



# FEDERAL ACTIONS



## Department of Health, Education, and Welfare

### FOOD AND DRUG ADMINISTRATION

#### PETITION REQUESTS REVISION OF CANNED TUNA STANDARDS:

On September 27, 1963, the National Canners Association (NCA) petitioned the U. S. Food and Drug Administration (FDA) to amend the Standard of Identity for canned tuna to permit the use of sodium acid pyrophosphate as an optional ingredient. The addition of this substance to canned tuna would prevent the formation of struvite (magnesium ammonium phosphate), a harmless crystalline substance which sometimes forms in cans of tuna and other canned fishery products after processing. The crystals, which may appear a few days after processing or after storage, in no way affect the wholesomeness of canned tuna, but are detrimental to its texture.

The petition is the result of several years of research carried out in industry and NCA laboratories. The investigations have been coordinated by a special industry committee, under the chairmanship of the manager of NCA's Northwest Research Laboratory.

The NCA petition would amend the Standard of Identity for canned tuna by inserting the following paragraph: "(g) For purposes of inhibiting the formation of struvite sodium acid pyrophosphate may be added in a quantity not to exceed in total 0.15 gram for each ounce of net weight of the finished product."

Labeling requirements would be amended as follows: "(7) Where the canned tuna contains the optional ingredient listed in paragraph (g) of this section, the label shall bear the statement 'pyrophosphate added' or 'With added pyrophosphate'." (NCA Fishery Information Bulletin, October 11, 1963.)

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#### SMOKED FISH FROM GREAT LAKES AREA TO BE DISTRIBUTED AS A FROZEN FOOD:

Smoked fish from the Great Lakes area will henceforth be stored and distributed as a frozen food, according to an announcement made October 30, 1963, by the Food and Drug Administration (FDA) and the National Fisheries Institute.

The Institute, representing 90 to 95 percent of the United States fish smoking and curing production and dollar value, advised the FDA Commissioner of this and other steps which the industry will undertake to insure against further instances of a botulism outbreak caused by smoked fish. The botulism toxin does not develop below freezing temperature.

The Institute's action follows FDA's recommendation on October 25, 1963, that all smoked fish products from the Great Lakes area should be destroyed. The FDA's warning applied only to smoked fish, NOT to fresh, frozen, pickled, or canned fish. The Institute's action does not change the situation with respect to smoked fish already distributed.

"The Institute is to be commended for its prompt action in dealing with an emergency situation," the FDA Commissioner said. "The measures they have agreed to adopt are consistent with recommendations of the FDA's advisory committee on botulism. They will be adequate to prevent botulism while technological studies are being made to develop practices for long-range application," the Commissioner said.

Following is the full text of the Institute's letter of commitment to the Food and Drug Administration:

"The National Fisheries Institute and its members, representing 90 to 95 percent of the United States fish smoking and curing production and dollar value, recognize the exist-

ence of an emergency in our industry. We agree with the intent of the Food and Drug Administration advisory of October 25, 1963.

"To enable the American consumer to continue to enjoy and we the producers to continue to market smoked fish, we agree, with respect to Great Lakes fish and fish processed in plants located in the Great Lakes area to:

"1. Review and improve all sanitation and handling practices throughout the entire chain of production from and including vessels, transportation, processing plants, distribution, and retailing operations to the consumer.

"2. Smoke the fish in the best possible fashion, employing better technology and utilizing more scientific methods.

"3. Freeze the product upon completion of the smoking, whether film vacuum-packed or bulk-packed, and to store and distribute the product in that condition to our customers.

"4. Plainly mark all packages containing smoked fish 'Perishable--Keep Frozen.'

"In the case of the bulk-packed product, to supply the retailer with a placard which will read 'Perishable--Keep Frozen' to be displayed with the product."



## Department of the Interior

FISH AND WILDLIFE SERVICE

BUREAU OF COMMERCIAL FISHERIES

### FEDERAL STANDARDS FOR GRADES OF FROZEN RAW BREADED FISH PORTIONS:

Voluntary standards amended for grades of frozen raw breaded fish portions have been promulgated by the U. S. Department of the Interior. The standards were published in the October 18, 1963, Federal Register. They will become effective, with one possible exception, on November 17, 1963. The amended standards supersede the standards which have been in effect since March 23, 1960. The proposed amendment to these standards was published in the Federal Register of August 16, 1963.

The standards were developed by the Bureau of Commercial Fisheries, Fish and Wildlife Service, in cooperation with the industry and the National Fisheries Institute, an industry trade association. Interested persons had until September 16, 1963, to submit written comments, suggestions, or amendments with respect to the amended regulations to the Director, U. S. Bureau of Commercial Fisheries. As a result, the amended standards were adopted with one change (section 266.5) that realigns the requirements for more direct and simplified application. The revised part will become effective November 17, 1963, or on any date subsequent thereto at the election of the U. S. Bureau of Commercial Fisheries, but not later than July 1, 1963.

