



FEDERAL ACTIONS



Department of Agriculture AGRICULTURAL MARKETING SERVICE

FROZEN RAW BREADED SHRIMP STANDARDS ESTABLISHED:

Voluntary standards for the production of good quality frozen raw breaded shrimp became effective March 1, 1958. Notice of the promulgation of these standards was issued in the *Federal Register* on January 7, 1958, by the U. S. Department of Agriculture under the terms of its agreement with the U. S. Department of the Interior.

These voluntary standards were developed by the Bureau of Commercial Fisheries, in cooperation with the fishing industry and the National Fisheries Institute.

Products which conform to these standards are readily identifiable to the consumer. Firms which have continuous inspection are entitled to mark their packages with the Federal shield. Those which subscribe only to sample inspection may certify that the product meets the requirements of the grade specified but cannot use the prefix "U. S." nor the shield.

TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART—UNITED STATES STANDARDS FOR GRADES OF FROZEN RAW BREADED SHRIMP¹

On May 18, 1957, a notice of proposed rule making was published in the *FEDERAL REGISTER* (22 F. R. 3484) regarding a proposed issuance of United States Standards for Grades of Frozen Raw Breaded Shrimp and interested persons were given until July 18, 1957 in which to submit views or comments concerning the proposal. Because of the nature of the comments and suggestions received provision was made in the *FEDERAL REGISTER* publication of July 30, 1957 (22 F. R. 5980) for an additional period of time until October 16, 1957 for comment. This period was again extended by *FEDERAL REGISTER* publication of November 7, 1957 (22 F. R. 8961) to November 23, 1957.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Standards for Grades of Frozen Raw Breaded Shrimp are hereby promulgated pursuant to the authority contained in the

¹ Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., as amended; 7 U. S. C. 1621 et seq.).

PRODUCT DESCRIPTION, TYPES, AND GRADES

Sec.	Product description.
52.3601	Product description.
52.3602	Types of frozen raw breaded shrimp.
52.3603	Grades of frozen raw breaded shrimp.

FACTORS OF QUALITY

52.3604	Ascertaining the grade.
52.3605	Factors evaluated on product in frozen state.
52.3606	Factors evaluated on product in thawed debreaded state.

DEFINITIONS AND METHODS OF ANALYSIS

52.3607	Definitions and methods of analysis.
---------	--------------------------------------

LOT INSPECTION AND CERTIFICATION

52.3608	Ascertaining the grade of a lot.
---------	----------------------------------

SCORE SHEET

52.3609	Score sheet for frozen raw breaded shrimp.
---------	--

AUTHORITY: §§ 52.3601 to 52.3609 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

PRODUCT DESCRIPTION, TYPES, AND GRADES

§ 52.3601 *Product description.* Frozen raw breaded shrimp are clean, wholesome, headed, peeled, and deveined shrimp, of the regular commercial species, coated with a wholesome, suitable batter and breading. They are prepared and frozen in accordance with good commercial practice and are maintained at temperatures necessary for the preservation of the product. Frozen raw breaded shrimp contain not less than 50 percent by weight of shrimp material.

The standards for frozen raw breaded shrimp apply to wholesome, clean, headed, peeled, and deveined shrimp which have been breaded and frozen. The grades include "U. S. Grade A" and "U. S. Grade B." Quality below these grades will be classified as substandard. Products to be graded must conform to the industry-accepted production definition. The most important elements of the definition require that the raw material be wholesome and suitable, that the shrimp be of regular commercial species, and that the product consist of at least 50 percent by weight of shrimp material.

The standards do not define proper labeling for this product. Frozen raw breaded shrimp, when sold in interstate commerce, must conform to the labelling regulations of the Food and Drug Administration, U. S. Department of Health, Education, and Welfare.

Notice of the proposed shrimp standards was published in the *Federal Register*, May 18, 1957. This was followed by a public hearing conducted by the Bureau of Commercial Fisheries and by a trial period during which the National Fisheries Institute and the breaded shrimp industry had an opportunity to test the proposed standards and comment to the Bureau on the findings.

The frozen raw breaded shrimp standards as published in the *Federal Register* of January 7, 1958 follow:

§ 52.3602 *Types of frozen raw breaded shrimp*—(a) *Type I, Fantail*—(1) *Subtype A.* Split (butterfly) shrimp with the tail fin and the shell segment immediately adjacent to the tail fin.
(2) *Subtype B.* Split (butterfly) shrimp with the tail fin but free of all shell segments.

(b) *Type II, Round fantail*—(1) *Subtype A.* Round shrimp with the tail fin and the shell segment immediately adjacent to the tail fin.

(2) *Subtype B.* Round shrimp with the tail fin but free of all shell segments.

(c) *Type III, Split.* Split (butterfly) shrimp without attached tail fin or shell segments.

(d) *Type IV, Round.* Round shrimp without attached tail fin or shell segments.

