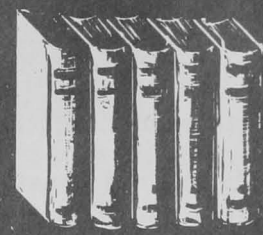




# FEDERAL ACTIONS



## Department of Health, Education and Welfare

FOOD AND DRUG ADMINISTRATION

### MAJOR OVERHAUL PROPOSED OF SPECIAL DIETARY FOOD REGULATIONS:

A major overhaul of the Nation's special dietary food regulations was called for on June 20, 1962, by the U. S. Food and Drug Administration. The proposals aimed at changing these regulations were published in the June 20 Federal Register. Interested persons were invited to submit comments in writing within 60 days.

The regulations would cover vitamin, mineral and other dietary supplements, baby foods, foods for the elderly, low-sodium foods, low calorie and artificially sweetened foods, protein supplements, hypoallergenic foods, foods for use in dietary management of disease, and all other foods represented as having special dietary properties.

The objective of the regulations is to assure the public that special dietary foods are offered for what they actually are, with complete information to facilitate intelligent purchasing and use.

The proposed regulations are designed to provide the consumer with complete and reliable labeling information which will enable him to select and purchase special dietary foods of all kinds. This will help to eliminate false and misleading claims.

Following is a summary of the principal changes which would be made by the proposed regulations.

**Foods Offered as Vitamin and Mineral Sources:** Under the present regulations foods represented as sources of any of 6 specified vitamins and 4 minerals known to be needed in human nutrition must be labeled to show the proportion of the "minimum daily requirement" that is present. The term "minimum daily requirement" has been frequently misunderstood by consumers, and has encouraged some manufacturers to add needlessly large amounts of some vitamins and minerals. In the proposed regulations the term "daily requirement" is used in place of "minimum daily requirement."

**Foods for Use in Reducing or Weight Control Diets:** Such foods would be required to state the number of calories in a one-day supply or in one unit if the food is in wafers, tablets, capsules, etc. The amount in grams, of protein, fat and carbohydrates consumed in a one-day supply would also be stated.

Foods for reducing would be required to bear this prominent label declaration: "Useful only when used as a part of a calorie-controlled diet."

To be described as "non-fattening" a food could contain not more than 5 calories in a serving or 10 calories in a one-day supply.

To be described as "low calorie" a food could contain not more than 15 calories in a serving or 30 calories in a one-day supply.

To be described as "lower in calories" the label would be required to state the name and caloric content of the food with which it is compared.

**Protein Sources:** Protein consumption in the United States is over 100 grams per person daily whereas the average adult needs only about 30 grams daily of the proteins supplied by the ordinary diet. The proposed regulations would require foods offered as sources of protein to be labeled in terms of their protein quality and quantity. Specifications that entitle a food to be described as "excellent" or "good" dietary sources of protein, are proposed. Foods which do not meet these specifications could not bear protein claims.

**Low-Sodium Foods:** Only minor changes are proposed in the existing regulations on labeling of those products. Medically insignificant amounts of sodium would not be required to be shown on the label of low-sodium food items.



## Department of the Interior

### INTERIOR MEMBERS APPOINTED TO COMMITTEE ON FISHING VESSEL CONSTRUCTION:

Six Department of the Interior officials to represent the Department on the joint Congressional-Interior Committee on Fishing Vessel Construction were appointed by the Secretary of the Interior. The names were announced on July 3, 1962. They are Donald L. McKernan, Director, Bureau of Commercial Fisheries; Harold E. Crowther, Assistant Director, Bureau of Commercial Fisheries (alternate); Charles H. Vaughn, Assistant Solicitor for Fish and Wildlife, Office of the Solicitor; Max N. Edwards, Legislative Counsel, Office of the Secretary; Thomas D. Rice, Special Assistant to the Commissioner for Fish and Wildlife; Ralph Curtiss, Resources Staff Officer (Legislation), Bureau of Commercial Fisheries; and C. E. Peterson, Chief, Branch of Loans and Grants, Bureau of Commercial Fisheries.

Congressional committee members, announced earlier, are August J. Bourbon of the staff of the Senate Committee on Commerce, and Capt. Paul Bauer, staff member of the House Merchant Marine and Fisheries Committee.

The joint committee will review the Fishing Vessel Construction Differential Subsidy Program, authorized by P.L. 86-516, which is due to expire in 1962, and will discuss the over-all problems in the fishing industry in efforts to find solutions.

The cost of constructing fishing vessels in certain foreign countries is 40 to 50 percent lower than in American shipyards, but Federal laws prohibit American fishermen from purchasing foreign-built vessels for use in domestic fisheries. The Fishing Vessel Construction Differential Subsidy Act authorizes the Secretary of the Interior to pay up to one-third the cost of building a new fishing vessel, provided certain requirements are met. To be eligible for a subsidy, a vessel must be designed to operate in a fishery which has received a finding of injury because of increased imports. The New England groundfish fishery is the only one now meeting this requirement.

The committee will discuss developments since the program has been in effect, operation of the program, need for expanding or modifying the vessel-construction program, and methods of providing assistance to the fishing industry through construction of new fishing vessels.

FISH AND WILDLIFE SERVICE

BUREAU OF COMMERCIAL FISHERIES

#### NEW PAY PLAN APPROVED FOR ALEUT RESIDENTS OF PRIBILOF ISLANDS IN ALASKA:

A new pay plan effective July 1, 1962, provides that all Aleut residents of the Pribilof Islands in Alaska employed under the Fish and Wildlife Service's Bureau of Commercial Fisheries Fur Seal Program will receive compensation determined in accordance with the pay structure of the Federal Civil Service, the U. S. Department of the Interior announced on June 25, 1962.