The standards include raw breaded fish portions cut from frozen fish blocks. The U. S. Grade A is the highest quality product; U. S. Grade B is acceptable in all respects. Frozen raw breaded fish portions which do not meet the A or B grades are considered substandard.

Firms processing the fish in accordance with the standards and under the continuous inspection of the Government have the privilege of displaying the Department of the Interior "shield of quality" upon the product. The United States voluntary standards for grades of frozen raw breaded fish portions as shown in October 18, 1963, Federal Register follow:

#### Chapter II—Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER G—PROCESSED FISHERY PRODUCTS, PROCESSED PRODUCTS, THEREOF AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

#### PART 266—UNITED STATES STANDARDS FOR GRADES OF FROZEN RAW BREADED FISH PORTIONS<sup>1</sup>

On page 8412 of the FEDERAL REGISTER of August 16, 1963, there was published a notice and text of a proposed amendment of part 266—United States Standards for Grades of Frozen Raw Breaded Fish Portions—of Title 50, Code of Federal Regulations.

Interested persons were given until September 16, 1963, to submit written comments, suggestions of objections with respect to the proposed revised part. Two responses to the proposal were received.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the proposed revised part is hereby adopted with one change and is set forth below. A

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

change was made in § 266.5 to realign the requirements of that section for more direct and simplified application.

The revised part is issued under the authority transferred to the Department of the Interior by section 6(a) of the Fish and Wildlife Act of August 8, 1956 (16 U.S.C. 742e).

This part shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER except that the requirements of § 266.5 shall become effective on such date or on any date subsequent thereto at the election of the applicant but not later than July 1, 1964.

STEWART L. UDALL,  
Secretary of the Interior.

OCTOBER 11, 1963.

Sec.  
266.1 Description of the product.  
266.2 Styles of frozen raw breaded fish portions.  
266.3 Grades of frozen raw breaded fish portions.  
266.5 Labeling requirements for styles of frozen raw breaded fish portions.  
266.11 Determination of the grade.  
266.21 Definitions.  
266.25 Tolerances for certification of officially drawn samples.

AUTHORITY: §§ 266.1 to 266.25 issued under 16 U.S.C. 742e.

§ 266.1 Description of the product.

Frozen raw breaded portions are clean, wholesome, rectangular-shaped unglazed masses of cohering pieces (not ground) of fish flesh coated with breading. The portions are cut from frozen fish blocks; are coated with a suitable, wholesome batter and breading; and are packaged

and frozen in accordance with good commercial practice. They are maintained at temperatures necessary for the preservation of the product. Frozen raw breaded fish portions weigh more than 1½ ounces, and are at least ⅜-inch thick. Frozen raw breaded fish portions contain not less than 75 percent, by weight, of fish flesh. All portions in an individual package are prepared from the flesh of one species of fish.

§ 266.2 Styles of frozen raw breaded fish portions.

(a) *Style I—Skinless portions.* Portions prepared from fish blocks which have been made with skinless fillets.

(b) *Style II—Skin-on-portion.* Portions prepared from fish blocks which have been made with demonstrably acceptable skin-on fillets.

§ 266.3 Grades of frozen raw breaded fish portions.

(a) "U.S. Grade A" is the quality of frozen raw breaded fish portions that (1) possess good flavor and odor and (2) rate a total score of not less than 85 points for those factors of quality that are rated in accordance with the scoring system outlined in this part.

(b) "U.S. Grade B" is the quality of frozen raw breaded fish portions that (1) possess at least reasonably good flavor and odor and (2) rate a total score of not less than 70 points for those factors of quality that are rated in accordance with the scoring system outlined in this part.

(c) "Substandard" is the quality of frozen raw breaded portions that meet

the requirements of § 266.1, Description of Product, but otherwise fail to meet the requirements of "U.S. Grade B".

§ 266.5 Labeling requirements for styles of frozen raw breaded fish portions.

Section 260.86 (a) (b) and (c) of Part 260 states the requirements for the use of approved grade marks, inspection marks and combined grade and inspection marks on processed fishery products. When an approved inspection mark is used on Style II (§ 266.2) of frozen raw breaded fish portions, that style shall be conspicuously revealed on the label as having been made from "skin-on fillets".

§ 266.11 Determination of the grade.

The grade is determined by examining the product in the frozen and cooked states and is evaluated in accordance with the following factors:

(a) *Factors rated by score points.* Points are deducted for variations in the quality of each factor in accordance with the schedule in table 1. The total points deducted is subtracted from 100 to obtain the score. The maximum score is 100; the minimum score is 0.

(b) *Factors not rated by score points.* The factor of "flavor and odor" is evaluated organoleptically by smelling and tasting, after the product has been cooked in accordance with § 266.21.

(1) Good flavor and odor (essential requirements for a Grade A Product) means that the cooked product has the typical flavor and odor of the indicated species of fish and of the breading and is free from rancidity, bitterness, staleness, and off-flavors and off-odors of any kind.