§ 52.3603 *Grades of frozen raw breaded shrimp.* (a) "U. S. Grade A" is the quality of frozen raw breaded shrimp that when cooked possess an acceptable flavor and odor, and that for those factors which are rated in accordance with the scoring system outlined in the following sections the total score is not less than 85 points.

(b) "U. S. Grade B" is the quality of frozen raw breaded shrimp that when cooked possess an acceptable flavor and odor, and that for those factors which are rated in accordance with the scoring system outlined in the following sections the total score is not less than 70 points.

(c) "Substandard" is the quality of frozen raw breaded shrimp that fail to meet the requirements of "U. S. Grade B."

FACTORS OF QUALITY

§ 52.3604 *Ascertaining the grade*—(a) *General.* In addition to considering

requirements outlined in the standards, the following quality factors are evaluated in ascertaining the grade of the product:

(b) *Factor not rated by score points:* Acceptability of flavor and odor. A product with an acceptable flavor and odor is that is free from any abnormal flavor and odor. The acceptability of flavor and odor is determined on the product after it has been cooked in a suitable manner.

(c) *Factors rated by score points.* The quality of the product with respect to factors scored is expressed numerically on the scale of 100. Weighted deductions from the maximum possible score of 100 are assessed for essential variations of quality within each factor. The score of frozen raw breaded shrimp is determined by observing the shrimp in the frozen and thawed states.

52.3605 *Factors evaluated on product in frozen breaded state.* Factors affecting qualities which are measured on the product in the frozen state are: loose breaded or frost; ease of separation; uniformity of size; condition of coating; and damaged or fragmented breaded shrimp. For the purpose of rating the factors which are scored in the frozen state, the schedule of point deductions in Table I applies. This schedule of point deductions is based on the examination of one complete individual package (sample unit) regardless of the net weight of the contents of the package.

52.3606 *Factors evaluated on product in thawed debreaded state.* Factors affecting qualities which are measured on the product in the thawed debreaded state are: degree of deterioration; dehydration; sand veins; black spot; extra shell; and swimmerets. For the purpose of rating the factors which are scored in the thawed debreaded state, the schedule of point deductions in Table II applies. This schedule of point deductions is based on the examination of 20 whole shrimp selected at random from one or more packages.

DEFINITIONS AND METHODS OF ANALYSIS

52.3607 *Definitions and methods of analysis—(a) Halo.* "Halo" means an easily recognized fringe of excess batter and breaded extending beyond the shrimp flesh and adhering around the perimeter or flat edges of a split (buttered) breaded shrimp.

(b) *Balling up.* "Balling up" means the adherence of lumps in the breaded material to the surface of the breaded coating, causing the coating to appear lumpy, uneven, and lumpy.

(c) *Holidays.* "Holidays" means voids in the breaded coating as evidenced by bare or naked spots.

(d) *Damaged frozen raw breaded shrimp.* "Damaged frozen raw breaded shrimp" means a frozen raw breaded shrimp which has been separated into two or more parts or that has been crushed or otherwise mutilated to the extent that its appearance is materially affected.

(e) *Fragmented shrimp.* "Fragmented shrimp" means a breaded unit containing less than one headed, peeled, deveined shrimp.

TABLE I—SCHEDULE OF POINT DEDUCTIONS FOR RATING IN FROZEN BREADED STATE

Factor	Quality description	Deductions allowed
1. Loose breaded or frost.....	Less than 2 percent by weight of product.....	0
	2 percent but less than 3 percent.....	3
	3 percent but less than 6 percent.....	6
	6 percent or more.....	10
2. Ease of separation.....	Separate easily immediately after opening package.....	0
	Separate easily after being removed from carton and exposed to room temperature for not more than 4 minutes.....	4
	Separate easily after being removed from carton and exposed to room temperature for not more than 6 minutes.....	6
	Does not separate easily after being removed from carton and exposed to room temperature for 6 minutes.....	10
3. Uniformity.....	Ratio of weight of 3 largest to 3 smallest breaded shrimp in sample unit: Up to 1.70.....	0
	1.71-1.80.....	1
	1.81-1.90.....	2
	1.91-2.00.....	3
	2.01-2.10.....	4
	2.11-2.20.....	5
	2.21-2.30.....	6
	2.31-2.40.....	7
	2.41-2.50.....	8
	2.51-2.60.....	9
Over 2.60.....	10	
4. Condition of coating.....	Degree of halo or balling up or holidays (identify type of defect by circling proper word): No obvious.....	0
	Slight.....	1
	Moderate.....	2
	Marked.....	4
	Excessive.....	8
5. Damaged or fragmented breaded shrimp.....	None.....	0
	For each unit.....	3
	Tail fin broken or missing per unit (except in Types III and IV).....	1

TABLE II—SCHEDULE FOR POINT DEDUCTIONS FOR EXAMINATION IN THAWED, DEBREADED

(Subtotals brought forward)

