



# FEDERAL ACTIONS



## Department of the Interior

### U. S. FISH AND WILDLIFE SERVICE

#### ALASKA'S COMMERCIAL FISHING REGULATIONS FOR 1957

Changes in the Alaska commercial fishing regulations to be effective during the 1957 season were made public March 6 by Assistant Secretary of the Interior Ross L. Leffler. These regulations are in effect 30 days after publication in the Federal Register.

The area registration provisions, instituted in 1956, which prohibited movement of salmon fishing boats and nets from one area to another, proved effective and will be continued under the new regulations.

Highlights of the regulations as considered by areas shows that the fishing-gear timetable of control used in Bristol Bay in 1956 will be continued and expanded. One new feature in Bristol Bay is that the picking of salmon from gill nets is deemed to be a part of the fishing operation and must be performed by the fisherman to whom the gear is legally registered.

In the Alaska Peninsula area, gear-timetable control will be applied in the Bear River district. Only the fishing time to be allowed at the opening of the season will be affected. Weekly adjustments are not provided for. A relaxation in the northeastern district will permit purse seines to be used as far east as the entrance to Port Heiden, after July 10. The July 10 date has been specified to insure that Bristol Bay red salmon runs will have passed that area before the season opens. On the south side of the Alaska Peninsula the pink salmon season will close August 2 because of anticipated smaller runs of pink salmon.

In the Chignik area the closed waters at the inner end of the lagoon have been increased to prevent overfishing there at low tide. To reduce the fishing effort further, all traps in the area have been closed for 1957, and the weekly closed period has been split so as to provide more even escapement of salmon to the spawning grounds.

The main change in the Kodiak area is the elimination of the midseason closure during the pink salmon season. This relaxation will be offset by an increase in the weekly closed periods, designed to provide more even distribution of escapements. Minor changes include the creation of the Olga-Moser Bay section of the Alitak district so that protection to the red runs there can be applied without affecting the pink salmon runs in Alitak Bay, and the creation of the Sturgeon River district to permit harvesting chum runs to the Sturgeon River without affecting the runs of red salmon to Red River.

In Cook Inlet, gear-timetable control during the red salmon season from July to July 27 will be applied. It will be of the type designed for the Bear River district in the Alaska Peninsula. As in Bristol Bay, during the July 1-July 27 season gill nets will be required to be picked by the crews to whom registered. In addition, the regulations have been written to close areas where set nets are now used in order to prevent any expansion in the use of that type of gear.

In Prince William Sound the season will not close until August 10. However, in order to limit the fishery, in view of the mediocre runs expected, fishing will be controlled by reductions in gear. Essentially, gear reduction in 1957 is to be accomplished by voluntary closure of all but 11 of the 42 traps; increases in close

areas in a number of bays; and gear-timetable control of purse seines based on 135 seines. The closing date of the seasons will be advanced according to the timetable if there is any increase in seines above that number.

The only significant change for the Yakutat area is an increase in the weekly closed periods prior to August 11 to afford greater protection to the red salmon runs because of a continuing increase in the amount of gear in that area.

Southeastern Alaska will have essentially the same pink salmon conservation program which has been in effect since 1954 and has shown promising results.

Two major changes were made in the gill-net fisheries. The first is to provide for limited use of gill nets at Lake, Salmon, and Red Bays to harvest the red salmon runs which have not been tapped in recent years.

Burroughs Bay will be closed to fishing this year. This fishery has been criticized because king salmon taken there are consistently of poor quality and it is felt that these mature fish should be protected for escapement purposes. The waters of Portland Canal have been opened to the use of gill nets. The International Boundary between Alaska and Canada runs down the middle of Portland Canal and on the Canadian side of the line the use of gill nets is permitted. The regulations, as written, will now provide identical seasons on both sides.

NOTE: ALSO SEE COMMERCIAL FISHERIES REVIEW, MAY 1956, P. 65.



Department of Health,  
Education, and Welfare

FOOD AND DRUG ADMINISTRATION

ORDER ON CANNED TUNA IDENTITY  
AND FILL-OF-CONTAINER  
STANDARD ISSUED:

An order acting on the proposal to adopt definition and standards of fill of container for canned tuna was published

in the Federal Register of February 13, 1957, by the Food and Drug Administration of the U. S. Department of Health, Education, and Welfare.

The standard designates the various species of fish which may be called tuna; defines the styles of pack and requires uniform names for these, namely, "solid" or "solid pack," "chunks" or "chunk style," "flake" or "flakes," and "grated," and requires an accurate labeling statement as to the color of the tuna, and provides for differentiating between the shades of color by use of a special optical instrument so that there need be no reliance on opinion as to the color. Under the standard, tuna is to be labeled as "white," "light," "dark," and "blended."

The name of the packing medium is required to be shown on the label. The permitted liquids are vegetable oils, olive oil, and water. Optional use of seasoning ingredients with appropriate label declaration is permitted.

The standards spell out the fill of container for each size and for each type of canned tuna. Compliance with the requirements for fill of container are determined by removing the contents of a can, pressing out the oil and watery juices, and weighing the press cake consisting of cooked fish or relatively uniform composition.

The definition and standard of identity promulgated by this order shall become effective on February 13, 1958, and the standard of fill of container shall become effective 90 days after February 13, 1957, except in each case any provisions that may be stayed by the filing of exceptions thereto. Notice of the filing of objections, or lack thereof, will be announced by publication in the Federal Register.