(2) Reasonably good flavor and odor (minimum requirements of a Grade B Product) means that the cooked product is lacking in good flavor and odor but is free from objectionable off-flavors and off-odors of any kind.

§ 266.21 Definitions.

(a) Selection of the sample unit: The sample unit shall consist of 10 frozen raw breaded fish portions taken at random from one or more packages as required. The fish portions are spread out on a flat pan or sheet and are examined according to table 1. Definitions of factors for point deductions are as follows:

(b) Examination of sample, frozen state: (1) "Condition of package" refers to the presence in the package of loose breading and/or loose frost.

(2) "Ease of separation" refers to the difficulty of separating the portions from each other or from the packaging material.

(3) "Broken portion" means a portion with a break or cut equal to or greater than one-half the width or length of the portion.

(4) "Damaged portion" means a portion that has been mashed, physically or mechanically injured, misshaped or mutilated to the extent that its appearance is materially affected. The amount of damage is measured by using a grid composed of squares ¼-inch x ¼-inch (that is, squares with an area of 1/16 square inch each) to measure the area of the portion affected. No deductions

TABLE 1—SCHEDULE OF POINT DEDUCTIONS PER SAMPLE UNIT OF 10 PORTIONS

Factors scored		Method of determining score	Deduct
Frozen state	1	Condition of package... Small degree: Moderate loose breading and/or moderate frost.....	3
		Large degree: Excessive loose breading and/or excessive amount frost.....	6
	2	Ease of separation..... Minor: Hand separated with difficulty. Each affected.....	1
		Major: Separated only by knife or other instrument. Each affected.....	2
	3	Broken portion..... Break or cut greater than ½ width or length. Each affected.....	10
	4	Damaged portion..... Mashed, mechanically and/or physically injured, misshaped or mutilated. <sup>1</sup>	Minor: 1 to 5 instances. Each affected.....
Major: Over 5 instances. Each affected.....			4
5	Uniformity	Size..... Deviation in length or width between the 2 largest and 2 smallest portions is:	
		Up to ¼ inch.....	0
6	Weight.....	Over ¼ inch and up to ½ inch.....	3
		Over ½ inch.....	10
7	Distortion.....	Weight ratio of the 2 heaviest divided by the 2 lightest portions:	
		Over 1.0 but not over 1.2.....	0
8	Coating defects.....	Over 1.2 but not over 1.3.....	2
		Over 1.3 but not over 1.4.....	5
9	Blemishes.....	Over 1.4.....	10
		Minor: Bending, shrinking, twisting—¼ to ½ inch. Each affected.....	1
10	Bones.....	Major: Excessive bending, shrinking, twisting—over ½ inch. Each affected.....	2
		Bare spots, blistering, ridges, breaks, curds: <sup>1</sup>	
11	Texture	Minor: 1 to 6 instances. Each affected.....	1
		Major: Over 6 instances. Each affected.....	2
12	Fish flesh.....	Skin (except for style II), blood spots, bruises, and discolorations: <sup>1</sup>	
		Minor: 1 to 6 instances. Each affected.....	2
13	Coating.....	Major: Over 6 instances. Each affected.....	4
		Small degree: Moderately dry, soggy, doughy, or tough.....	5
14	Fish flesh.....	Large degree: Farinaceous (mealy), pasty, very tough.....	15
		Small degree: Moderately dry, soft, mushy.....	5
15	Fish flesh.....	Large degree: Dry to the point of fibrousness, very mushy, tough, or rubbery (skin for style II).	15

<sup>1</sup> An instance = each 1/16 square inch (¼-inch square).

are made for damage of less than  $\frac{1}{16}$  square inch.

(5) "Uniformity of size" refers to the degree of uniformity in length and width of the frozen portions. Deviations are measured from the combined lengths of the two longest minus the combined lengths of the two shortest and/or the combined widths of the two widest minus the combined widths of the two narrowest portions in the sample. Deductions are not made for overall deviations in length or width up to  $\frac{1}{4}$  inch.

(6) "Uniformity of weight" refers to the degree of uniformity of the weights of the portions. Uniformity is measured by the combined weight of the two heaviest portions divided by the combined weight of the two lightest portions in the sample. No deductions are made for weight ratios less than 1.2.

(c) (1) Cooked state means the state of the product after being cooked in accordance with the instructions accompanying the product. If, however, specific instructions are lacking, the product being inspected is cooked as follows:

(2) Transfer the product, while still frozen, into a wire mesh fry basket large enough to hold the fish portions in a single layer and cook by immersing them 3-5 minutes in liquid or hydrogenated cooking oil heated to 350 to 375° F. After cooking, allow the fish portions to drain 15 seconds and place them on a paper napkin or towel to absorb excess oil.

(d) Examination of sample, cooked state.

(1) "Distortion" refers to the degree of bending of the long axis of the portion. Distortion is measured as the greatest deviation from the long axis. Deductions are not made for deviations of less than  $\frac{1}{4}$  inch.