Factor	Quality description	Deductions allowed
1. Degree of deterioration.....	None obvious.....	0
	Slight, but obvious, on average.....	3
	Moderate, on average.....	6
	Any marked—each shrimp.....	3
2. Dehydration.....	None obvious.....	0
	Slight but obvious, on average.....	3
	Moderate, on average.....	6
	Excessive—each shrimp.....	3
3. (a) Sand veins ¹	For each dark vein present deduct according to following schedule: In first segment (adjacent to tail fin).....	0
	Equivalent in length to 2 segments.....	1
	Equivalent in length to 3 segments.....	2
	Equivalent in length to 4 or more segments.....	3
	(b) Black spot.....	0
	Slight, but obvious, on average.....	3
	Moderate, on average.....	6
Excessive—each shrimp.....	3	
4. (a) Extra shell ²	(Beyond first segment adjacent to tail fin): Less than one whole extra shell segment.....	1
	One extra segment or more.....	3
	(b) Swimmerets.....	1
	For last pair only adjacent to tail fins.....	3
	For more than last pair.....	3

¹ The deduction points assessed for sand veins and black spot occurring together on an individual shrimp shall not exceed the larger deduction for either factor.

² The deduction points assessed for extra shell and swimmerets occurring together on an individual shrimp shall not exceed the larger deduction for either factor.

(f) *Black spot.* "Black spot" means any blackened area which is markedly apparent on the flesh of the shrimp.

(g) *Sand vein.* "Sand vein" means any black or dark sand vein that has not been removed, except for that portion under the shell segment adjacent to the tail fin when present.

(h) *Loose breaded and frost.* "Loose breaded and frost" is determined by use of a balance by following the steps given below:

- (1) Remove the overwrap.

- (2) Weigh carton and all contents.

(3) Remove breaded shrimp, and weigh shrimp alone.

(4) Weigh carton less shrimp but including waxed separators (if used), crumbs and frost.

(5) Remove crumbs and frost from carton and separators.

(6) Weigh cleaned carton and separators.

(7) Calculate loose breaded and frost:

$$\text{Percent loose breaded and frost} = \frac{\text{weight carton less breaded shrimp material (d)} - \text{weight cleaned carton (f)}}{\text{weight of carton and all contents (b)} - \text{weight cleaned carton (f)}} \times 100$$

(i) *Percent of shrimp material.* "Percent of shrimp material" means the percent by weight of shrimp material in a sample as determined by the method described below or other methods giving equivalent results. Results are commonly expressed as percent of breadding which is calculated by difference.

(1) *Equipment needed.* (i) Two-gallon container approximately nine inches in diameter;

(ii) Two vaned wooden paddle, each vane measuring approximately one and three fourths inches by three and three fourths inches;

(iii) Stirring device capable of rotating the wooden paddle at 120 rpm;

(iv) Balance accurate to 0.01 ounce (or 0.1 gram);

(v) U. S. standard sieve—ASTM—No. 20, twelve-inch diameter;

(vi) U. S. standard sieve—one-half inch sieve opening, twelve-inch diameter;

(vii) Forceps, blunt points;

(viii) Shallow baking pan.

(2) *Procedure.* (1) Weigh sample to be debreaded. Fill container three-fourths full of water at 70-80 degrees Fahrenheit. Suspend the paddle in the container leaving a clearance of at least five inches below the paddle vanes, and adjust speed to 120 rpm. Add shrimp and stir for ten minutes. Stack the sieves, the one-half inch mesh over the No. 20, and pour contents of container onto them. Set the sieves under a faucet, preferably with spray attached, and rinse shrimp with no rubbing of flesh, being careful to keep all rinsings over the sieves and not having the stream of water hit the shrimp on the sieve directly. Lay the shrimp out singly on

¹ A tentative correction factor of five percent is employed pending completion of definitive studies.

the sieve as rinsed, remove top sieve and drain on a slope for two minutes, then remove shrimp to weighing pan. Rinse contents of the No. 20 sieve onto a flat pan and collect any particles other than breadding (flesh, tail fin or extraneous material) and add to shrimp on balance pan and weigh.

(ii) Calculate percent shrimp material:

$$\text{Percent shrimp material} = \frac{\text{weight of debreaded sample}}{\text{weight of sample}} \times 100 + 1.5$$

(iii) Calculate percent breadding:

$$\text{Percent breadding} = 100 - \text{percent shrimp material.}$$

(j) *Cooked in a suitable manner.* "Cooked in a suitable manner" means cooked in accordance with the instructions accompanying the product. However, if specific instructions are lacking, the product for inspection is cooked as follows:

(1) Place the sample to be cooked while still frozen in a wire mesh deep fry basket sufficiently large to hold the shrimp in a single layer without touching each other;

(2) Lower the basket into suitable liquid oil or hydrogenated vegetable oil at 350-375 degrees Fahrenheit. Fry for three minutes, or until the shrimp attain a pleasing golden brown color; and

(3) Remove basket from oil and allow to drain for fifteen seconds. Place the cooked shrimp on a paper napkin or towel to absorb excess oil.