In the meantime the Food and Drug Administration has received a request for a 60-day extension of time in which to file objections to the order promulgating a definition and standard of identity and standards of fill of container for canned tuna. The extension was granted by the Administration, and the March 7 Federal Register states that the time for filing objections is extended until May 13, 1957.

## TITLE 21—FOOD AND DRUGS

## Chapter 1—Food and Drug Administration, Department of Health, Education, and Welfare

## PART 37—FISH; DEFINITIONS AND STANDARDS OF IDENTITY; STANDARDS OF FILL OF CONTAINER

## ORDER ACTING ON PROPOSAL TO ADOPT DEFINITION AND STANDARD OF IDENTITY AND STANDARDS OF FILL OF CONTAINER FOR CANNED TUNA FISH

In the matter of adopting a definition, and standard of identity and standards of fill of container for canned tuna fish:

A notice of proposed rule making was published in the FEDERAL REGISTER of August 28, 1956 (21 F. R. 6492), setting forth a proposal to adopt a definition and standard of identity and standards of fill of container for canned tuna fish. Comments and suggestions were received from a number of interested persons. After due consideration of the comments and suggestions received, the information furnished by the petitioner, and other relevant and reliable information, it is concluded that it will promote honesty and fair dealing in the interest of consumers to adopt, with minor modifications, the proposed definitions and standards of identity and fill of container for canned tuna fish published in the FEDERAL REGISTER of August 28, 1956 (supra).

Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919; 21 U. S. C. 341, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (20 F. R. 1996; 21 F. R. 6581): *It is ordered*, That the following new part be added to Chapter I.

Sec.

37.1 Canned tuna; definition and standard of identity; label statement of optional ingredients.

37.3 Canned tuna; fill of container; label statement of substandard fill.

AUTHORITY: §§ 37.1 and 37.3 issued under sec. 701, 52 Stat. 1055 as amended; 21 U. S. C. 371. Interpret or apply sec. 401, 52 Stat. 1046; 21 U. S. C. 341.

§ 37.1 *Canned tuna; definition and standard of identity; label statement of optional ingredients.* (a) Canned tuna is the food consisting of processed flesh of fish of the species enumerated in paragraph (b) of this section, prepared in one of the optional forms of pack specified in paragraph (c), of this section, conforming to one of the color designations specified in paragraph (d) of this section, in one of the optional packing media specified in paragraph (e) of this section, and may contain one or more of the seasonings and flavorings specified in paragraph (f) of this section. It is packed in hermetically sealed containers and so processed by heat as to prevent spoilage. It is labeled in accordance with the provisions of paragraph (h) of this section.

(b) The fish included in the class known as tuna fish are:

Thunnus thynnus.....	Bluefin tuna. <sup>1</sup>
Thunnus maccoyii.....	Southern bluefin tuna. <sup>1</sup>
Thunnus orientalis.....	Oriental tuna. <sup>2</sup>
Thunnus germon.....	Albacore. <sup>3</sup>

Parathunnus mebachi.....	Big-eyed tuna. <sup>3</sup>
Neothunnus macropterus.	Yellowfin tuna. <sup>3</sup>
Neothunnus rarus.....	Northern bluefin tuna. <sup>2</sup>
Katsuwonus pelamis.....	Skipjack. <sup>3</sup>
Euthynnus alletteratus.....	Little tunny. <sup>2</sup>
Euthynnus lineatus.....	Little tunny. <sup>2</sup>
Euthynnus yaito.....	Kawakawa. <sup>4</sup>

<sup>1</sup>"A Comparison of the Bluefin Tunas, Genus Thunnus, from New England, Australia, and California," by H. C. Godsil and Edwin K. Holmberg, State of California, Department of Natural Resources, Division of Fish and Game, Bureau of Marine Fisheries, Fish Bulletin No. 77 (1950).

<sup>2</sup>"Contributions to the Comparative Study of the So-called Scombroid Fishes," by Kamakichi Kishinouye, Journal of the College of Agriculture, Imperial University of Tokyo, Vol. VIII, No. 3 (1923).

<sup>3</sup>"A Systematic Study of the Pacific Tunas," by H. C. Godsil and Robert D. Byers, State of California, Department of Natural Resources, Division of Fish and Game, Bureau of Marine Fisheries, Fish Bulletin No. 60 (1944).

<sup>4</sup>"A Descriptive Study of Certain Tuna-Like Fishes," by H. C. Godsil, State of California, Department of Fish and Game, Fish Bulletin No. 97.

The description of each species will be found in the text to which reference is made.

(c) The optional forms of processed tuna consist of loins and other striated muscular tissue of the fish. The loin is the longitudinal quarter of the great lateral muscle freed from skin, scales, visible blood clots, bones, gills, viscera, and from the nonstriated part of such muscle, which part (known anatomically as the median superficial muscle), is highly vascular in structure, dark in color because of retained blood, and granular in form. Canned tuna is prepared in one of the following forms of pack, the identity of which is determined in accordance with the methods prescribed in § 37.3 (b).