(2) "Coating defects" refers to breaks, lumps, ridges, depressions, blisters or swells and curds in the coating of the cooked product. Breaks in the coating are objectionable bare spots through which the fish flesh is plainly visible. Lumps are objectionable outcroppings of breading on the portion surface. Ridges are projections of excess breading at the edges of the portions. Depressions are objectionable visible voids or shallow areas that are lightly covered by breading. Blisters are measured by the swelling or exposed area in the coating resulting from the bursting or breaking of the coating. Curd refers to crater-like holes in the breading filled with coagulated white or creamy albumin. Instances of these defects are measured by a plastic grid marked off in  $\frac{1}{4}$ -inch squares ( $\frac{1}{16}$  square inch). Each square is counted as 1 whether it is full or fractional.

(3) "Blemishes" refers to skin (except for Style II), blood spots or bruises, objectionable dark fatty flesh, or extraneous material. Instances of blemishes refers to each occurrence measured by placing a plastic grid marked off in  $\frac{1}{4}$ -inch squares ( $\frac{1}{16}$  square inch) over the defect area. Each square is counted as 1 whether it is full or fractional.

(4) "Bones" means the presence of potentially harmful bones in a portion. A potentially harmful bone is one that after being cooked is capable of piercing or hurting the palate.

(5) "Texture defects of the coating" refers to the absence of the normal textural properties of the coating which are crispness and tenderness. Defects in coating texture are dryness, sogginess, mushiness, doughyness, toughness, pastyness, as sensed by starchiness or other sticky properties felt by mouth tissues and/or meanness.

(6) "Texture defects of the fish flesh and texture of skin in Style II" refers to the absence of the normal textural properties of the cooked fish flesh and to the absence of tenderness of the cooked skin in Style II. Normal textural properties of cooked fish flesh are tenderness, firmness, and moistness without excess water. Texture defects of the cooked flesh are dryness, mushiness, toughness, and rubberyness. Texture defects of the cooked skin in Style II are mushiness, rubberyness, toughness, and stringiness.

(e) General definitions. (1) "Small" (overall assessment) refers to a condition that is noticeable but is not seriously objectionable.

(2) "Large" (overall assessment) refers to a condition that not only is noticeable but is seriously objectionable.

(3) "Minor" (individual assessment) refers to a defect that slightly affects the appearance and/or utility of the product.

(4) "Major" (individual assessment) refers to a defect that seriously affects the appearance and/or utility of the product.

(f) *Minimum fish flesh content* refers to the minimum percent, by weight, of the average fish flesh content of 3 or more portions per sample unit as determined by the following method:

(1) *Equipment needed.* (i) Water bath (for example, a 3 to 4 liter beaker).

(ii) Balance accurate to 0.1 gram.

(iii) Clip tongs of wire, plastic, or glass.

(iv) Stop-watch or regular watch readable to a second.

(v) Paper towels.

(vi) Spatula, 4-inch blade with rounded tip.

(vii) Nut picker.

(viii) Thermometer (immersion type) accurate to  $\pm 2^\circ$ F.

(ix) Copper sulfate crystals ( $\text{CuSO}_4 \cdot 5\text{H}_2\text{O}$ )—one pound.

(2) *Procedure.* (i) Weigh all portions in the sample while they are still hard frozen.

(ii) Place each portion individually in a water bath that is maintained at 63° F. to 86° F. and allow to remain until the breading becomes soft and can easily be removed from the still frozen fish flesh (between 10 to 80 seconds for portions held in storage at 0° F.). If the portions were prepared using batters that are difficult to remove after one dipping, re-dip them for up to 5 seconds after the initial debreading and remove residual batter materials.

NOTE: Several preliminary trials may be necessary to determine the exact dip time required for "debreading" the portions in a sample unit. For these trials only, a saturated solution of copper sulfate (1 pound of copper sulfate in 2 liters of tap water) is necessary. The correct dip time is the minimum time of immersion in the copper sulfate solution required before the breading can easily be scraped off: *Provided*, (1) That the "debreaded" portions are still solidly frozen and (2) only a slight trace of blue color is visible on the surface of the "debreaded" fish portions.

(iii) Remove the portion from the bath; blot lightly with double thickness paper toweling; and scrape off or pick out coating from the fish flesh with the spatula or nut picker.

(iv) Weigh all the "debreaded" fish portions.

(v) Calculate the percent of fish flesh in the sample using the following formula:

$$\text{Percent fish flesh} = \frac{\text{Weight of fish flesh (d)}}{\text{Weight of raw breaded portions (a)}} \times (100)$$

#### § 266.25 Tolerances for certification of officially drawn samples.

The sample rate and grades of specific lots shall be certified in accordance with Part 260, of this chapter (Regulations Governing Processed Fishery Products, Vol. 25 F.R. 8427 September 1, 1960) except that a sample unit shall consist of 10 portions taken at random from one or more packages as required.

Second Issue: These standards supersede the standards which have been in effect since March 23, 1960.