LOT INSPECTION AND CERTIFICATION

§ 52.3608 *Ascertaining the grade of a lot.* The grade of a lot of Frozen Raw Breaded Shrimp covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Prod-

ucts Thereof, and Certain Other Processed Food Products (§§ 52.1 through 52.87; 22 F. R. 3535).

SCORE SHEET

§ 52.3609 *Score sheet for frozen raw breaded shrimp.*

Size and kind of container
Container mark or identification

Label
Size of lot
Number of samples
Actual net weight (ounces)
Number of shrimp per container
Descriptive size name
Product type
Breadding percentage
Loose breadding percentage
Ratio weights: 3-largest/3-smallest
Ease of separation
Condition of coating
Damaged shrimp
Degree of deterioration
Dehydration
Sand veins
Black spot
Extra shell
Swimmerets
Rating for scored factors
Flavor and odor
Final grade

The United States Standards for Grades of Frozen Raw Breaded Shrimp (which is the first issue) contained in this subpart shall become effective on March 1, 1958.

Dated: December 30, 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

NOTE: ALSO SEE COMMERCIAL FISHERIES REVIEW, JUNE (1957) P. 65.



Department of Commerce

TRADE POLICY COMMITTEE ADOPTS STATEMENT OF FUNCTIONS AND OPERATING PROCEDURES:

The Trade Policy Committee with the approval of the President has adopted a statement of functions and operating procedures, the Secretary of Commerce announced on January 13. The statement is set forth in a memorandum for the President signed by the Secretary as Chairman of the seven-member Cabinet Committee. The statement was approved by all the members of the Committee and the Secretaries of Commerce, State, Treasury, Defense, Interior, Agriculture, and Labor.

The President, in issuing the Executive Order (November 25, 1957) establishing the committee, stated that it would advise and assist him in the administration of the reciprocal-trade program.

In part the memorandum as approved by the President provides:

Functions of the Trade Policy Committee: The functions assigned to the Trade Policy Committee by the Executive Order of November 25, 1957 establishing the Committee are to (1) make recommendations to the President on basic policy issues arising in the administration of the trade-agreements program, which, as approved by the President, shall guide the interdepartmental Committee on Trade Agreements; (2) advise the President with respect to the recommendations made by the Trade Agreements Committee to the President; and (3) make recommendations to the President as to what action he should take on escape clause reports submitted by the Tariff Commission.

In carrying out these functions, the Trade Policy Committee will be concerned, therefore, with the following types of activities among others: (1) recommendations with respect to tariff negotiations, including compensation cases, (2) review and recommendations in escape clause cases, (3) recommendations in certain other tariff matters such as the use of the Geneva Wool Reservation, (4) recommendations on U. S. positions with respect to any voluntary export arrangements of foreign countries, and (5) recommendations on other policy is-

sues arising in the administration of the Trade Agreements program including all policy position papers for the GATT.

Operating Procedures of the Trade Policy Committee: Procedures include Escape Clause action, review of Trade Agreements Committee recommendations, and recommendation on basic policy issues.
NOTE: SEE COMMERCIAL FISHERIES REVIEW, FEBRUARY 1957, P.



Federal Trade Commission

FISH CANNER DENIES CHARGES OF ILLEGAL BROKERAGE:

A Washington State fish canner and its sales subsidiary (Answer 6942, Canned Seafood) have denied Federal Trade Commission charges of making illegal brokerage payments to some customers. In answering a Commission complaint issued November 18, 1957, the companies deny giving favored customers discounts or allowances in lieu of brokerage in violation of Sec. 2(c) of the Robinson-Patman Amendment to the Clayton Act.

They admit the salmon and other seafood packed by the company generally are sold by the subsidiary through other brokers. They also admit that direct sales are made to certain buyers without utilizing brokers, but deny these customers are granted prices lower than those paid by buyers who purchase through brokers. The complaint had alleged these reduced prices to favored customers (chains and large buying groups) reflect the 2.5 percent brokerage fee ordinarily paid.

The parties ask that the complaint be dismissed, a January 13 news release issued by the Commission points out.

* * * * *

INITIAL DECISION DISMISSES CHARGES ON ALLEGED TUNA PRICE FIXING BY SEATTLE BOAT OWNER ASSOCIATION:

A U. S. Federal Trade Commission hearing examiner on January 17, 1958, issued an order which would dismiss without prejudice charges that Fishermen's Cooperative Association (of Seattle), a boat owner association, has en-

gaged in a conspiracy to fix tuna prices and to prevent competition in this industry.

This is not a final decision of the Commission and may be appealed, stayed, or docketed for review.

The examiner issued his order based on a motion to dismiss made by counsel supporting the complaint. Included in his order are the Association's officers, directors, and members; the officers and directors individually, and as representative of the entire membership of the Association.