(1) Solid or solid pack consists of loins freed from any surface tissue discolored by diffused hemolyzed blood, cut in transverse segments to which no free fragments are added. In containers of 1 pound or less of net contents, such segments are cut in lengths suitable for packing in one layer. In containers of more than 1 pound net contents, such segments may be cut in lengths suitable for packing in one or more layers of equal thickness. Segments are placed in the can with the planes of their transverse cut ends parallel to the ends of the can. A piece of a segment may be added if necessary to fill a container. The proportion of free flakes broken from loins in the canning operation shall not exceed 18 percent.

(2) Chunk, chunks, chunk style consists of a mixture of pieces of tuna in which the original muscle structure is retained. The pieces may vary in size, but not less than 50 percent of the weight of the pressed contents of a container is retained on a ½-inch-mesh screen.

(3) Flake or flakes consist of a mixture of pieces of tuna in which more than 50 percent of the weight of the pressed contents of the container will pass through a ½-inch-mesh screen, but in which the muscular structure of the flesh is retained.

(4) Grated consists of a mixture of particles of tuna that have been reduced to uniform size, that will pass through a ½-inch-mesh screen, and in which the

particles are discrete and do not comprise a paste.

(5) Any of the specified forms of pack of canned tuna may be smoked. Canned smoked tuna shall be labeled in accordance with the provisions of paragraph (h) (5) of this section.

(d) Canned tuna, in any of the forms of pack specified in paragraph (c) of this section, falls within one of the following color designations, measured by visual comparison with matte surface neutral reflectance standards corresponding to the specified Munsell units of value, determined in accordance with paragraph (g) of this section.

(1) *White.* This color designation is limited to the species Thunnus germon (albacore), and is not darker than Munsell value 6.3.

(2) *Light.* This color designation includes any tuna not darker than Munsell value 5.3.

(3) *Dark.* This color designation includes all tuna darker than Munsell value 5.3.

(4) *Blended.* This color designation may be applied only to tuna flakes specified in paragraph (c) (3) of this section, consisting of a mixture of tuna flakes of which not less than 20 percent by weight meet the color standard for either white tuna or light tuna, and the remainder of which fall within the color standard for dark tuna. The color designation for blended tuna is determined in accordance with paragraph (g) of this section.

(e) Canned tuna is packed in one of the following optional packing media:

(1) Any edible vegetable oil other than olive oil, or any mixture of such oils not containing olive oil.

(2) Olive oil.

(3) Water.

(f) Canned tuna may be seasoned or flavored with one or more of the following:

(1) Salt.

(2) Purified monosodium glutamate.

(3) Hydrolyzed protein.

(4) Hydrolyzed protein with reduced monosodium glutamate content.

(5) Spices or spice oils or spice extracts.

(6) Vegetable broth in an amount not in excess of 5 percent of the volume capacity of the container, such broth to consist of a minimum of 0.5 percent by weight of vegetable extractives and to be prepared from two or more of the following vegetables: Bean cabbage, carrots, celery, onion, parsley, peas, potatoes, green bell peppers, bell peppers, spinach, and tomatoes.

(7) Garlic.

(g) For determination of the color designations specified in paragraph (d) of this section, the following method shall be used: Recombine the separation of pressed cake resulting from the method prescribed in § 37.3 (b). Press the combined portions through a sieve fitted with woven-wire cloth of ¼-inch mesh which complies with the specifications for such wire cloth set forth in "Standard Specifications for Sieves" published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Mix the sieved material and place a sufficient quantity into a 307 x 113 size container (bearing a top seam and having a flat bottom approximately ½-inch deep and painted flat black inside and outside).

so that after tamping and smoothing the surface of the sample the material will be 1/8-inch to 1/4-inch below the top of the container. Within 10 minutes after sieving through the 1/4-inch mesh woven-wire cloth, determine the Munsell value of sample surface.

(1) Determine the Munsell value of the sample surface so prepared. The following method may be used, employing an optical comparator, consisting of a lens and prism system which brings two beams of light, reflected from equal areas of sample surface and standard surface, respectively, together, within an eyepiece, so as to show an equally divided optical field. The scanned areas of sample and standard surface are not smaller than 2 square inches. Light reaching the eye is rendered sufficiently diffuse, by design of eyepiece and comparator, so that detail of the sample surface will remain undefined, to a degree such as to avoid visual confusion in observation of a match of over-all intensity of reflected light. The eyepiece contains a color filter centering at a wavelength between 550 m $\mu$  and 560 m $\mu$ . The filter does not pass appreciable visible radiation of wavelengths below 540 m $\mu$  or above 570 m $\mu$ . The passed wavelength band is of a monochromaticity sufficient to cause a sample and a neutral standard of equal reflectance to appear of the same hue. The comparator is rigidly mounted on a vertical stand attached to a base in which arrangement is provided for securely and accurately positioning two cans of size 307 x 113 in the two fields of view. Mounted on the base are two shaded lamps, which direct the center of their beams of light at about a 45° angle to the plane of the sample and standard surfaces. The lamps are so positioned that light from one bears mainly upon the sample surface and light from the other mainly on the standard surface, and are so placed in relation to sample and standard that no shadows, as from the can rims, appear in the fields of view. The lamps are strong enough to furnish adequate and convenient illumination through eyepiece and filter. Means is provided to alter the light intensity of one lamp in relation to the other, as may conveniently be achieved by using a 100-watt tungsten filament bulb in one lamp and using, in the other, a similar 150-watt bulb connected with the power source through a suitable rheostat. The stand is equipped with nonglossy black curtains on the side of the observer, to exclude variation in extraneous light reflected from the person of the observer.