This determination of rates of compensation will be made under the provisions of the Classification Act of 1949, as amended, or under the Wage Board or Administrative Procedures established by the Department of the Interior. Special provisions are included for sealing crews whose pay rates will be established on the basis of wage board rates for laborers, plus the application of a percentage differential in recognition of the levels of work involved.

The former practice of partially subsidizing the cost of housing, food, fuel, and supplies for the Aleuts will be discontinued with the inception of the higher rates of compensation. The original Compensation Plan of 1949 and the revised plan of 1954 have been essential and effective steps in making possible the transition from the earlier economy of the Islands when all payments to the inhabitants were made in the form of Government-furnished housing, food, clothing, schooling, medical care, and the like, the Department said.

With the completion of this successful transition, resident Aleuts employed by the Bureau can be compensated in the future on the same basis and under the same laws, rules, regulations, and policies as other Department employees. The islands of St. Paul and St. George in the Pribilofs have about 600 residents. However, not all are employed by the Bureau.

\* \* \* \* \*

#### PROSPECTUS ISSUED ON ALASKA FUR-SEAL PROCESSING:

An "Invitation for Proposals" and "Prospectus" for processing and selling Alaska seal skins for the account of the United States Government was issued on June 22, 1962, by the U.S. Department of the Interior.

The Bureau of Commercial Fisheries of the Department manages the fur-seal herd on the Pribilof Islands in the Bering Sea. The Bureau expects that there will be harvested each year some 90,000 surplus animals from which the fur known as Alaska fur seal is prepared. Under the terms of a treaty with Canada, Japan, and the U.S.S.R., 70 percent of the harvest is retained by the United States and 15 percent is delivered to each of the governments of Japan and Canada.

The Department of the Interior announced on November 30, 1961, that it had canceled its contract with Fouke Fur Company of St. Louis, Mo., for processing and selling Alaska seal skins. The "Invitation for Proposals" and "Prospectus" are being issued to acquaint all persons and firms interested in providing services for processing and/or selling U.S. Government Alaska seal skins with requirements and conditions under which such operations will be conducted. The deadline for submitting proposals is September 30, 1962.

Copies of the "Invitation for Proposals" and "Prospectus" may be obtained from the Director, Bureau of Commercial Fisheries, U.S. Department of the Interior, Washington, 25, D.C.

Note: See Commercial Fisheries Review, January 1962 p. 65.



## Interstate Commerce Commission

### CERTAIN FROZEN PREPARED FISHERY PRODUCTS INCLUDED IN FISHERY EXEMPTION FOR TRUCKS:

The status of certain frozen prepared fishery products (such as fish dinners, fish cakes, etc.) under the fishery exemption for trucks was decided on May 24, 1962, by Division I of the U. S. Interstate Commerce Commission, in W. W. Hughs "Grandfather" Application MC-105782 (Sub. No. 4). The language of the Transportation Act of 1958 left some doubt as to the status of prepared products such as fish dinners and fish cakes.

Fresh and frozen fishery products, cooked or uncooked, not hermetically sealed nor otherwise preserved are exempt from economic regulation, but when those products are moved in the same vehicle with regulated products, fishery products become regulated. Under the exemption, fishery products may be transported by a carrier without regard to rates published or the route specified by his certification of operation. In fact, the carrier need not have any operating rights granted by the I.C.C. The flexibility of service afforded by the exemption is important to the fishery industry for successful marketing of its products.

The examiner in his recommended report in the case cited concluded that fish specialties such as dinners and fish cakes were not exempt because of a mixture of regulated commodities such as frozen vegetables or ingredients that are not incidental to seasoning or binding. The Commission reversed the examiner's recommendation and commented that if "it was the intention of Congress that deviled crabs, deviled clams, deviled lobsters, codfish cakes, salmon croquettes, and similar fish or shellfish foods be exempted from economic regulation then that intention must prevail." Therefore, it might be said that a "basic ingredient principle" is established that if the basic ingredient is fish or shellfish, then the product is considered exempt. The test for fish mixed

with other products such as fish dinners is: if "the fish dinners share a common initial wrapper or container, and retain the characteristics of a fish or seafood dinner in the ordinary and usual sense, the exemption applies."

The following is the discussion of the exemption in the decision:

#### THE FISH AND SHELLFISH EXEMPTION

A question has arisen with respect to the Bureau of Motor Carriers' administrative ruling No. 110, issued on September 26, 1958, shortly after passage of the Transportation Act of 1958. Administrative rulings are informal opinions intended to assist the Commission's field staff and the public in interpreting the various provisions of the Interstate Commerce Act and the rules and regulations promulgated thereunder, in the absence of definitive decisions. They are not binding on either the Commission or other persons. Monroe Common Carrier Application, 8 M.C.C. 183. Clark-Lease-Ronker, 36 M.C.C. 195. Ruling No. 110 interprets ruling No. 107 in the light of the amendments made to section 203 (b) (6) by section 7. When the amendments were made, ruling No. 107 was specifically incorporated, or codified, into the amended statute for the purpose of establishing the status of the commodities listed therein as exempt or nonexempt, with certain exceptions. The second proviso of the amended section establishes the status of a number of commodities not withstanding that ruling No. 107 might be to the contrary. Of particular importance here, the proviso states that the exemption afforded by the statute "shall be deemed to include cooked or uncooked (including breaded) fish or shell fish when frozen or fresh (but not including fish and shell fish which have been treated for preserving, such as canned, smoked, pickled, spiced, corned or kippered products)." To the extent that the list in ruling No. 107 differs from this language it must yield. Recognizing this, the Bureau re-examined this list and issued ruling No. 110 expressing an informal opinion that the following commodities must now be considered exempt from economic regulation: (1) dinners, seafood, frozen; (2) fish (including shell fish), breaded, cooked or uncooked, frozen or fresh; (3) cakes, codfish, cooked or uncooked, frozen or fresh; (4) clam juice or broth, cooked or uncooked, frozen or fresh; (5) croquettes, salmon, cooked or uncooked, frozen or fresh; (6) deviled crabs, clams, or lobsters, cooked or uncooked, frozen or fresh; (7) fish dinners, cooked or uncooked, frozen or fresh; (8) fried fish fillets, oysters, or scallops, frozen or fresh; and (9) fish sticks, cooked or uncooked, frozen or fresh. The opinion of the Bureau with respect to the status of fish sticks as an exempt commodity was confirmed in Phillips Common Carrier Application, 82 M.C.C. 528. It is true that many of the commodities listed in the ruling contain ingredients other than fish or shellfish, but if it was the intention of Congress that deviled crabs, deviled clams, deviled lobsters, codfish cakes, salmon croquettes, and similar fish or shellfish foods be exempted from economic regulation then that intention must prevail. The general effect of the last proviso is to broaden the exemption to embrace cooked as well as fresh fish and shellfish. The language used in the statute is broad, and cannot be said to be entirely clear, since it embraces a multitude of specific commodities. The language presently employed does not differ materially in form from that formerly employed. That the former language was not clear and unambiguous is amply reflected in the court and Commission decisions which construed the language. Interstate Commerce Com-

mission v. Love, supra, and the four decisions in Monark Egg Corp. Contract Carrier Application, 26 M.C.C. 615, 44 M.C.C. 15, 49 M.C.C. 693, and 52 M.C.C. 576. It will be helpful, therefore, to refer to the legislative history of the statute to ascertain the intent of Congress.<sup>1/</sup> We are of the opinion that the legislative intent as it appears in the footnoted colloquy is in harmony with opinions shown in ruling No. 110. Seafood or fish dinners involve the packaging of ordinarily non-exempt commodities such as frozen french fried potatoes, french fried onions, cooked broccoli, and others in the same container with the chief course consisting of fish or shellfish. The main ingredient of a fish or seafood dinner is the fish course; the accompanying food items are complementary and secondary. Uppermost in the mind of the consumer is the fish or shellfish component. He regards the dinner, without respect to the accompanying vegetables, as a fish or seafood dinner, with emphasis on the particular fish course involved. The dinners are customarily packed in individual containers, and are entities within themselves, which is not true when the various food items making up the dinner are packed separately. As long as the fish dinners share a common initial wrapper or container, and retain the characteristics of a fish or seafood dinner in the ordinary and usual sense, the exemption applies, and the transportation of such dinners is exempt from economic regulation. The same item moving in separate packages in the same vehicle would come within the principle of Panther, supra, and the exemption would no longer apply. We conclude that the fish and shellfish commodities listed as exempt from economic regulation in ruling No. 110 are correctly so designated.

<sup>1/</sup> See Colloquy, Senators Kennedy and Smathers, before Senate, reported in the Congressional Record for June 11, 1958 (p. 9744). "Codfish cakes, deviled crab, fish with sauce, fish dinners, and similar sea food products" are mentioned as falling within the exemption.



## Department of Labor

WAGE AND HOUR AND PUBLIC CONTRACTS DIVISION

### SPECIAL WAGE MINIMUMS FOR LEARNERS IN FISHERY PLANTS MAY BE POSSIBLE:

Labor Department Wage and Hour officials have indicated that they might grant requests for Learner Certificates in fishery or seafood plants. Such certificates would permit the employment of trainees at rates below the statutory minimum.

One of the requirements for learner certificates is that the occupation involved must "involve a sufficient degree of skill to necessitate an appreciable learning period." Adequate information from individual plants or groups would be necessary as to actual training periods and relative production of new and of experienced workers over a considerable period of time before a decision could be made as to whether the legal requirements are met. Another basic requirement

for learner certificates is that such certificates are in fact necessary to prevent curtailment of employment opportunities.



## Department of State

AGENCY FOR INTERNATIONAL DEVELOPMENT

### "COOLEY LOANS" NOW AVAILABLE IN EIGHTEEN AFRICAN COUNTRIES:

Morocco and Sudan have been added to the list of African countries in which "Cooley funds" are available for lending to qualified United States firms, according to an announcement on July 12, 1962, by the Assistant Administrator for Development Finance and Private Enterprise in the Agency for International Development.

He said foreign currencies equivalent to \$197.8 million are now available in 18 countries. They may be lent to United States businesses or their affiliates for development or expansion of foreign operations.

Named after Congressman Harold D. Cooley of North Carolina, who sponsored the pertinent amendment to Public Law 480 (Food for Peace), the loans are in local currencies received from sale of surplus United States agricultural products. Repayments also are in local currencies.

Loan applications may be made to the Private Enterprise Division, Agency for International Development, Washington 25, D. C., or to the U.S. AID Mission in countries involved, care of the U.S. Embassy.

AREA REDEVELOPMENT ADMINISTRATION

### SHELLFISH INDUSTRY STUDY IN YORK COUNTY, MAINE, APPROVED:

The Area Redevelopment Administration (ARA) announced approval of a \$44,000 contract with the State of Maine's Department of Sea and Shore Fisheries, for a study of the declining commercial shellfish industry in the waters off York County.