On July 24, 1957, the examiner pointed out, the Commission accepted agreements for consent order and issued its order to cease and desist as to 138 other respondents named in the complaint, filed August 29, 1956. The parties, comprising substantially all of the West Coast tuna industry, were ordered to stop fixing prices for the tuna they produce--well over half of the nation's pack. The Commission's order also prohibits attempts to suppress competition.

The examiner said this order effectively will prevent the continuation or repetition of the alleged unlawful practices, even though these respondents are not parties to such order. He then added: "...it would not be in the public interest to expend the time and money which would be necessary to try the entire case for the purpose of securing an order to cease and desist against this single group of respondents."

NOTE: ALSO SEE COMMERCIAL FISHERIES REVIEW, OCTOBER 1957, P. 39.

* * * * *

SEAFOOD PACKER AND SELLING AGENT CHARGED WITH MAKING ILLEGAL BROKERAGE PAYMENTS:

The U. S. Federal Trade Commission on January 27, charged a Seattle, Wash., seafood packer and its affiliated selling agent with making illegal brokerage payments to some customers (Complaint 7021, Canned Seafood). A Commission complaint cites the two companies and also named are the officers of the packing company who are also partners in the second company.

The complaint alleges that the parties give favored customers discounts or allowances in lieu of brokerage, or reduced prices reflecting brokerage, in violation of Sec. 2(c) of the Robinson-Patman Amendment to the Clayton Act.

According to the complaint, the seafood products packed by the packer usually are sold by the partnership through field brokers who receive $2\frac{1}{2}$ percent of the net selling price for their services. In these transactions, the complaint alleges, favored customers are allowed discounts under the guise of advertising allowances, accomplished by cutting the field brokers' normal brokerage.

In addition, the complaint says, the parties make direct sales to favored customers without utilizing field brokers. On such sales the price is reduced by the $2\frac{1}{2}$ percent which ordinarily would be paid as brokerage fees, the complaint charges.

The parties are granted 30 days in which to file answer to the complaint. A hearing is scheduled March 25 in Seattle before a Federal Trade Commission hearing examiner.



**Department of Health,
Education, and Welfare**

FOOD AND DRUG ADMINISTRATION

**PORTION OF CANNED TUNA
DEFINITION AND STANDARD OF
IDENTITY ORDER POSTPONED:**

That portion of the canned tuna definition and standard of identity order (published in the February 13, 1957, Federal Register) concerning the labeling provisions in section 37.1 (h) was revoked by the Food and Drug Administration by a notice published in the January 14, 1958 Federal Register. The effective date of that section is postponed from February 13, 1958, until a final ruling shall have been made as a result of the findings determined at the public hearing held on January 29, 1958, Washington, D. C.

The purpose of the hearing was to receive data on the objections to the requirement in section 37.1 (h) of the identity standard that the words "in water" are to be included in the name of the food when water is used as the packing medium and to the requirement for label declaration of tuna darker than Munsell value 5.3 as "dark tuna." The section in question also has a number of other labeling provisions than those listed here.

The announcement postponing the effective date as it appeared in the January 14, 1958; Federal Register follows:

TITLE 21—FOOD AND DRUGS

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

Subchapter B—Food and Food Products

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

ORDER POSTPONING EFFECTIVE DATE OF PORTION OF DEFINITION AND STANDARD OF IDENTITY FOR CANNED TUNA

In the matter of fixing and establishing a definition and standard of identity for canned tuna:

Effective as of the date of publication of this order in the FEDERAL REGISTER, that portion of the order published in the FEDERAL REGISTER of February 13, 1957 (22 F. R. 892), concerning the effective date of the identity standard for canned tuna, insofar as it concerns the labeling provisions set forth in § 37.1 (h), is hereby revoked; and: *It is ordered*, That the effective date of the aforesaid paragraph be postponed from February 13, 1958, until a final ruling shall have been made as a result of the findings determined at the public hearing to be held in accordance with the notice published in the FEDERAL REGISTER of December 28, 1957 (22 F. R. 10964).

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919; 21 U. S. C. 341, 371)

Dated: January 7, 1958.

[SEAL] **GEO. P. LARRICK,**
Commissioner of Food and Drugs.

NOTE: ALSO SEE COMMERCIAL FISHERIES REVIEW,
NOVEMBER 1957, P. 60.



Interstate Commerce Commission

**RAIL FREIGHT RATE
INCREASE REQUESTED:**

In a series of petitions to the Interstate Commerce Commission, the railroads requested a 2-percent general in-

crease, with a specific increase of 5 cents per 100 pounds on fresh and frozen seafoods. The increase on canned or preserved fish is 1 cent per 100 pounds, but no increase is proposed on these products within the South. Frozen foods generally are to be increased 1 cent per 100 pounds. Animal or poultry feed ingredients are to be increased 3 percent, except for shipments within the South. Fish oils are to be increased 5 cents per 100 pounds.

In addition to these increases, Diver- sion and Reconsignment rules are being drastically revised and the charges are being increased in varying amounts up to \$20. Furthermore, a new charge of \$2 per ton is to be added to line-haul rail rates on all freight moving to or from the United States and Canadian ports to cover the cost of loading and unloading presently being absorbed by the railroads.