(2) To adjust the comparator, place a pair of matte surface standards of Munsell value 5.3, mounted as described in subparagraph (4) of this paragraph, in position in the comparator base, and adjust the intensity of the variable lamp until the two halves of the optical field, viewed through the eyepiece, are of equal brightness. Then remove one of the standards and replace it with the prepared sample. Without altering any other adjustment, observe through the eyepiece whether the sample appears lighter or darker than the standard. In case of examination of albacore designated "white," conduct the procedure using standards of Munsell value 6.3.

(3) The standards with which comparisons are made are essentially neutral matte-finish standards, equivalent in luminous reflectance of light of 555 m $\mu$  wavelength to 33.7 percent of the luminous reflectance of magnesium oxide (for Munsell value 6.3) and 22.6 percent of the luminous reflectance of magnesium oxide (for Munsell value 5.3), as given by the relationship between Munsell value and luminous reflectance derived by a subcommittee of the Optical Society of America and published in the "Journal of the Optical Society of America," Volume 33, page 406 (1943).

(4) These standards shall be cut in circles 3/4 inches in diameter and shall be mounted in 307 x 113 size containers, bearing a top seam and painted flat black inside and outside, so that the surfaces of the standards are 3/16 inch below the top of the containers in which they are mounted.

(5) In the case of blended tuna, the foregoing method shall be varied by first separating the tuna flakes of the two different colors before passing them through the 1/4-inch mesh sieve, then proceeding with each portion separately for the determination of its color value, employing, if necessary, a sample container with false bottom greater than 1/2 inch deep.

(h) (1) The specified names of the canned tuna for which definitions and standards of identity are prescribed by this section, except where water is the packing medium or where the tuna is smoked, are formed by combining the designation of form of pack with the color designation of the tuna; for example, "Solid pack white tuna," "Grated dark tuna," etc. In the case of blended tuna, there shall be used both applicable color designations of the blended flakes, in precedence determined in accordance with the predominating portion found in the container; for example, "Blended white and dark tuna flakes," "Blended dark and light tuna flakes."

(2) The specified name of canned tuna when water is used as the packing medium is formed as described in subparagraph (1) of this paragraph, followed by the words "in water"; for example, "Grated light tuna in water."

(3) When the packing medium is vegetable oil or olive oil, the label shall bear the name of the optional packing medium used, as specified in paragraph (e) of this section, preceded by the word "in" or the words "packed in." In case of the optional ingredient specified in paragraph (e) (1) of this section, the name or names of the oil used may be stated, or the general term "vegetable oil" may be used.

(4) In case solid pack tuna is packed in olive oil, the designation "Tonno" may also appear.

(5) In case any of the specified forms of canned tuna are smoked, the word "smoked" shall appear as a part of the name on the label; for example, "Smoked light tuna flakes."

(6) Where the canned tuna contains one or more of the ingredients listed in paragraph (f) of this section, the label shall bear the statement "Seasoned with -----," the blank being filled in with the name or names of the ingredient or ingredients used, except that if the ingredient designated in paragraph

(f) (6) of this section is used the blank shall be filled with the term "vegetable broth"; and if the ingredient designated in paragraph (f) (5) of this section is used alone, the label may alternatively bear either the statement "spiced" or the statement "with added spice"; and if salt is the only seasoning ingredient used the label may alternatively bear any of the statements "salted," "with added salt," "salt added."

(7) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the names of the optional ingredients used as specified by subparagraphs (3) and (6) of this paragraph shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter, except that the common name of the species of tuna fish used may so intervene, but the species name "albacore" may be employed only for canned tuna of that species which meets the color designation "white," as prescribed by paragraph (d) (1) of this section.

§ 37.3 Canned tuna; fill of container; label statement of substandard fill.

(a) The standard of fill of container for canned tuna is a fill such that the average weight of the pressed cake from 24 cans, as determined by the method prescribed by paragraph (b) of this section, is not less than the minimum value specified for the corresponding can size and form of tuna ingredient in the following table:

I. Can size and form of tuna ingredient	II. Minimum value for weights of pressed cake (average of 24 cans)	
	Ounces	
211 x 109:		
Solid -----	2.25	
Chunks -----	1.98	
Flakes -----	1.98	
Grated -----	2.00	
307 x 113:		
Solid -----	4.47	
Chunks -----	3.92	
Flakes -----	3.92	
Grated -----	3.96	
401 x 206:		
Solid -----	8.76	
Chunks -----	7.68	
Flakes -----	7.68	
Grated -----	7.76	
603 x 408:		
Solid -----	43.2	
Chunks -----	37.9	
Flakes -----	37.9	
Grated -----	38.3	

If the can size in question is not listed, calculate the value for column II as follows: From the list select as the comparable can size that one having nearest the water capacity of the can size in question, multiply the value listed in column II for the same form of tuna ingredient by the water capacity of the can size in question and divide by the water capacity of the comparable can size. Water capacities are determined by the general method provided in § 10.2 (a) of this chapter. For the purposes of this section, cans of dimensions 211 x 109 shall be deemed to have a water capacity at 68° F. of 3.55 avoirdupois ounces of water; cans of dimensions 307 x 113, a water capacity of 7.05 avoirdupois ounces of water; cans of dimensions 401 x 206, a water capacity of 13.80 avoirdupois ounces of water; and cans of dimensions 603 x 408, a water capacity of 68.15 avoirdupois ounces of water.