## Department of the Treasury

### COAST GUARD

#### OCEANOGRAPHIC EFFORT EXPANDED:

The U. S. Coast Guard's Oceanographic Unit was reorganized in July 1963, as part of the agency's increasing effort to expand

our knowledge of the seas. A new unit, comprising 19 military and civilian oceanographers and technicians was established in Washington, D. C.

Before the reorganization, the Coast Guard's primary oceanographic interest was in support of the International Ice Patrol, and an office was maintained at the Woods

Hole Oceanographic Institution. While that program will be maintained, increased emphasis will be placed in the broader fields of arctic operations, and research from off-shore towers and ocean station vessels. All oceanographic data obtained by the Coast Guard will be processed by the National Oceanographic Data Center, and published by the Coast Guard in a new series of oceanographic reports. (Newsletter, August 31, 1963, National Oceanographic Data Center.)

#### BUREAU OF CUSTOMS

#### DUTY-FREE TREATMENT OF CERTAIN LOBSTER CRATES AND CERTAIN LARGE BOXES FOR SHIPMENT AND RESHIPMENT OF FISH:

A Bureau of Customs decision concerning the duty-free treatment of certain lobster crates and certain large boxes was issued on October 14, 1963. The text of the decision as it appeared in the Federal Register, October 18, 1963, follows:

Under the authority conferred by § 10.41a(a), Customs Regulations, as amended by Treasury Decision 55981 of August 27, 1963, I hereby designate as "instruments of international traffic" within the meaning of section 322(a), Tariff Act of 1930, as amended, lobster crates, being containers which because of their unique and substantial construction are used in the shipment and re-shipment of live lobsters; and fish boxes which because of their large size and substantial construction are used and reused in the transportation of fish. The lobster crates and fish boxes described may be released under the procedures provided for in § 10.41a. This decision will be published in the FEDERAL REGISTER and as T.D. 56021.

[SEAL]

PHILIP NICHOLS, JR.,  
*Commissioner of Customs.*



#### White House

#### FISHERY ITEMS TO BE CONSIDERED FOR TRADE AGREEMENT NEGOTIATIONS:

On October 21, 1963, the White House announced that public hearings were due to be held, starting December 2, on a list of products to be considered for possible reduction in import duties, or for other tariff modifications, in forthcoming trade agreement negotiations. A detailed announcement, including the full list of products to be considered, was published in the Federal Register of October 22, 1963.

All imported fishery products were listed for consideration. For most items, import duties may be reduced as much as 50 percent of the July 1962 rate. Duties may be reduced to zero for products with a rate of duty equivalent to 5 percent ad valorem, or less. Duties on fish oils may be eliminated, in an agreement with the European Economic Community, if the President finds that such action would help maintain or expand United States exports of like articles. Duty-free items may be "bound" against increase to insure continuance of present tariff treatment.

The purpose of listing all items was to give every affected party an equal opportunity to present his case for or against tariff reductions. Articles now listed may be reserved from negotiations at the completion of hearings if information is developed justifying such action.

The final list of articles on which the United States will negotiate will not be completed until the testimony presented at these hearings, along with other available information, has been reviewed and analyzed, and the President has received the views of the Special Representative for Trade Negotiations, the Tariff Commission, and other Government agencies whose advice may be requested.

Reductions in United States duties as a result of the GATT negotiations will not occur until other nations have agreed to similar reductions of duties for articles of interest to United States producers. Once such agreement is reached, the Trade Expansion Act requires that generally, reductions be made gradually over a period of four years.

The Trade Information Committee, an inter-agency Committee chaired by a representative of the Office of the Special Representative for Trade Negotiations, heard testimony of interested parties beginning December 2, 1963, for items on Schedule 1, Animal and Vegetable Products. This Schedule includes most of the fishery products.

The Tariff Commission also held concurrent hearings at which testimony was received about the economic effects of possible tariff reductions on United States industries producing like or directly competitive articles. The information received during these hearings will be an important part of their

investigation, the results of which will be reported to the President in six months. Requests to appear before the Commission were due to be filed in writing on or before November 20, 1963, and addressed to the Secretary, United States Tariff Commission, Washington, D. C. 20436. Requested information follows:

- a. Item number of the Tariff Schedules of the United States covering articles on which testimony will be presented;
- b. Name, address, and telephone number of witness and organization represented;
- c. Whether testimony will be on behalf of importer or domestic producer; and
- d. A careful estimate of time required for presentation of testimony.

The Trade Information Committee heard testimony relevant to any aspect of the negotiations, but particularly devoted attention to (1) reductions in rates of duty which the United States should seek to obtain from other nations, (2) non-tariff barriers imposed by other nations which the United States should seek to have removed or modified, (3) articles upon which elimination, reduction, or continuance of present United States duties should be offered, and (4) other United States import restrictions which should be offered for modification or continuance.