The increased rates and new charges were due to become effective February 1, 1958, and the Interstate Commerce Commission established special rules for handling requests for suspension of these increases. Protests were due on January 20 and Oral Argument was scheduled for January 29 in Washington.



Eighty-Fifth Congress (Second Session)

Public bills and resolutions which may directly or indirectly affect the fisheries and allied industries are reported upon. Introduction, referral to committees, pertinent legislative actions, hearings, and other chamber actions by the House and Senate as well as signature into law or other final disposition are covered.



ALASKA-SPAWNED SALMON PROTECTION: H. Res. 439 (Tollefson) introduced in the House on January 15, 1958, a resolution requesting the Secretary of State to secure an agreement with Japan to protect Alaska-spawned salmon; to the Committee on Foreign Affairs. Also introduced in the House on January 20, H. Res. 448 (Magnuson), similar to H. Res. 439.

S. Res. 247 (Magnuson and Jackson) introduced in the Senate on January 23, 1958. "Resolves, that the Secretary of State together with other appropriate officials of our Government immediately initiate negotiations with the appropriate officials and agencies of the Government of Japan for the purpose of: (a) effectuating the purpose of the treaty entered into by the United States, Canada, and Japan in 1951, and (b) establishing a zone in which there shall be a cessation of all fishing in waters on the high seas where a substantial proportion of salmon of North American origin were found.

H. Res. 451 (Tollefson) introduced in the House on January 23, 1958, a resolution requesting the Secretary of the Interior and all departments of Government to protect Alaska-spawned salmon; to the Committee on Merchant Marine and Fisheries. Also introduced in the House on January 27, H. Res. 455 (Pelly), similar to H. Res. 451.

CHEMICAL ADDITIVES IN FOOD: H. R. 10404 (Williams of Mississippi) introduced in the House on January 30, 1958, a bill to amend the Federal Food, Drug, and Cosmetic Act for the protection of the public health, by prohibiting new food additives which have not been adequately pretested to establish their safe use under the conditions of their intended use; to the Committee on Interstate and Foreign Commerce. Bills and resolutions introduced on this subject during the first session of the 85th Congress were as follows: H. R. 4014 (Delaney); H. R. 4432 (Sullivan); H. R. 6747 (Harris); S. 1895 (Hall and Smith, New Jersey); H. R. 7798 (Delaney), replaces H. R. 4014; H. R. 7938 (Mrs. Sullivan); H. R. 7700 (Fulton); H. R. 8112 (Miller, Nebraska); H. R. 8390 (Harris), this bill was sponsored by National Canners Association; H. R. 8629 (Wolverton), similar to H. R. 8112; H. Res. 273 (Teller), provides for Committee to study subject; H. Res. 311 (Farbstein).

Food Additives Hearings: Hearings on food additive legislation that started July 15, 1957, were resumed by the Health and Science Subcommittee of the House Interstate and Foreign Commerce Committee on February 18-19. Administration's views were presented by the Commissioner of Food and Drugs and the Assistant Secretary of Health, Education, and Welfare. The hearings during the first session of this Congress featured a panel of experts from the National Academy of Science. Witnesses at those hearings were representatives of consumer groups and of the chemical and food industry.

DISTRICT OF COLUMBIA FISH AND GAME LAWS: H. R. 10160 (Hyde) introduced in the House on January 21, 1958, a bill to revise and modernize the fish and game laws of the District of Columbia, and for other purposes; to the Committee on the District of Columbia. Also bills on the subject were introduced in the House and Senate during the first session of the 85th Congress--H. R. 2454 (Hyde) and S. 532 (Beall).

ECONOMIC RELIEF FOR DISTRESSED AREAS: H. R. 10230 (Byrd) introduced in the House on January 23, 1958, a bill to establish a program of eco-

conomic relief for distressed areas through a system of loans and grants-in-aid; to the Committee on Banking and Currency. This bill is similar in purpose to S. 1433 (Martin and others) introduced in the Senate on February 28, 1957. Four House bills: H. R. 5459 (Carrigg); H. R. 5500 (Van Zandt); H. R. 7029 (Fenton); and H. R. 7046 (Saylor) introduced in the first session of the 85th Congress are closely related in purpose to H. R. 10230.