(b) The methods referred to in paragraph (a) of this section for determining the weight of the pressed cake and referred to in § 37.1 (c) (1) for determining the percent of free flakes and the percent of pieces that pass through a ½-inch-mesh sieve are as follows:

(1) Have each of the 24 cans and contents at a temperature of 75° F. within ±5° F. Test each can in turn as follows:

(2) Cut out the top of the can (code end), using a can opener that does not remove nor distort the double seam.

(3) With the cut top held on the can contents, invert the can, and drain the free liquid by gentle finger pressure on the cut lid so that most of the free liquid drains from the can.

(4) With the cut lid still in place, cut out the bottom of the can with the can opener, then turn the can upright and remove the cut can top (code end). Scrape off any adhering tuna particles into the tuna mass in the can.

(5) Place the proper size of press cylinder as provided in paragraph (c) (1) of this section in a horizontal position on a table; then, using the cut bottom of the can as a pusher, gently force the can contents from the can into the cylinder so that the flat side of the can contents lies in contact with the bottom of the cylinder. Remove the bottom of the can that was used as the pusher and scrape any adhering particles from the can body and bottom of the can, and put them in the cylinder.

(6) Place the cylinder plunger on top of the can contents in the cylinder. Remove the eyebolt and put the cylinder and plunger in position on the press (paragraph (c) (3) of this section).

(7) Begin the operation of the press, and as soon as liquid is observed coming from the cylinder start timing the operation. Apply pressure to the plunger slowly and at a uniform rate, so that a full minute is used to reach a pressure of 384 pounds per square inch of plunger face in contact with the can contents. Hold this pressure for 1 additional minute and then release the pressure and disengage the plunger from the press shaft. Tip the press cylinder so that any free liquid is drained out.

(8) Remove press cylinder with plunger from the press, insert eyebolt in plunger and withdraw it from the cylinder. Loosen the pressed cake from the cylinder with a thin blade and remove the entire pressed cake as gently as possible, to keep the mass in a single cake during this operation. Place the pressed cake and any pieces that adhered to the plunger and cylinder in a tared receiving pan and determine the weight of the pressed material.

(9) For cans larger than 401 x 206, cut out the top of the can and drain off free liquid from the can contents as in operations described in subparagraphs (2) and (3) of this paragraph. Determine the gross weight of the can and remaining contents. Using a tared core cutter as provided for in paragraph (c) (2) of this section, cut vertically a core of the drained material in the can. Determine the weight of the core. With a thin spatula transfer the core to the pressing cylinder for 401 x 206 cans. Determine the weight of the pressed cake as

in the operations described in subparagraphs (5) through (8) of this paragraph. Remove the remaining drained contents of the can, reserving the contents for the determination of free flakes (subparagraph (11) of this paragraph), weigh the empty can, and calculate the weight of the total drained material. Calculate the weight of pressed cake on the entire can basis by multiplying the weight of the pressed cake of the core by the ratio of the weight of the drained contents of the can to the weight of the core before pressing.

(10) Repeat the determination of weight of pressed cake on the remainder of the 24 cans and determine the average weight of pressed cake for the purpose of paragraph (a) of this section.

(11) Determination of free flakes: If the optional form of tuna ingredient is solid pack, determine the percent of free flakes. Any flakes resulting from the operations described in this subparagraph or in other parts of this paragraph are to be weighed as free flakes. Only fragments that were broken in the canning procedure are considered to be free flakes. If the can is of such size that its entire drained contents were pressed as described in subparagraphs (1) to (8), inclusive, of this paragraph, examine the pressed cake carefully for free flakes. Using a spatula, scrape free flakes gently from the outside of the cake. Weigh the aggregate free flakes that were broken from the loin segments in the canning procedure and calculate their percentage of the total weight of pressed cake. If the can is of such size that a core was cut for pressing as described in subparagraph (9) of this paragraph, make the examination for free flakes on a weighed portion of the drained material remaining after the core was removed. The weight of the portion examined should approximately equal the weight of the core before pressing. Calculate the weight of the free flakes that were broken from the loins in the canning procedure as a percentage of the weight of the portion examined.

(12) Determination of particle size: If the optional form of tuna ingredient is chunks, flakes, or grated, the press-cake resulting from the operations described in subparagraphs (1) to (9), inclusive, of this paragraph is gently separated by hand, care being taken to avoid breaking the pieces. The separated pieces are evenly distributed over the top sieve of the screen separation equipment described in paragraph (c) (4) of this section. Beginning with the top sieve, lift and drop each sieve by its open edge three times. Each time, the open edge of the sieve is lifted the full distance permitted by the device. Combine and weigh the material remaining on the three top sieves (1½-inch, 1-inch, ½-inch screens), and determine the combined percentage retention by weight in relation to the total weight of the pressed cake.

(c) (1) The press cylinder and plunger referred to in paragraph (b) of this section are made of stainless steel. The press cylinders are made with a lip to facilitate drainage of the liquid. Plungers have a threaded center hole, about half as deep as the thickness of the plunger, for receiving a ringbolt to

assist in removing the plunger from the press cylinder. Dimensions for press cylinders and plungers are as follows:

*For can size 211 x 109*

Press cylinder:

Inside depth, approximately 3¾ inches.  
Inside diameter, 2.593 inches.  
Wall thickness, approximately ⅜ inch.