The project will cover several studies. A survey will be made of the number, growth rate, and mortality rate of commercial species of shellfish, including clams, oysters, quahogs and mussels. A pilot plant experimental operation will study methods

of pollution abatement and try to determine methods acceptable to the U. S. Public Health Service of purifying and salvaging some of the shellfish currently being rejected because of pollution in York County waters.

The shellfish industry of the area has declined about 46 percent in the last 15 years. Annual loss of income has been more than \$1.25 million and industry employment in the area has dropped about 80 percent.

In addition to the ARA investment of \$44,000, the State of Maine will contribute \$29,646 to complete the project studies. The results of the pilot plant experimental operations will be made available to other commercial fishing areas experiencing serious pollution problems.

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## United States Supreme Court

### RULING AFFECTS FISHING CREWS UNEMPLOYMENT AND SOCIAL SECURITY TAX EXEMPTION:

On May 28, 1962, the United States Supreme Court commented on the factors involved in deciding whether fishermen are independent contractors or employees for Federal tax purposes. The point arose in the case of J. L. Enochs, District Director of Internal Revenue, vs. Williams Packing & Navigation Co., Inc., which was decided on procedural grounds.

Williams Packing Co. supplies trawlers to fishermen who take shrimp, oysters, and fish off the Gulf coast. In July 1959, Federal District Judge Sidney Mize permanently enjoined the collection of social security and unemployment taxes for the vessel captains and crewmen working the Williams Packing Co. trawlers during 1953-1955. The United States Court of Appeals for the Fifth Circuit affirmed the District Court decision on the ground that the taxes were not payable since the fishermen were independent contractors.

On appeal by the Government, the Supreme Court reversed the judgment of the Court of Appeals and remanded the case to the District Court with directions to dismiss the complaint. The Supreme Court ruled that the collection of Federal taxes may be enjoined only when it is clearly apparent at the time of suit that, under the most liberal view of the law and the facts, the United States cannot establish tax liability. The right to disputed tax sums in cases which do not meet this requirement must be determined in a suit for a refund. The Supreme Court held that it was not clearly evident that the fishermen on the vessels of the Williams Packing Company were independent contractors.

Note: See Commercial Fisheries Review, May 1962 p. 78, Sept. 1961 p. 114.



## White House

### FISHERY EXPORTS TO EL SALVADOR CONFRONTED WITH HIGHER DUTIES:

On July 2, 1962, the President proclaimed that tariff concessions under the May 1, 1937, bilateral trade agreement between El Salvador and the United States would end August

8, 1962. El Salvador had requested and obtained mutual termination of concessions affecting 27 commodities, including two fishery products. This step was necessary to El Salvador's participation in the Central American economic integration movement with Guatemala, Honduras, and Nicaragua.

The El Salvador import duty rate on two fishery commodities, canned mackerel and canned salmon, will be increased from \$5.00 per 100 gross kilograms and 6 percent ad valorem to \$35.00 per 100 kilograms and 8 percent ad valorem. In recent years, El Salvador has consistently been an important foreign market for United States canned mackerel. In 1961, canned mackerel exports to El Salvador were valued at \$151,000, canned salmon, \$23,000.

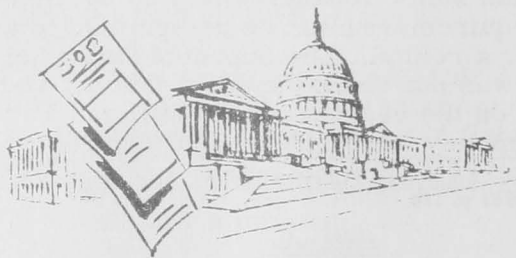
It is expected that United States exports of canned mackerel and canned salmon to El Salvador may be adversely affected by the increase in the duty rates. Duties on canned sardines may also increase as the result of termination of concessions with other countries. United States trade in that product during 1961 was valued at \$8,000.



## Eighty-Seventh Congress

### (Second Session)

Public bills and resolutions which may directly or indirectly affect the fisheries and allied industries are reported upon. Intro-



duction, referral to committees, pertinent legislative actions by the House and Senate, as well as signature into law or other final disposition are covered.

**AMERICAN SAMOA INCLUDED IN CERTAIN LAWS:** The House on July 19, 1962, disagreed with the Senate amendment on H.R. 10062, to extend the application of certain laws to American Samoa, and asked for a conference with the Senate. Five conferees were appointed by the House.

The Senate on July 20, 1962, received a message from the House announcing its disagreement to the amendment of the Senate to H.R. 10062. Agreeing to a conference, the Senate appointed five conferees. Would make available to American Samoa the technical assistance, as needed, of the various Federal departments and agencies and to extend to American Samoa several Federal assistance programs presently available in other parts of the United States and its territories.

**EXEMPT TRANSPORTATION OF AGRICULTURAL AND FISHERY PRODUCTS (H.R. 11583) and TRANSPORTATION ACT OF 1962 (H.R. 11584):** The House Committee on Interstate and Foreign Commerce held a hearing on July 10, 1962, on H.R. 11583, to exempt certain carriers from minimum rate regulation in the transportation of bulk commodities, agricultural and fishery products, and passengers, and for other purposes; and H.R. 11584, to provide for strengthening and improving the national transportation system, and for other purposes. At the hearing, Commissioner Murphy reiterated the ICC's long standing position on the agricultural and fishery exemption. He asked that Congress take no action in extending the agricultural and fishery exemption to the railroads. Further, he requested a tightening of the exemption so as to limit it to farmers and fishermen transporting their products to local markets.