All requests to present oral testimony, were due to be received by the Executive Secretary of the Trade Information Committee not later than November 20, 1963. Requests, submitted in an original and three copies, were to include the following information:

- 1. Name, address, and telephone number of (a) party submitting the request, (b) the official position of the person submitting the request, and (c) the person presenting the oral testimony;
- 2. The description and item number of the commodity shown in the Tariff Schedule (to the extent practicable);
- 3. The subject to be dealt with in the proposed testimony, and in the case of import restrictions other than duties, with sufficient particularity to identify the restriction to be discussed; and

4. A brief indication of the position to be taken, and the amount of time requested for the presentation of oral testimony, and if more than 15 minutes was requested, the reasons therefore.

Any interested party was invited to submit a written brief to the Committee concerning the subject matter of this hearing. Each party presenting oral testimony was requested to file a brief. Written briefs concerning commodities contained in Schedule 1 were due by November 25, 1963. Briefs were to be submitted in twenty (20) copies, one of which was under oath or affirmation.

Suggestions for the preparation of written briefs were sent to all parties requesting to present oral testimony and furnished to other interested parties upon request to the Executive Secretary.

A list of the principal fishery products to be considered for duty reduction and their present rates of duty follows:

List of Principal Fishery Products to be Considered for Duty Reductions (up to 50 percent reduction unless otherwise indicated)		
Tariff Item No.	Brief Description	Present Duty
106.60	Frogs and frog legs, fresh or frozen	5% <u>1</u> /
107.65	Frog meat, prepared or preserved . . .	12%
110.10	Fish, fresh, chilled, or frozen; whether or not whole, but not otherwise prepared or preserved: Sea herring, smelts, and tuna. . . . .	Free
110.15	Whole or processed by removal of heads, viscera, fins or any combination thereof, but not otherwise processed: Cod, cusk, eels, haddock, hake, shad, sturgeon, and fresh-water fish . . . . .	0.5¢ per lb. <u>1</u> /
110.20	Halibut and salmon . . . . .	0.5¢ per lb. <u>1</u> /
110.25	Mackerel: Fresh or chilled . . . . .	0.5¢ per lb. <u>1</u> /
110.28	Frozen . . . . .	0.75¢ per lb. <u>1</u> /
110.30	Swordfish: Fresh or chilled . . . . .	1¢ per lb. <u>1</u> /
110.33	Frozen . . . . .	0.75¢ per lb. <u>1</u> /
110.35	Other . . . . .	1¢ per lb. <u>1</u> /
110.40	Scaled: In bulk or in immediate containers weighing with their contents over 15 pounds each . . . . .	1¢ per lb. <u>1</u> /
110.45	Other . . . . .	12.5%
110.47	Skinned and boned, and frozen into blocks each weighing over 10 pounds, imported to be minced, ground, or cut into pieces of uniform weights and dimensions . . . . .	1¢ per lb. <u>1</u> /
	Otherwise processed (fillets):	
110.50	Cod, cusk, haddock, hake, pollock, and Atlantic ocean perch (rosefish): Under quota . . . . .	1.875¢ per lb. <u>2</u> /
110.55	Over the quota . . . . .	2.5¢ per lb. <u>2</u> /
110.57	Wolfish (sea catfish) . . . . .	1¢ per lb. <u>1</u> /
110.60	Other . . . . .	1.5¢ per lb. <u>1</u> /
111.10	Fish, dried: Cod, cusk, haddock, hake, and pollock	0.2¢ per lb. <u>1</u> /
111.15	Shark fins . . . . .	0.53¢ per lb. <u>1</u> /
111.18	Other . . . . .	0.3125¢ per lb. <u>1</u> /
111.22	Fish, salted or pickled: Cod, cusk, haddock, hake, and pollock: Whole; or processed by removal of heads, fins, viscera, scales, vertebral columns, or any combination thereof . . . . .	0.2¢ per lb. <u>1</u> /

(List continued on next page)

