food control agencies; and from the lack of epidemiological evidence indicating a need for extending the certification program to cover such prepared shellfish products.

The plan is as follows:

A. Redefine shellfish as "All fresh or frozen oysters, clams, or mussels either shucked or in the shell."

B. Limit the certification program to the fresh and frozen product and not include processed shellfish foods such as frozen oyster stew, frozen clam chowder, frozen clam cakes, sea food dinners containing oysters, crab cakes, scallops, fish fillets, and other prepared shellfish products except that frozen breaded shellfish may be included in the certification program at the option of each state.

Under this limitation the Public Health Service would, where requested, and provided the state has a rigid system of inspection and control, include the state certified shellfish breeders on the list of certified shippers. However, if a state does not want to extend its certification program to breeding plants, the Public Health Service would make no deductions from the state's shellfish sanitation rating because of the omission

If a dealer in such a state is both a shucker-packer and a breeder, his name and certificate number would be listed as a shucker-packer; however, he could not use his certificate number on packages of breaded shellfish. (The indication of state certification on containers of breaded frozen shellfish should not create a consumer impression that the product is packed under continuous inspection of either state or Federal inspection such as would be provided under the Seafood Inspection Service as authorized by the Food, Drug and Cosmetic Act.)

C. Make no further extension of the shellfish certification program to encompass other processed shellfish products unless there is sufficient public-health justification for such an extension.

D. Urge each state to require that only certified shellfish be used in prepared shellfish products.



## White House

### UNIFORM STANDARDS SET FOR BIDS UNDER "BUY AMERICAN ACT:"

The President on December 17, 1954, issued an Executive Order establishing uniform standards and procedures to be applied in administering the Buy American Act. The order is designed to bring about the greatest possible uniformity among executive agencies applying the basic legislation, reports the December 27, 1954, Foreign Commerce Weekly, a Department of Commerce publication.

The Buy American Act, which became law in 1933, provides that preference in the award of Government contracts shall

be given to domestic suppliers, as against foreign suppliers, unless the domestic supplier's bid or offered price is unreasonable or the award to him would be inconsistent with the public interest.

Two methods are provided in the order for determining whether the domestic supplier's bid or offered price is unreasonable. The head of each agency will select the method better suited to the procurement procedures of his agency.

Under the first method the bid or offered price of a domestic supplier will be deemed unreasonable if it is greater than 106 percent of the bid or offered price of the foreign bidder--including applicable duty and costs incurred after arrival in the United States.

Under the alternative method the domestic price will be deemed unreasonable if it exceeds the sum of: (1) The foreign bid or offered price--including applicable duty and costs incurred after arrival in the United States--and (2) 10 percent of such bid exclusive of such duty and costs. When the price amounts to less than \$25,000, in the interest of administrative simplicity, only the applicable duty need be excluded from the bid or offered price in making a determination under this second method.

Previously a difference of 25 percent between foreign and domestic bids frequently was required.

The order provides exceptions permitting agency heads to retain their authority or responsibility to place a fair proportion of their total purchases with small business concerns, and to reject any bid or offer for security reasons or because it would be in the national interest to do so.

The order also permits rejection of a foreign bid or offer in any situation in which the domestic low bidder would produce substantially all of the materials in areas of substantial unemployment as determined by the Secretary of Labor after a determination by the President that such preference would be in the national interest. In issuing the Executive Order the President announced that he had made a determination that it is at this time in

the national interest to give a preference to U. S. low bidders who will produce substantially all of the materials contracted for in labor surplus areas.

Wherever the head of an executive agency proposing to purchase domestic materials determines that a greater differential than that provided in the order is not unreasonable or is not inconsistent with the public interest, he is authorized to do so by the order and thereafter to submit a written report of the facts in the case to the President.



## Eighty-Fourth Congress (First Session)

FEBRUARY 1955:

Listed below are public bills and resolutions introduced and referred to committees or passed by the Eighty-Fourth Congress (First 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 when introduced and, if passed, when signed by the President; but also shown from month to month are the more pertinent reports, hearings, or chamber actions on some of the bills.

ALASKA NET REGULATIONS: On February 8 Senate Subcommittee on Merchant Marine and Fisheries, in executive session, ordered favorably reported with amendments, S. 456, relating to the regulation of fishing nets in Alaska waters. On February 9 Senate Committee on Interstate and Foreign Commerce, in executive session, ordered the bill with amendments favorably reported.

Regulations of Nets in Alaskan Waters, Senate Report 32 (Feb. 11, 1955, 84th Congress, 1st Session), 3 pp. printed. The report points out that S. 456, as introduced and amended, would amend section 3 of the act entitled "An act for the protection and regulation of the fisheries of Alaska," approved June 26, 1906, as amended, to except set gill nets, stake gill nets, and anchored gill nets from the regulations of the Fish and Wildlife Service, covering the placing of fixed-gear fishing appliances. The bill is intended merely to preserve the status quo in this important phase of the salmon industry, by eliminating the necessity for a drastic revision in regulations which have been in effect for the past 25 years. The report also discusses the history of the bill, amendments, and changes in existing law.