The purpose of the bills is to place water, rail, and motor carriers on an equal basis competitively. The bills propose that the motor carrier exemption for fresh and frozen fish be extended to the rail carriers, and also allow the rail and motor carriers the present water carrier bulk exemption. This would mean that fish meal in bulk could be carried by rail under rates exempt from prescribed minimums set by the ICC.

**FISH HATCHERY (KENTUCKY):** H.R. 12277 (Chelf), H.R. 12280 (Natcher), H.R. 12281 (Perkins), H.R. 12283 (Stubbsfield), H.R. 12284 (Watts), and H.R. 12288 (Siler) introduced in the House on June 25, 1962, and H.R. 12626 (Spence) July 19, 1962, to provide for the establishment of a new trout fish hatchery on or near the Cumberland River in the eastern part of the State of Kentucky; all referred to the Committee on Merchant Marine and Fisheries. A companion bill S. 3471 (Cooper) was introduced in the Senate on June 25, 1962; referred to the Committee on Commerce.

**GLOUCESTER HARBOR (MASS.) IMPROVEMENT:** The Senate on July 13, 1962, introduced S. 3544 (Smith of Mass.), authorizing modification of the existing project for Gloucester Harbor, Mass.; referred to the Committee on Public Works.

The Senate Committee on Public Works, in executive session, on July 20, 1962, ordered favorably reported S. 3544. The Senate on July 23, 1962, received the report (S. Rept. No. 1777) from the Committee.

**NATIONAL FISHERIES CENTER AND AQUARIUM:** On July 6, 1962, the Senate Subcommittee on Public Buildings and Grounds ordered favorably reported to the full committee H.R. 8181, authorizing the Secretary of the Interior to construct a National Fisheries Center and Aquarium in the District of Columbia.

The Senate Committee on Public Works, in executive session, July 20, 1962, ordered favorably reported H.R. 8181 amended. The Senate on July 23, 1962, received the report (S. Rept. No. 1778) from the Committee.

**National Fisheries Center and Aquarium** (Hearing before a Subcommittee of the Committee on Public Works, United States Senate, 87th Congress, 2nd Ses-

sion), 59 pp., printed. Contains hearing held on June 15, 1962, on S. 2296 and H.R. 8181, bills to authorize construction of a National Fisheries Center and Aquarium in the District of Columbia. Contains statements and letters of Federal agencies, Congressmen, and interested people.

**NAVAL OCEANOGRAPHIC OFFICE:** The Senate Committee on Armed Services, June 28, 1962, in executive session, ordered favorably reported H.R. 8045, to change the name of the Hydrographic Office to United States Naval Oceanographic Office. The Senate, on the same date, received the report (S. Rept. No. 1667) from the Committee.

The Senate on June 29, 1962, passed H.R. 8045. Since the House had passed the bill August 15, 1961, the bill was sent to the President for signature.

The President on July 10, 1962, signed H.R. 8045 (P.L. 87-533).

**Senate Report No. 1667, Changing the Name of the Hydrographic Office to the U. S. Naval Oceanographic Office.** (June 28, 1962, a report from the Senate Committee on Armed Services, U. S. Senate, 87th Congress, 2nd Session, to accompany H.R. 8045), 4 pp., printed. The Committee reported favorably on the bill without amendment and recommended that the bill pass. Contains the purpose of the bill, background, fiscal data, departmental data, and changes in existing laws.

**NETTING IMPORTS FOR RESEARCH: H.R. 12180** (Mills) introduced in the House on June 18, 1962, to extend for a temporary period the existing provisions of laws relating to the free importation of personal and household effects brought into the United States under Government orders; referred to the Committee on Ways and Means. The House on June 26, 1962, received the report (H. Rept. No. 1920) on H.R. 12180 from the Committee on Ways and Means. On June 29, 1962, the House passed the bill.

The Senate Committee on Finance on July 10, 1962, ordered favorably reported H.R. 12180 amended (so as to add the text of S. 1814, providing for the free importation of monofilament gill nets for use in fish sampling...). The Senate on July 11, 1962, received the report (S. Rept. No. 1720) from the Committee.

**Senate Report No. 1720, Household Effects--Monofilament Gill Fish Nets--Accident and Health Insurance Contract Premiums** (a report from the Committee on Finance, United States Senate, 87th Congress, 2nd Session, to accompany H.R. 12180). The Committee reported the bill favorably with amendments and recommended passage. The amendment would provide for the importation of monofilament gill nets for use in fish sampling. Also contained in the report is the purpose of the bill, general statement, explanation of the amendments, and changes in existing law.

**OCEANOGRAPHIC PROGRAM: H.R. 12601** (Dingell) was introduced in the House on July 18, 1962, to provide for a comprehensive, long-range, and coordinated national program in oceanography, and for other purposes; referred to the Committee on Merchant Marine and Fisheries. The purpose of the bill is to develop and maintain a coordinated, comprehensive, and long-range national program in oceanography. In furtherance of this policy, the humanitarian and economic welfare of the United States and the national security require that adequate provision be made for continuing, systematic research, studies, and surveys of the ocean and its resources, and of the total marine environment.

The program is to be implemented by both "in house" and contract research, through the balanced participation and cooperation of all qualified persons, organizations, institutions, agencies, or corporate entities, whether governmental, educational, nonprofit, or industrial. The Office of Science and Technology established by Reorganization Plan No. 2 of 1962 shall establish a national program of oceanography and shall issue a statement of national goals with respect to oceanography, which shall set forth methods for achieving those goals and the responsibility of the departments, agencies, and instrumentalities of the United States to carry out the national program on an integrated, coordinated basis. All interested departments, agencies, and instrumentalities of the United States, as well as capable nongovernmental institutions and industries where appropriate are to be consulted. It would establish in the Office the position of Assistant Director for Oceanography, to be appointed by the President, and by and with the advice and consent of the Senate. The Director of the Office is to appoint an Advisory Committee for Oceanography to consist of seven members, to review the national program of oceanography and revisions thereof and make recommendations.