List of Principal Fishery Products to be Considered for Duty Reductions (up to 50 percent reduction unless otherwise indicated) (Contd.)		
Tariff Item No.	Brief Description	Present Duty
111.28	Otherwise processed	0.75¢ per lb. 1/
111.32	Herring: In bulk or in immediate containers weighing with their contents over 15 pounds each	0.1¢ per lb. 1/
111.37	Other	12.5%
111.40	Mackerel: In bulk or in immediate containers weighing with their contents over 15 pounds each	0.2¢ per lb. 1/
111.44	Other	10%
111.48	Salmon	8.5%
	Other: In bulk or in immediate containers weighing with their contents over 15 pounds each:	
111.52	Alewives	0.5¢ per lb.
111.56	Other	1.25¢ per lb. 1/
111.60	In immediate containers weighing with their contents not over 15 pounds each	25%
111.64	Fish, smoked or kippered: Cod, cusk, haddock, hake, and pollock: Whole, or processed by removal of heads, viscera, vertebral columns, or any combination thereof	0.5¢ per lb. 1/
111.68	Otherwise processed	1¢ per lb. 1/
	Herring: Whole or beheaded:	
111.72	Hard smoked	0.1¢ per lb. 1/
111.76	Other	0.625¢ per lb. 1/
111.80	Otherwise processed	0.9¢ per lb. 1/
111.84	Mackerel	6.25%
111.88	Salmon	10%
111.92	Other	6.25%
	Fish, prepared or preserved in any manner, not in oil, in airtight containers:	
112.01	Anchovies: In containers weighing with their contents not over 15 pounds each	12.5%
112.03	Other	1¢ per lb.
112.05	Bonito and yellowtail	12.5%
	Herring: In containers weighing with their contents not over 15 pounds each: In tomato sauce, smoked, or kippered, and in immediate containers weighing with their contents over 1 pound each	8%
112.10	Other	5% 1/
112.12	Other	1¢ per lb.
112.14	Pollock	12.5%
112.18	Salmon	15%
	Sardines: In containers weighing with their contents not over 15 pounds each: In immediate containers weighing with their contents under 8 ounces each	10%
112.22	Other	6.25%
112.24	Other	1¢ per lb.
	Tuna: In containers weighing with their contents not over 15 pounds each: Under the quota	12.5%
112.34	Over quota	25%
112.36	Other	12.5%
	Fish, prepared or preserved in any manner, in oil, in airtight containers:	
112.40	Anchovies	12%
112.42	Bonito and yellowtail	15%
112.46	Herring	25.5%
	Pollock: Smoked	15%
112.50	Not smoked	25.5%
112.52	Salmon	25.5%
	Sardines: Valued not over 18 cents per pound (including weight of immediate container)	30%
	Valued over 18 but not over 23 cents per pound (including weight of immediate container): Neither skinned nor boned: Smoked	12.5%
112.62	Not smoked	20%

List of Principal Fishery Products to be Considered for Duty Reductions (up to 50 percent reduction unless otherwise indicated) (Contd.)		
Tariff Item No.	Brief Description	Present Duty
112.66	Skinned or boned	30%
	Valued over 23 but not over 30 cents per pound (including weight of immediate container): Neither skinned or boned	15%
112.70	Skinned or boned	30%
112.74	Valued over 30 cents per pound (including weight of immediate container): Neither skinned nor boned: Smoked	12.5%
112.78	Not smoked	15%
112.82	Skinned or boned	24%
112.86	Tuna	35%
112.90	Other	25.5%
112.94	Fish balls, cakes, puddings, pastes, and sauces (including any of such articles in airtight containers): Pastes and sauces	8%
113.01	Balls, cakes, and puddings: In oil	25.5%
113.05	Not in oil: In immediate containers weighing with their contents not over 15 pounds each: In airtight containers	3% 1/
113.08	Other	12.5%
113.11	Other	1¢ per lb.
113.15	Other	1¢ per lb.
	Fish sticks and similar products of any size or shape, fillets, or other portions of fish, if breaded, coated with batter, or similarly prepared, whether or not described or provided for elsewhere in this part: Neither cooked nor in oil	20%
113.20	Other	30%
113.25	Fish roe, fresh, chilled, frozen, prepared, or preserved: Sturgeon roe	30%
113.30	Other fish roe: Boiled and in airtight containers	5.5%
113.35	Other	4¢ per lb. 1/
113.40	Fish, prepared or preserved, not specially provided for: In oil	25.5%
113.50	Not in oil: In bulk or in immediate containers weighing with their contents over 15 pounds each: Tuna	1¢ per lb. 1/
113.56	Other	1¢ per lb. 1/
113.58	Other	12.5%
113.60	Other	12.5%
	Shellfish, fresh, chilled, frozen, prepared, or preserved (including pastes and sauces): Clams: In airtight containers: Razor clams ( <i>Siliqua patula</i> )	7.5%
114.01	Other	20%
114.05	Other	Free
114.10	Crabs: Crabmeat: Fresh, chilled, or frozen	15%
114.15	Prepared or preserved (including pastes and sauces): In airtight containers	22.5%
114.20	Other	15%
114.25	Other	Free
114.30	Other	Free
	Oysters: In airtight containers: Smoked	4.5¢ per lb. (including wt. of immed. container)
114.34	Other	6¢ per lb. (including wt. of immed. container)
114.36	Other	Free
114.40	Other	Free
114.45	Other shellfish	Free
	Shellfish juices in airtight containers: Clam juices	17.5%
114.50	Oyster juice	6¢ per lb. (including wt. of immed. container)
114.55		

(List continued on next page)

List of Principal Fishery Products to be Considered for Duty Reductions (up to 50 percent reduction unless otherwise indicated) (Contd.)