FISHERIES ASSISTANCE ACT OF 1958: S. 3229 (Saltonstall, Kennedy, Payne, Smith of Maine, and Magnuson), introduced in the Senate on February 5, 1958, a bill to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status, and for other purposes; to the Committee on Interstate and Foreign Commerce. Also introduced in the House on February 5, 1958, H. R. 10529 (Bates)--similar to S. 3229 and referred to the House Committee on Merchant Marine and Fisheries. The proposed legislation is entitled "The Federal Fisheries Assistance Act of 1958" and provides for assistance to depressed segments of the fishing industry. The bill contains four major provisions: (1) Incentives to reduce vessel insurance costs. (2) Construction differential subsidies for vessels built in American yards. (3) A loan program for repair and modernization of processing plants. (4) Incentive payments to both fishermen and processing plants. Briefly, the bill calls for Federal assistance in maintaining vessel inspection and procuring safety equipment; this is designed to reduce the present high rates of insurance. The bill sets up a loan program specifically for processors so that they may repair and modernize their now obsolete and inefficient facilities. Thirdly, the bill calls for a ship construction subsidy similar to that now offered our maritime industry to offset the higher construction cost in American yards. Fourth, the bill calls for incentive payments to both the fishermen and the processing plants. The latter provision is designed to encourage the boat operators and processors to improve the quality of the fish caught and processed. These incentive payments would aid the industry in making up the price differential between foreign and domestic products and thereby retain their present share of the market. But more importantly, this would place certain requirements on the industry to improve its own practices, thereby improving the ultimate product to be distributed to the American consumer. Senator Saltonstall's statement when the bill was introduced in part pointed out "I wish to emphasize that this legislation is not a subsidy. This legislation offers financial assistance to the industry to encourage constructive measures of its own to improve the quality of the finished product and thereby to maintain its competitive position. Equity demands that some legislation of this nature be enacted in that the Federal Government has been at least partially responsible for the industry's decline. The national interest further demands that such legislation be enacted so that this vital industry and source of domestic food supply be preserved in case of war."

FISHERY EXTENSION SERVICE: S. 2973 (Payne) introduced in the Senate on January 13, 1958, a bill to authorize the Secretary of the Interior to establish a fishery extension service in the Fish and Wildlife Service of the Department of the Interior for the purpose of carrying out cooperative fishery extension work with the States,

Territories, and possessions; to the Committee on Interstate and Foreign Commerce. The bill provides for the establishment of a fishery extension service patterned closely after the Agricultural Extension Service. The bill supplements the Fishery Education Act passed in the 84th Congress, that provides for grants to colleges and universities to promote the fishery industry in the United States and its Territories by providing for the training of needed personnel in such industry S. 2973 provides that:

Cooperative fishery extension work shall consist of (1) the giving of instruction and practical demonstrations in fishery and subjects relating thereto to persons engaged in commercial fishing or desiring to engage in commercial fishing, and who are not attending or resident in a college or university, (2) the imparting of information on such subjects through demonstrations, publications, and otherwise, and (3) aid for the necessary printing and distribution of information in connection with the foregoing; such work to be carried on in such manner as may be mutually agreed upon by the Secretary and the college or university concerned.

Any amount appropriated for the purpose of carrying out the provisions of this Act, except such amounts as may be appropriated pursuant to subsection (d) of this section, shall be apportioned on an equitable basis, as determined by the Secretary, among the several States, Territories, and possessions. In making such apportionment the Secretary shall take into account the extent of the fishing industry within each State, Territory, and possession as compared with the total fishing industry of the United States (including Territories and possessions), and such other factors as may be relevant in view of the purposes of this Act. Also introduced in the House on January 27, 1958, H. R. 10275 (Hale) and referred to the Committee on Merchant Marine and Fisheries, similar to S. 2973.

FISHERIES LEGISLATION AND NORTH PACIFIC FISHERIES PROBLEMS (Hearings before the Committee on Interstate and Foreign Commerce, United States Senate, Eighty-Fifth Congress, First Session, on S. 1483, a bill to amend the Act of August 27, 1957 (68 Stat. 883) and relating to the rights of vessels of the United States on the high seas and in territorial waters of foreign countries; and S. 2719, a bill to provide for the payment of bounties for the control of certain predators on salmon and halibut of the Pacific Coast and Alaska, October 1 and 3 and November 27, 1957), 94 pages, printed. Contains statements submitted at the hearings held in Seattle, Wash., and at Fairbanks and Anchorage, Alaska.

HAWAII STATEHOOD: H. R. 10155 (Dooley) introduced in the House on January 21, 1958, a bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interstate Interior and Insular Affairs. During the First Session of the 85th Congress five or more House bills and one Senate bill (S. 50) were introduced on this subject. S. 50 was approved on July 30, 1957, by Senate Committee on Interior and Insular Affairs (Rept. No. 1164, parts 1 and 2). S. 50 was passed over by the Senate on August 30, 1958.

INCOME TAX LAW REVISION IN FAVOR OF FISHERMEN: H. R. 10280 (King) introduced in the

House on January 27, 1958, a bill to extend to fishermen the same treatment accorded farmers in relation to estimated income tax; to the Committee on Ways and Means. Two House bills, H. R. 3061 (King) and H. R. 4521 (Pelly), and one Senate bill, S. 1669 (Magnuson), were introduced on this subject during the first session of the 85th Congress.