**OYSTER BROOD STOCK PURCHASES:** The Merchant Marine and Fisheries Subcommittee of the Senate Committee on Commerce held hearings on H.R. 7336, to promote the production of oysters by propagation of disease-resistant strains and for other purposes. Testimony was heard from the Assistant Director, Bureau of Commercial Fisheries, and the legislative assistant to Senator Boggs. The hearings were adjourned subject to call on June 25, 1962.

On July 11, 1962, the Senate Committee on Commerce, ordered favorably reported as amended, H.R. 7336. House had passed the bill on April 3, 1962.

The Senate, on July 16, 1962, received the report, with amendment (S. Rept. No. 1736), from the Committee on Commerce on H.R. 7336.

**Senate Report No. 1736, Rehabilitation of Oyster Beds** (July 16, 1962, a report from the Senate Committee on Commerce, U. S. Senate, 87th Congress, 2nd Session to accompany H. R. 7336), 5 pp., printed. The Committee reported bill favorably with amendments and recommended passage. It contains the purpose of the bill (which is to restore the oyster industry in the Delaware and Chesapeake Bays, and to develop oyster stock that has resistance to the virus organism known as MSX that is spreading through the oyster beds); general information; amendments; and departmental reports. The bill as amended and passed by the House only contains authority to acquire and distribute brood stock, the States to pay one-third of the cost. The loan provisions were deleted at the request of the Department of the Interior, on the ground that such provisions were inadvisable at this time because there are very few disease-resistant strains now available commercially; the Senate amendments would reduce the amount authorized by the bill from \$3 million to \$100,000, with funds provided by the Federal Government to be matched by each state by 50 percent of the amount granted.

On July 18, 1962, the Senate passed with amendment and sent back to the House, H.R. 7336. The bill as amended by the Senate Committee on Commerce and as passed by the Senate provides that the Interior Secretary can make grants to the States referred to in the bill for assisting the states to finance research and other activities needed in the development and propagation

of disease-resistant strains of oysters. States are to match the grant in funds to at least 50 percent of the amount of the grant. Federal Government total appropriation for such grant is limited to \$100,000.

**OYSTER PLANTERS DISASTER LOANS:** On July 9, 1962, the Senate Subcommittee on Agricultural Credit and Rural Electrification held hearings on H.R. 946. Testimony was received from various Federal agencies and industry.

**Miscellaneous (Hearings Before the Committee on Agriculture, House of Representatives, 87th Congress, 2nd Session), 210 pp., printed.** Contains, among others, the hearing held March 19, 1962, on H.R. 946 (pp. 171-185), to extend to oyster planters the benefits of the provisions of the present law which provide for production disaster loans for farmers and stockmen. Contains statements by Government officials.

**PACIFIC MARINE FISHERIES COMMISSION:** The House and the Senate on July 16, 1962, received a letter from the Chairman, Pacific Marine Fisheries Commission, Portland, Oreg., transmitting the 14th Annual Report of the Pacific Marine Fisheries Commission for the year 1961. The Report was referred to the Senate Committee on Commerce and the House Committee on Merchant Marine and Fisheries.

**PACIFIC MARINE FISHERIES COMPACT:** On July 11, 1962, the Senate Committee on Commerce, ordered favorably reported S. 3431, to consent to the amendment of the Pacific Marine Fisheries Compact and to the participation of certain additional States in such compact in accordance with the terms of such amendment. The change consists of an addition to the existing compact which provides in part: "The State of Alaska or Hawaii, or any State having rivers or streams tributary to the Pacific Ocean may become a contracting State by enactment of the Pacific Marine Fisheries Compact."

The Senate, July 16, 1962, received a favorable report (S. Rept. No. 1735) from the Committee on Commerce on S. 3431.

On July 18, 1962, the Senate passed without amendment and cleared for the House S. 3431. The House received the bill on July 19, 1962, and referred it to the Committee on Merchant Marine and Fisheries.

**POTOMAC RIVER COMPACT (VA. & MD.) OF 1958:** The House Committee on the Judiciary reported favorably to the House on July 17, 1962, H.J. Res. 659, granting consent of the Congress to a compact entered into between the State of Maryland and the Commonwealth of Virginia for the creation of the Potomac River Compact of 1958; without amendment (H. Rept. No. 1980); referred to the Committee of the Whole House on the State of the Union.

**SCIENCE AND TECHNOLOGY COMMISSION:** The Senate Committee on Government Operations July 24, 1962, concluded hearings on S. 2771, providing for the establishment of a Commission on Science and Technology. Testimony was given by various Federal agencies and interested people. The hearings were adjourned subject to call.

**SCIENCE AND TECHNOLOGY OFFICE:** The House on June 28, 1962, received a communication from the President (H. Doc. 462) transmitting a proposed supplemental appropriation for the fiscal year 1963 in the amount of \$850,000 for the Office of Science and Technology; referred to the Committee on Appropriations.

**SHELLFISH PROCESSING EXEMPTION FROM MINIMUM WAGE:** H.R. 12541 (Henderson) introduced in the House on July 16, 1962, to amend the Fair Labor Standards Act of 1938 to exempt therefrom persons engaged in certain processing of shrimps, crabs, or oysters; referred to the Committee on Education and Labor. Similar to other bills previously introduced.