House Committee on Merchant Marine and Fisheries on February 17 ordered reported to the House H. R. 249, relating to the regulation of fish nets in Alaska waters (H. Rept. 85).

Relating to the Regulation of Nets in Alaska Waters, House Report No. 85 (March 2, 1955, 84th Congress, 1st Session), 4 pp., printed. The report points out the purpose of the bill as amended is to continue the authority of the Fish and Wildlife Service of the Department of the Interior to regulate the use of gill nets in the salmon fisheries of Alaska. The necessity for the bill arises from a recent court decision in Alaska which classified gill nets as fixed fishing appliances, the location of which is specified by law. For the past 25 years the Fish and Wildlife Service has treated gill nets as a type of fishing gear subject to its regulation and has made regulations governing their use based upon the particular conservation needs of each area. In the absence of this bill, gill nets as well as salmon traps would be governed by the law covering the latter. Not only would this require a prompt and drastic revision of the rules of the Service but it would work hardship on various groups of fishermen without any compensating advantage.

Senate on February 21 passed with committee amendments S. 456, relating to the regulation of fishing nets in Alaska waters.

ALASKA AND HAWAII STATUS: H. J. Res. 213 (Hosmer), introduced February 14. Joint resolution authorizing the Territory of Hawaii to be incorporated in the State of California; and authorizing the Territory of Alaska to be incorporated in the State of Washington; to the Committee on Interior and Insular Affairs.

CHEMICAL ADDITIVES IN FOODS: H. R. 4099 (Priest), introduced February 16. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of new chemical additives which have not been adequately tested to establish their safety; to the Committee on Interstate and Foreign Commerce.

Also H. R. 4100 (O'Hara of Minnesota) and H. R. 4475 (Delaney), similar to H. R. 4099.

GREAT LAKES FISHERIES TREATY: Senate on February 9 adopted an order directing the Secretary of the Senate to return to the President, as requested by him on January 26, 1955, convention between the United States and Canada respecting Great Lakes Fisheries; signed at Washington on April 2, 1946.

HAWAII-ALASKA STATEHOOD: House Committee on Interior and Insular Affairs on February 16 ordered reported favorably to the House, with amendments, H. R. 2535, relating to admission of Alaska and Hawaii into the Union. The committee vote to report the bill was 19 in favor, 6 against, and 1 present.

MARKETING FACILITIES IMPROVEMENT: S. 1075 (Humphrey), introduced February 15. A bill to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities; to the Committee on Agriculture and Forestry. In part the bill provides:

" . . . Sec. 3. It is the purpose of this Act to facilitate, encourage, and assist municipalities and political subdivisions of States, public agencies, and instrumentalities

of one or more States or municipalities, public corporations, and boards, and private enterprise in the creation and development of modern and efficient public wholesale markets for the handling of perishable agricultural commodities in areas where such markets are found to be needed and where Federal assistance is requested and authorized as prescribed in this Act, to the end that unnecessary costs and burdens attendant with the marketing of perishable agricultural commodities caused by inadequate or obsolete facilities may be eliminated and that the spread between the amount received by producers and the amount paid by consumers may be reduced.

Sec. 4. For the purposes of this act-- . . .

"(c) 'Perishable agricultural commodities' 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. . . ."

Also H. R. 4054 (Cooley) and H. R. 4167 (Anfuso) similar to S. 1075.

**MINIMUM WAGE INCREASE:** H. R. 3424 (Davidson), introduced February 2. A bill to amend the Fair Labor Standards Act of 1938 to establish a \$1.25 minimum hourly wage, and for other purposes; to the Committee on Education and Labor.

Also similar to H. R. 3424 were H. R. 3496 (Zelenko), introduced February 2; H. R. 3797 (Radwan) introduced February 8; and H. R. 4062 (Doyle), H. R. 4122 (Fogarty), introduced February 16.

**TARIFF RATES ADJUSTMENT:** H. R. 3800 (Scudder), introduced February 8. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means. . .

**TRADE AGREEMENTS EXTENSION:** H. R. 1, House Committee on Ways and Means on February 10 voted (20 to 5) to report to the House H. R. 1, to extend until June 30, 1958, the authority of the President to enter into trade agreements. The Committee was granted permission to file by midnight February 14 a report on the bill. (H. Rept. 50)

Amendments adopted to the bill include:

(1) To make it clear that provisions of existing law such as section 22 of the Agricultural Adjustment Act will prevail despite any provision in a trade agreement.

(2) The enactment of this Act shall not be construed to determine or indicate the approval or disapproval by the Congress of organizational provisions of any foreign trade agreements entered into under this section. The purpose of this amendment is to make it clear that the enactment of this legislation will not imply congressional approval or disapproval of the organizational provisions of GATT (General Agreement on Tariffs and Trade).

(3) Provides for the withdrawal of most favored nation treatment from any nation that discriminates against the United States with respect to trade matters.