POWER PROJECTS FISHERIES RESOURCES

PROTECTION: S. 3185 (Newberger) introduced in the Senate on January 29, 1958, a bill to promote the conservation of migratory fish and game by requiring certain approval by the Secretary of the Interior of licenses issued under the Federal Power Act; to the Committee on Interstate and Foreign Commerce. The bill would give to the U. S. Fish and Wildlife Service collateral jurisdiction in Federal Power Commission decisions where rivers are involved with important fisheries resources.

RESEARCH AND ACTIVITIES UNDER SALTON-

STALL-KENNEDY ACT: House received a letter on January 21, from the Secretary of the Interior transmitting the third annual report of activities and research conducted by or under contract with the Fish and Wildlife Service of the U. S. Department of the Interior to encourage the distribution of domestically produced fishery products for the fiscal year ending June 30, 1957, pursuant to the act of July 1, 1954 (commonly referred to as the Saltonstall-Kennedy Act) as amended by the Fish and Wildlife Act of 1956; referred to the Committee on Merchant Marine and Fisheries. (Title of report: "Research and Activities under the Saltonstall-Kennedy Act, Fiscal Year 1957.")

SALMON IMPORT RESTRICTIONS: H. R. 10244 (Pelly) introduced in the House on January 23, 1958, a bill to facilitate the application and operation of the Fish and Wildlife Act of 1956, and for other purposes; to the Committee on Merchant Marine and Fisheries. Provides that it shall be unlawful to import for market and distribution within the United States or its possessions, salmon in any form taken on the high seas of the North Pacific Ocean and adjacent seas, by nets or other means, at times, places, and under conditions or methods of fishing which would be unlawful if practiced or performed by citizens of the United States or of the States of Washington, Oregon, and California.

SMALL BOAT LIEN RECORDING: H. R. 10149 (Ashley) introduced in the House on January 21, 1958, a bill to amend the Act of June 7, 1918, to provide for the notation of liens, mortgages, and other encumbrances on the certificate of award issued for a vessel under the act; to the Committee on Merchant Marine and Fisheries. This bill proposes to have liens and other encumbrances against an undocumented craft recorded on certificate of award to protect buyers and sellers when transferring title and certificate of ownership.

SMALL BUSINESS DISASTER LOANS: H. R. 99727 (Smith of Mississippi) introduced in the House on January 7, 1958, a bill to amend the Small Business Act of 1953 to provide that disaster loans to cover economic injury may be made to small-business concerns in a duly designated disaster area

without regard to the nature of the disaster; to the Committee on Banking and Currency. Also introduced in the House on January 13, H. R. 9926, similar to H. R. 9727.

SMALL BUSINESS RESEARCH AND DEVELOPMENT ACT OF 1958: S. 2993 (Fulbright) introduced in the Senate on January 13, 1958, a bill to expand the opportunities of small business to participate in and derive the benefits from research and development; to the Committee on Banking and Currency.

SMALL BUSINESS TAX RELIEF: S. 3194 (Sparkman and others) introduced in the Senate on January 30, 1958, a bill to amend the Internal Revenue Code of 1954 so as to establish an initial program of tax adjustment for small and independent business and for persons engaged in small and independent business; to the Committee on Finance. H. R. 10389 (Holtzman) similar bill introduced in the House on January 30, and referred to Committee on Ways and Means. Also introduced on February 3, H. R. 10440 (Horan); on February 4, H. R. 10499 (Rains)--similar to S. 3194. Five or more House bills and one Senate bill similar in purpose to S. 3194 were introduced in the first session of the 85th Congress.

TRADE AGREEMENT EXTENSION ACT: H. R. 10368 (Mills) introduced in the House on January 30, 1958, a bill to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes, to the Committee on Ways and Means.

TRADE AGREEMENTS ACT EXTENSION HEARINGS: Hearings on bills to amend and extend the Trade Agreements Act were scheduled for February 17 by the House Ways and Means Committee. H. R. 10368 was introduced at the request of the Administration to carry out the President's recommendation for a five-year renewal of the Trade Agreements Act. Under the President's proposal the President would be authorized to reduce rates of duty existing July 1, 1958: (a) By 5 percent of the duty annually for five successive years. However, as an alternative, the President could reduce a duty by this same total amount over a three-year period if no yearly reduction exceeded 10 percent of the duty. (b) By 3 percentage points ad valorem, without any yearly reduction exceeding 1 percentage point. (c) To 50 percent ad valorem if an existing duty is in excess of that amount. In such cases no more than one-third of the total reduction could be made in any one year. These would be alternative methods which could not be used cumulatively. The President also has proposed that he be authorized to raise the duty 50 percent above the level in effect July 1, 1934, in cases found to warrant such protection.

TUNA IMPORT ACT: H. R. 9734 (Tollefson) introduced in the House January 7, a bill to regulate the importation of tuna; to the Committee on Ways and Means. One Senate bill, S. 2734 (Magnuson) and three House bills, H. R. 9237 (King), H. R. 9243 (Utt), and H. R. 9244 (Wilson) were introduced in the First Session and refer to the same subject, but may differ in some respects.