**STATE DEPARTMENT APPROPRIATIONS FY 1963:** Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriations for 1963 (Hearings before a Subcommittee of the Committee on Appropriations, House of Representatives, 87th Congress, 2nd Session), 1,318 pp., printed. State Department appropriations include funds for the international fisheries commissions in the amount of \$2,165,000, an increase of \$255,000 over the 1962 appropriation of \$1,910,000. Included are increases for nearly all commissions with the largest increases for the International Pacific Halibut Commission (\$162,050) and International Pacific Salmon Fisheries Commission (\$83,050). There was a decrease of \$487 for the Great Lakes Fishery Commission. Other commissions included in the appropriations are: Inter-American Tropical Tuna Commission; International Commission for the Northwest Atlantic Fisheries; International Whaling Commission; International North Pacific Fisheries Commission; and North Pacific Fur Seal Commission. That part dealing with the Commissions, includes the statutory authorization, general statement, background statement, accomplishments by Commissions in fiscal year 1961, programs for fiscal years 1962 and 1963, explanation of the increases and basis for estimates for each Commission.

H.R. 12580 (Rooney) introduced in the House on July 17, 1962, making appropriations for the Department of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1963. In the State Department appropriations are included funds for international fisheries commissions.

The House Committee on Appropriations July 17, 1962, reported (H. Rept. No. 1996) favorably to the House on H.R. 12580. Bill was referred to the Committee of the Whole House on the State of the Union.

House Report No. 1966, Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Bill, Fiscal Year 1963 (July 17, 1962, a report from the Committee on Appropriations, House of Representatives, 87th Congress, 2nd Session, to accompany H.R. 12580), 43 pp., printed. The Committee reduced the budget request of \$2,165,000 for international fisheries commissions to \$1,910,000, the same as for fiscal year 1962.

The House on July 20, 1962, passed H.R. 12580 with amendment.

**TARIFF CLASSIFICATION STUDY:** The Senate on July 2, 1962, received a letter from the Chairman, United States Tariff Commission, transmitting, pursuant to law, a second supplemental report on tariff classification study, dated June 1962 (with an accompanying report); referred to the Committee on Finance. The House on the same day received a similar letter; referred to the Committee on Ways and Means.

**TRADE EXPANSION ACT OF 1962:** H.R. 12300 (Dent) and H.R. 12302 (Lennon) introduced in the House on June 26, 1962, to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor,



and for other purposes; both referred to the Committee on Ways and Means. Similar to other bills previously introduced.

The Committee on Rules on June 26, 1962, introduced H. Res. 712 for consideration of H.R. 11970. The Committee on the same day reported (H. Rept. No. 1924) on H. Res. 712, for consideration of H.R. 11970, a bill to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture and labor, and for other purposes; without amendment. The resolution provides that all points of order against H.R. 11970 are waived; after general debate, confined to the bill and not to exceed 8 hours, the bill shall be considered as having been read for amendment; amendments can be offered only by direction of Committee on Ways and Means and are not subject to amendment; and only one motion to recommit will be allowed.

The House on June 27, 1962, by voice vote, adopted H. Res. 712, for consideration of H.R. 11970. House resolved itself into the Committee of the Whole House on the State of the Union to consider H.R. 11970.

The House on June 28, 1962, passed H.R. 11970, the Trade Expansion Act of 1962, with committee amendments.

As the House-approved bill goes to the Senate, it authorizes the President to cut tariffs in groups by 50 percent over a 5-year period; to reduce to zero tariffs on items in which the Common Market and United States trade represent 80 percent of world trade, also over a 5-year period; and to eliminate all duties on items presently bearing a duty of 5 percent or less, also over a 5-year period. The bill contains a provision that would allow the President to eliminate all duties over a 5-year period on items presently dutiable at the rate of 5 percent or less. Most fishery duties are on a cents-per-pound basis, but when converted to a percentage ad valorem basis, a number of items presently bear an equivalent duty of 5 percent or less. On these items, the President in reciprocal negotiations could do away with all duties over a 5-year period.

H.R. 11970, House-passed bill, was read twice in the Senate by its title and referred to the Committee on Finance.

**TUNA CONVENTION ACT OF 1950 AMENDMENT:** On July 11, 1962, the Senate Committee on Commerce, ordered favorably reported S. 2568, to amend the act of September 7, 1950, to extend the regulatory authority of the Federal and State agencies concerned under the terms of the Convention for the establishment of an Inter-American Tropical Tuna Commission, signed at Washington, May 31, 1949, and for other purposes. The Senate Committee on Commerce reported (S. Rept. No. 1737) to the Senate on July 16, 1962, on S. 2568 with amendments.

**Senate Report No. 1737 Conservation of Tropical Tuna** (July 16, 1962, a report from the Senate Committee on Commerce, U. S. Senate, 87th Congress, 2nd Session, to accompany S. 2568), 18 pp., printed. The Committee favorably reported the bill with amendment and recommended passage. The Committee amendment inserts a clean bill which is based upon an agreement reached at a series of conferences between the affected agencies of the Government and the major elements of the American tuna industry. It contains the purpose of the legislation, a general discussion, cost, a sec-

tion-by-section analysis, agency comments, and changes in existing law. The purpose of the bill is to provide for the issuance and enforcement of Federal regulations in order to carry out recommendations of the Inter-American Tropical Tuna Commission for the conservation of tuna resources in the eastern Pacific when the recommendations are concurred in by the United States. In order to achieve this purpose, the bill would authorize the Secretary of the Interior to issue appropriate regulations after following certain procedural steps. Under the bill, the regulations would not be applied to vessels and persons under the jurisdiction of the United States until an agreed date for the application of comparable measures by all other countries whose vessels fish for tuna in the regulatory area on a meaningful scale, and the regulations could be suspended if foreign fishing operations in the area were to threaten the conservation objectives of the Commission. In addition, the bill would require the simultaneous imposition of regulations prohibiting the entry into the United States of tuna subject to regulation which were caught under conditions that would defeat the effectiveness of the conservation recommendations of the Tropical Tuna Commission. Would make it unlawful to fish in violation of the regulations or to deal in fish which were caught in violation of such regulations, and it would provide penalties for such acts.