Plunger:

Thickness, approximately 1 inch.  
Diameter, 2.568 inches.

*For can size 307 x 113*

Press cylinder:

Inside depth, approximately 4 inches.  
Inside diameter, 3.344 inches.  
Wall thickness, approximately ⅝ inch.

Plunger:

Thickness, approximately 1¼ inches.  
Diameter, 3.319 inches.

*For can size 401 x 206*

Press cylinder:

Inside depth, approximately 4¼ inches.  
Inside diameter, 3.969 inches.  
Wall thickness, approximately ½ inch.

Plunger:

Thickness, approximately 1¼ inches.  
Diameter, 3.944 inches.

For can sizes where the diameter greater than 401, the core cutter described in subparagraph (2) of this paragraph shall be used and the resulting core pressed in the press cylinder for can size 401 x 206. For can sizes differing from those specified in this subparagraph, special press cylinders and plungers may be used. Special press cylinders have inside diameters ⅛-inch less than the outside diameters, at the double seam, for the can sizes for which the cylinders are used; plunger diameters are 0.025-inch less than the inside diameters of the press cylinders.

(2) The core cutter referred to in paragraphs (b) (9) and (11) and subparagraph (1) of this paragraph is made from a previously sealed 300 x 407 can. The cover, including the top seam, is cut out. The edge is smoothed and sharpened. A small hole to permit passage of air is made in the bottom.

(3) The hydraulic press referred to in paragraph (b) (6) to (10), inclusive, of this section is made by so mounting a hydraulic jack in a strong frame that it will press horizontally against the center of the plunger in the press cylinder used. The frame is so braced that it does not change shape when pressure is applied. The gauge on the hydraulic jack is so calibrated that it will indicate, for the plunger being used, when the plunger is pressing against the contents of the press cylinder with a pressure of 384 pounds per square inch of plunger face.

(4) The sieving device referred to in paragraph (b) (12) of this section consists of three sieves, each approximately 1 foot square, loosely mounted, one above the other, in a metal frame. The mesh in the top sieve complies with the specifications for 1½-inch woven-wire cloth as set forth in "Standard Specification for Sieves," as published March 1, 1941, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. The meshes in the sieves below comply with similar specifications for 1-inch and ½-inch woven-wire cloth set forth in the same publication. The sides of each sieve are formed, in raised rim, from ¾-inch x ½-inch

metal strap. The frame has tracks made of 3/8-inch angle metal to support each sieve under each side. The tracks are so positioned as to permit each sieve free vertical travel of 1 3/4 inches.

(d) If canned tuna falls below the applicable standard of fill of container described in paragraph (a) of this section, the label shall bear the general statement of substandard fill provided in paragraph (b) of this chapter, in the manner and form therein specified.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D. C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, shall specify with particularity the provisions of the order deemed objectionable and the grounds for the objections, and shall

request a public hearing on the objections. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

**Effective date.** The definition and standard of identity (§ 37.1) promulgated by this order shall become effective one year after its publication in the FEDERAL REGISTER, and the standard of fill of container (§ 37.3) promulgated by this order shall become effective 90 days after its publication in the FEDERAL REGISTER, except in each case any provisions that may be stayed by the filing of exceptions thereto. Notice of the filing of objections, or lack thereof, will be announced by publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371)

Dated: February 7, 1957.

[SEAL]

JOHN L. HARVEY,  
Deputy Commissioner  
of Food and Drugs.



**TITLE 21—FOOD AND DRUGS**

**Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare**

**PART 37—FISH; DEFINITIONS AND STANDARDS OF IDENTITY; STANDARDS OF FILL OF CONTAINER**

**ORDER ACTING ON PROPOSAL TO ADOPT DEFINITION AND STANDARD OF IDENTITY AND STANDARDS OF FILL OF CONTAINER FOR CANNED TUNA FISH**

*Correction*

In F. R. Document 57-1079, of the issue for Wednesday, February 13, 1957, at page 892, make the following insertion in the last line of § 37.1 (f) (6): Preceding the words "bell peppers" insert the word "red".

**Eighty-Fifth Congress  
First Session)**

Listed below and on the following pages are public bills and resolutions that directly or indirectly affect the fisheries and allied industries. Public bills and resolutions are shown when introduced; from month to month the more pertinent reports, hearings, or chamber actions on the bills shown are published; and if passed, they are shown when signed by the President.



**ANTIDUMPING ACT OF 1921: H. R. 6006**

Cooper) and H. R. 6007 (Reed) introduced in the House March 14, bills to amend certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes; to the Committee on Ways and Means. Similar in purpose to H. R. 5120 (Forand), also: H. R. 5138 (Mack of Washington) and H. R. 5139 (Mason) all introduced in the House February 20. In the various bills there are some differences in the wording and methods suggested for determining the value of reports suspected of violating the Antidumping Act of 1921. See *Commercial Fisheries Review* March 1957, p. 59 for other bills on this subject.

**COMMERCIAL PRODUCTION OF FISH ON ICE LANDS: S. 1552 (Fulbright)**

introduced in the Senate on March 12, a bill to authorize the Secretary of Agriculture to establish a program for the purpose of carrying on certain research and experimentation to develop methods for the

commercial production of fish on flooded rice acreage in rotation with field rice crops, and for other purposes; to the Committee on Agriculture and Forestry. This bill authorizes the Secretary of Agriculture to contract with the University of Arkansas for the establishment of an experiment station or stations within the State of Arkansas for the purpose of carrying on a program of research and experimentation on the stocking, harvesting, and marketing of fish crops produced on rice acreage. The Secretary of Agriculture is authorized to request the assistance of the U. S. Fish and Wildlife Service in carrying out the provisions of the Act.