(4) Strike from the bill the provisions authorizing the reduction of tariffs irrespective of the fact that such action is not designed to carry out any foreign trade agreement on articles being imported into the United States in negligible quantities.

**Trade Agreements Extension Act of 1955, House Report No. 50** (Feb. 14, 1955, 84th Congress, 1st Session), 86 pp., printed. The report points out the principal features of H. R. 1, explains them, and discusses the history of the legislation, the need, and changes in existing law. A technical analysis of the bill is also included. Appendix A presents criticisms of trade-agreements program; Appendix B presents the testimony of Executive Department, business, industry, agricultural groups, labor, public-interest groups, and press in support of the bill; Appendix C discusses the accomplishments of the trade-agreements program and gives the United States exports of products subject to trade agreement concessions; and Appendix D describes how a trade agreement is made. The report states that the principal features of H. R. 1 are:

" . . . The purpose of H. R. 1 is to continue to June 30, 1958, the authority of the President to enter into trade agreements. The present authority (extended by Public Law 464, 83rd Cong.) terminates on June 12, 1955. In addition to the extension of the trade-agreements authority, the principal features of H. R. 1 are as follows:

"1. The President would be authorized to negotiate tariff reductions by any 1 of 3 alternative methods, which may not be used cumulatively.

"(a) The first method authorizes the President to reduce by a total of 15 percent tariff rates existing on July 1, 1955, in stages of not more than 5 percent in each of the 3 years of the authority;

"(b) An alternative authority to that provided in (a) above is the authorization to reduce tariffs by 50 percent of the rate prevailing on January 1, 1945, but only in the case of those products normally not imported or normally imported in negligible quantities;

"(c) As a third alternative the President is authorized to negotiate reductions in those rates which are higher than 50 percent of the value of an import to a rate equivalent to 50 percent.

"2. In the case of the announced trade agreement involving Japan, the bill authorizes the same decreases in rates of duty (i. e., 50 percent of the rate existing on January 1, 1945) as are authorized under existing law, even though the agreement is entered into after June 12, 1955.

"3. The reduction authority referred to in paragraphs 1 and 2 above is subject to the peril-point and escape-clause procedures as contained in present law.

"4. The President is required to avoid to the maximum extent he deems practicable the subdivision of existing tariff classification categories to prevent undue complication of the present tariff structure.

"5. The President would be required to submit to Congress an annual report on the trade-agreements program. This report is to contain, among other things, information on modification of trade agreements, including a report on the incorporation of escape clauses in existing agreements and information relating to agreements entered into. . . ."

House on February 18 passed by roll call vote, H. R. 1, to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as

amended. Prior to its passage a motion to recommit the bill with instructions to incorporate an amendment designed to strengthen the escape-clause provision was rejected. Several committee amendments were adopted.

**TRADE AGREEMENTS EFFECT ON LABOR:** H. R. 4304 (Roosevelt), introduced February 23. A bill to require an annual report by the President on the effect of the Trade Agreements Act on labor, employment, and industrial activity. To the Committee on Ways and Means.

**WATER POLLUTION CONTROL:** S. 890 (Martin of Penn., Chavez, Duff, Knowland, Kuchel) introduced February 1. A bill to extend and strengthen the Water Pollution Control Act; to the Committee on Public Works.

Also S. 982 (Neely) introduced February 8, H. R. 3426 (Dondero) introduced February 2, and H. R. 4010 (Mollohan) introduced February 14--all similar to S. 890

**WATER POLLUTION PREVENTION:** H. R. 3547 (Byrnes of Wisconsin), introduced February 3. A bill to encourage

the prevention of air and water pollution by allowing the cost of treatment works for the abatement of air and stream pollution to be amortized at an accelerated rate for income-tax purposes; to the Committee on Ways and Means.

Also H. R. 3548 (Abbitt), H. R. 3549 (Bentley), H. R. 3550 (Ford), H. R. 3551 (Hinshaw), H. R. 3552 (Jackson), H. R. 3553 (Lipscomb), H. R. 3554 (Pillion), H. R. 3555 (Ray), H. R. 3556 (Simpson of Penn.), all introduced February 3; H. R. 3662 (Dondero), introduced February 7; H. R. 3906 (Laird), introduced February 10; and S. 917 (Martin of Penn., Duff, Capehart, Knowland, Kuchel, Potter, and Wiley), introduced February 4 -- all similar to H. R. 3547.

**WEATHER STATION IN GULF OF MEXICO:** H. R. 4473 (Colmer), introduced February 28. A bill to provide that one floating ocean station shall be maintained at all times in the Gulf of Mexico to provide storm warnings for States bordering on the Gulf of Mexico; to the Committee on Merchant Marine and Fisheries.



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- FEB. 1948 - "EXPERIMENTAL FISHING FOR RED SNAPPER, PART I - THE USE OF HOOP NETS"
- MAR. 1948 - "EXPERIMENTAL FISHING FOR RED SNAPPER, PART II - THE USE OF MECHANICAL REELS"
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