On July 18, 1962, the Senate passed with amendment and cleared for the House S. 2568. Received by the House on July 19, 1962, and referred to the Committee on Foreign Affairs.

**VESSEL COLLISION LIABILITY:** Senate Report No. 1603, Unifying Apportionment of Liability in Collisions and Other Maritime Casualties (Report from the Senate Committee on Commerce, United States Senate, 87th Congress, 2nd Session, to accompany S. 2313, to unify apportionment of liability in cases of collision between vessels, and related casualties), 20 pp., printed. Committee reported the bill favorably with amendment and recommended passage. Contains purpose of the bill; section-by-section explanation; changes in existing law; and reports from Federal agencies. The Committee amendment inserts a new bill, which is a redraft and a refinement of S. 2313 as introduced. The title as amended reads "a bill to unify apportionment of liability in cases of collision between vessels, and in other maritime casualties." Would make United States admiralty and maritime law uniform with the laws of other major maritime powers. (1) In a collision where both vessels are to blame, liability for the damages would be divided between the vessels according to their respective degree of fault, as determined by the court; (2) would alter the rights of cargo damaged in a collision or other maritime casualty, but does not materially change present law on death or personal injury claims (vessels at fault in collisions or other casualties would remain jointly as well as severally liable to personal injury and death claimants); (3) would establish a two-year statute of limitations governing suits arising of collisions and other maritime casualties, and a one-year statute of limitation to apply to suits for contribution with respect to death or personal injury.

**VESSEL OWNERS LIABILITY:** Senate Report No. 1602, Limiting the Liability of Shipowners (Report from the Senate Committee on Commerce, United States Senate, 87th Congress, 2nd Session, to accompany S. 2314, to limit the liability of shipowners and for other purposes), 28 pp., printed. Committee reported the bill favorably with amendment and recommended passage. Contains the purpose of the bill; background of the bill; a section-by-section discussion; changes in existing

law; and reports from Federal agencies. The Committee amendment inserts a new bill, which is a redraft and a refinement of S. 2314 as introduced. Includes all seagoing and inland waters vessels, including fishing vessels, or their tenders. Would repeal present Limitation of Liability Act and substitute a new act: (1) to afford shipowners the right of limitation of liability, under certain circumstances, to a fixed amount based on the tonnage of the vessel, and (2) to bring the system

of liability limitation in the United States uniform with that of other major maritime nations.

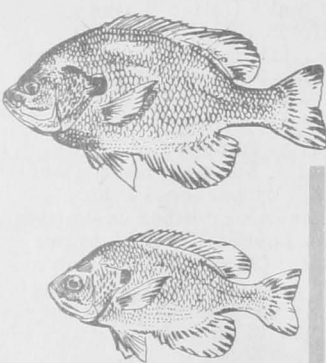
**WATER POLLUTION CONTROL ADMINISTRATION:** H.R. 12320 (Elliott) introduced in House June 27, 1962, to amend the Federal Water Pollution Control Act by creating a Federal Water Pollution Control Administration and for other purposes; referred to the Committee on Public Works. Similar to other bills previously introduced.



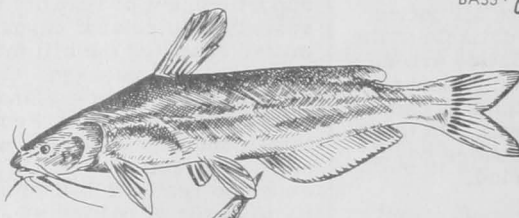
# AGE of FISH



GROWTH RATES OF FISH VARY—THE BETTER THE FOOD SUPPLY, THE BETTER THE GROWTH.



THESE BLUEGILLS ARE THE SAME AGE. THE TOP ONE WAS TAKEN FROM A WELL-MANAGED POPULATION, THE LOWER ONE FROM AN OVER-CROWDED FARM POND.



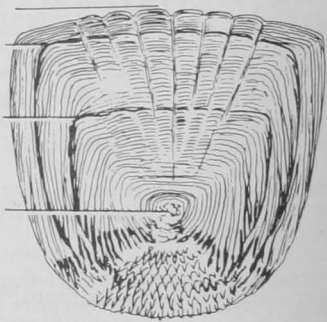
CATFISH CAN BE AGED BY TAKING SECTIONS OF THE FIN SPINES OR BACKBONE AND MICROSCOPICALLY EXAMINING THEM.



THE YEAR MARKS OR ANNULI ARE PROBABLY FORMED IN THE SPRING AS THE FISH BEGIN HEAVY FEEDING

	"LIFE EXPECTANCY"
CARP	15 YEARS
BLACK BASS	8 YEARS
SUNFISH	6 YEARS
WHITE BASS	4 YEARS

OUTER EDGE  
2nd ANNULUS OR YEAR MARK  
1st ANNULUS  
FOCUS OR CENTER



THIS SCALE WAS TAKEN FROM A BASS IN ITS THIRD YEAR. THE FISH WAS 16 INCHES LONG AND GREW ABOUT 8 INCHES ITS FIRST YEAR AND 6 INCHES DURING THE SECOND YEAR.