**"EXEMPT TRUCK" TO BE LIMITED: H. R. 5823 (Harris)** introduced in the House on March 11, a bill to amend section 203 (b) (6) of the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce. The section to be amended will read as follows: motor vehicles used in carrying property consisting of ordinary livestock, live poultry, fish (including shellfish), or agricultural (including horticultural) commodities (not including manufactured products thereof or frozen foods) from the point of production to a point where such commodities first pass out of the actual possession and control of the producer, if such motor vehicles are not at the same time used in carrying any other property, or passengers for compensation. The point of production for fish shall be deemed to be the wharf or other landing place at which the fisherman debarks his catch, and the point of production for agricultural commodities shall be the point at which grown, raised or produced, or the point at which the fish or agricultural commodities are gathered for shipment.

This bill, if passed, would limit the use of "exempt truck" to a few cases of fish and shellfish transportation from the producer to the first processor or handler. Fresh and frozen fish and shellfish reshipped by the first processors or

handlers would be excluded. Also: introduced March 21: S. 1669 (Magnuson); to the Committee on Finance and similar to H. R. 5823 (Harris).

**FISH HATCHERIES:** S. 1784 (Young) introduced in the Senate April 4, a bill to provide for the establishment of a fish hatchery in the State of North Dakota; to the Committee on Interstate and Foreign Commerce. Bill provides for the construction of a fish hatchery on the Missouri River below Garrison Dam.

**FISHING VESSEL RIGHTS ON THE HIGH SEAS:** H. R. 5886 (Tollefson) and H. R. 5888 (Wilson), similar bills introduced in the House on March 12, to amend the Act of August 27, 1954 (68 Stat. 883), relating to the rights of vessels of the United States on the high seas and in the territorial waters of foreign countries; also H. R. 5943 (Magnuson) introduced in the House March 13; all referred to Committee on Merchant Marine and Fisheries (see also Commercial Fisheries Review, March 1957, p. 59). Hearings on the House bills were scheduled to be held on April 17 before the House Subcommittee on Fisheries and Wildlife Conservation.

**EQUAL PAY FOR WOMEN:** H. R. 6318 (Harden) introduced in the House on March 25, a bill to prohibit discrimination on account of sex in the payment of wages by employers having employees engaged in commerce or in the production of goods for commerce, and to provide for assisting such employees in collecting wages lost by reason of any such discrimination; also: S. 1807 (Morse and others) introduced in the Senate April 4, and H. R. 6797 (Roosevelt) introduced in the House April 10 (see Commercial Fisheries Review, February 1957, p. 63 for list of other bills introduced on this subject); all House bills referred to the Committee on Education and Labor and the Senate bill to the Committee on Labor and Welfare.

**IMPORT AGREEMENTS:** H. R. 6123 (Ashmore), H. R. 6140 (McMillan), H. R. 6153 (Lanham), introduced in the House March 19, bills to require that all agreements and understandings respecting the importation of foreign goods, entered into with foreign countries or their citizens, shall be reduced to writing and made public; also: introduced in the House March 20, H. R. 6195 (Dorn of South Carolina); March 25, H. R. 6330 (Riley); April 2, H. R. 6579 (Rivers). (See Commercial Fisheries Review, March 1957 p. 59 for additional bills); all the above bills referred to the Committee on Ways and Means.

**IMPORT QUOTAS:** H. R. 5828 (Hemphill) and H. R. 5829 (Hemphill) introduced in the House on March 11, bills to regulate the foreign commerce of the United States by establishing import quotas under specified conditions, and for other purposes; also: introduced in the House March 20, H. R. 6205 (Mack of Washington); March 25, H. R. 6425 (Moore); April 2, H. R. 6564 (Cederberg)--all referred to the Committee on Ways and Means. (See Commercial Fisheries Review, February 1957, p. 64, and March 1957, p. 59 for additional bills on the same subject.

**INCOME TAX LAW REVISION IN FAVOR OF FISHERMEN:** S. 1669 (Magnuson) introduced in the Senate of March 21, a bill to extend to fisher-

men the same treatment accorded to farmers in relation to estimated income tax; to the Committee on Finance. This bill proposes to amend Section 6073 (b) of the Internal Revenue Code of 1954 (relating to time for filing declarations of estimated income tax by farmers) by inserting "or fishing" after "from farming (including oyster farming)" wherever these words appear in the Code. The amendment, if made into law, will apply to taxable years after 1956. Also: introduced in the Senate on March 21, S. 1669 (Magnuson); to the Committee on Finance. See Commercial Fisheries Review, February 1957, p. 64, for additional bills on this subject.

**MARINE LABORATORY IN FLORIDA:** H. R. 6420 (Herlong) introduced in the House on March 27, a bill to provide for the construction of a fish and wildlife marine laboratory and experiment station in Brevard County, Fla.; to the Committee on Merchant Marine and Fisheries. (See Commercial Fisheries Review, February 1957, p. 65 for other bills on same subject.)

**MINIMUM HOURLY WAGE:** H. R. 6413 (Flood) introduced in the House March 27, a bill to amend the Fair Labor Standards Act of 1938 to fix the minimum wage at \$1.25 an hour; to the Committee on Education and Labor. (See Commercial Fisheries Review, February 1957, p. 65 for additional bills on this subject.)

**SMALL BUSINESS ACT AMENDMENT:** S. 1789 (Sparkman) introduced in the Senate on March 21, a bill to further amend the Small Business Act of 1953, as amended; to the Committee on Banking and Currency. This bill provides for the following: (1) the agency would be made permanent; (2) the Loan Policy Board would be abolished; (3) the Agency's procurement powers would be strengthened; (4) certain authority now confined to wartime would be extended to periods of peak activity; (5) maximum loan limit would be raised from \$250,000 to \$500,000; (6) an insured loan plan, administered by the Small Business Administration, is included as a separate title of the bill. (See Commercial Fisheries Review, February 1957, p. 66 for related bill S. 720 (Sparkman and others). This bill differs in some respects from the Sparkman bill.

**SMALL BUSINESS ADMINISTRATION PERMANENT STATUS:** S. 1789 (Thye and others) introduced in the Senate on April 4, a bill to amend the Small Business Act of 1953 (Title II of Public Law 163, 83rd Congress, as amended); to the Committee on Banking and Currency. This bill proposes to rewrite the Small Business Act and establish the Small Business Administration as a permanent agency of the Government.

**SMALL BUSINESS INTERNAL REVENUE CODE:** H. R. 5955 (Berry) introduced in the House on March 13, a bill to amend the Internal Revenue Code to assist small and independent business, and for other purposes; referred to the Committee on Ways and Means. Among other provisions, the bill provides for an election for filing income returns for small and independent business engaged in trade or commerce whether or not such business operate as individuals, partnerships, or corporations. Also provides for a normal tax rate of 15 percent for taxable years after March 31, 1957.

and to increase the surtax exemption, which will be increased from \$25,000 to \$150,000. Another provision which may be of value to the fishing industry is a 5-year depreciation allowance if the average taxable income for 5 preceding years does not exceed \$50,000 per year. This provision would allow fishing vessel owners to depreciate vessels and vessel equipment much faster during periods of good profits.

**SMALL BUSINESS LOANS FOR AREAS IN ECONOMIC DISTRESS:** H. R. 6144 (Porter) introduced in the House March 19, a bill to amend the Small Business Act of 1953 to authorize loans by the Small Business Administration in areas of economic disaster, depression, or dislocation; to the Committee on Banking and Currency.

**SMALL BUSINESS LOAN FOR NONPROFIT ORGANIZATIONS:** H. R. 6148 (Porter) introduced in the House March 19, a bill to amend the Small Business Act of 1953 to authorize the Small Business Administration to make loans to local non-profit organizations formed to assist, develop, and expand the economy of the area; to the Committee on Banking and Currency. See Commercial Fisheries Review, March 1957, p. 60 for similar bill H. R. 5693 (Coffin) introduced March 6.

**SOCKEYE SALMON FISHERY ACT:** H. R. 6587 (Tollefson) introduced in the House on April 2, a bill to amend the Sockeye Salmon Fishery Act of 1947; to the Committee on Merchant Marine and Fisheries. Also; introduced in the Senate April 4: S. 1806 (Magnuson and Jackson) and referred to Committee on Interstate and Foreign Commerce. The Senate and House bills are similar and pro-

pose to amend the convention between the United States and Canada for the protection, preservation, and extension of the sockeye salmon (*Oncorhynchus nerka*) of the Fraser River system, to include pink salmon (*Oncorhynchus gorbuscha*).

**TAX RELIEF FOR SMALL BUSINESS:** H. R. 6407 (Alger) introduced in the House March 27, a bill to provide a minimum initial program of tax relief for small business and for persons engaged in small business. Also; introduced in the House March 28: H. R. 6465 (Rhodes); introduced in the Senate April 8: S. 1820 (Potter). Both House bills to the Committee on Ways and Means and Senate bill to the Committee on Finance. Provides for amendment to Internal Revenue Code of 1954 for increased deduction for additional investment in depreciable assets and inventory. The deduction shall not exceed for any taxable year (whichever is lesser) \$30,000 or an amount equal to 20 percent of the net income of a trade or business for the taxable year. Another amendment concerns tax-anticipation certificates for Federal estate tax.

**TRADE AGREEMENTS EXTENSION ACT:** S. 1796 (Watkins) introduced in the Senate April 4, a bill to amend the Trade Agreements Extension Act of 1951 with respect to escape clause procedure, and for other purposes; to the Committee on Finance. This bill proposes to assist some business industries, which have been adversely affected by heavy imports. The amendment would empower the President to limit imports of specific products if they became large enough to threaten an industry vital to the national security.



#### DRIP IN FROZEN FROG LEGS

The amount of free "drip" in frozen and subsequently thawed frogs is not proportional to the quantity of water which is imbibed by the muscle tissue before freezing. The amount of water imbibed by legs of bull frogs (*Rana catesbeiana* Shaw), from which the skin was removed immediately after killing, when soaked for 2, 4½, and 24 hours in ice water before freezing, increased according to the length of the soaking time.

--Modern Refrigeration, August 1955  
and Paper read at the Ninth International  
Congress of Refrigeration, 1955.