Tariff Item No.	Brief Description	Present Duty
<b>Marine-animal oils:</b>		
<b>Fish-liver oils:</b>		
177.02	Cod . . . . .	Free
177.04	Other . . . . .	5% ad val. 1/3/
<b>Fish oils other than liver oils:</b>		
177.12	Anchovy . . . . .	1.5¢ per lb. 3/ plus 10% ad val.
177.14	Cod . . . . .	Free
177.16	Shark . . . . .	0.85¢ per lb. 3/ plus 4% ad val.
177.20	Eulachon . . . . .	1.5¢ per lb. 3/
177.22	Herring . . . . .	0.92¢ per lb. 3/
177.24	Menhaden . . . . .	3-1/3¢ per lb. 3/
177.26	Other (except cod) . . . . .	1.5¢ per lb. 3/ plus 10% ad val.
<b>Other marine-animal oils:</b>		
177.30	Seal . . . . .	1.9¢ per lb. 3/
<b>Sperm:</b>		
177.32	Crude . . . . .	0.065¢ per lb. 1/3/
177.34	Other than crude . . . . .	0.47¢ per lb. 1/3/
177.36	Whale (except sperm) . . . . .	1.26¢ per lb. 3/
177.40	Other . . . . .	1.5¢ per lb. 3/ plus 10% ad val.
178.05	Sod oil . . . . .	1.9¢ per lb. 3/
178.10	Hydrogenated or hardened oils, fats, and greases; and lard substitutes whether or not containing lard . . . . .	5¢ per lb. 3/
<b>Edible preparations:</b>		
182.05	Antipasto . . . . .	10%
Balls, hash, pastes, puddings, and similar forms, all the foregoing of vegetables and meat, or fish (including shellfish), or both:		
182.11	Other than corned beef hash . . . . .	17% <sup>3/</sup>
Soups, soup rolls, soup tablets or cubes, and other soup preparations: Containing oysters or oyster juice		
182.50		6¢ per lb. (including wt. of immediate container)
182.52	Other . . . . .	14% ad val. 3/
<b>Animal feeds:</b>		
Tankage; dead fish and whales; fish and whole scrap, meal and solubles; homogenized condensed fish and whales; all the foregoing not fit for human consumption:		
184.54	Cod-liver solubles. . . . .	10%
184.55	Other . . . . .	Free
<b>Sponges, marine:</b>		
190.85	Grass, velvet, or yellow . . . . .	7.5% ad val.
190.87	Sheepswool . . . . .	12% ad val.
190.90	Hardhead or reef . . . . .	4% ad val. 1/
190.93	Other . . . . .	7.5% ad val.
455.02	Agar agar . . . . .	15% ad val.
455.06	Isinglass. . . . .	17% ad val.
<b>Fish glue:</b>		
455.36	Valued under 40 cents per pound . . . . .	0.5¢ per lb. plus 7.5% ad val.
455.38	Valued 40 cents or more per pound . . . . .	4¢ per lb. plus 12.5% ad val.
<b>Sodium salts:</b>		
426.88	Sodium alginate. . . . .	10%
<b>Natural or cultured pearls and parts thereof, drilled or not drilled, but not strung (except temporarily) and not set:</b>		
741.05	Natural . . . . .	3% ad val. 1/
741.06	Cultured . . . . .	

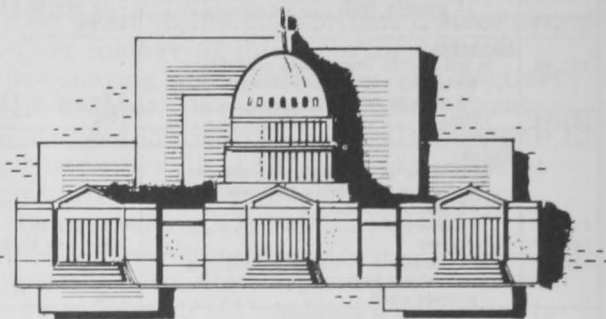
1/Duty on this item may be reduced to zero.  
 2/May be reserved from negotiations provided that a request in behalf of the industry concerned is filed with the Tariff Commission within 60 days from October 21, and the Commission finds and advises the President that economic conditions in the industry have not substantially improved since the finding of injury was made by the Commission in their report 7-47, October 12, 1956.  
 3/Duty on this item may be reduced to zero, in agreement with the European Economic Community, if the President finds that such action would help maintain or expand United States exports of like articles.  
 Note: All import duties shown under the column "Present Duty" are the same as those existing July 1, 1962, except for item 426.88, sodium alginate, which was 12.5% ad valorem on that date.  
 Source: Prepared by the U. S. Bureau of Commercial Fisheries based on excerpts from Tariff Schedules of the United States.



## Eighty-Eighth Congress

### (First 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 by the House and Senate, as well as signature into law or other final disposition are covered.

**ANTIDUMPING ACT AMENDMENT:** H. R. 8886 (Rogers), Oct. 22, 1963, and H. R. 9069 (Brotzman), Nov. 7, 1963, both introduced in House, to amend section 201 of the Antidumping Act, 1921, with respect to the determination of injury or threatened injury to an industry in the United States; referred to the Committee on Ways and Means.

**CONSERVATION OF MARINE FISHERIES RESOURCES:** Fishing in United States Territorial Waters (Hearings before the Merchant Marine and Fisheries Subcommittee of the Committee on Commerce, U. S. Senate, 88th Congress, 1st Session) 139 pp., illus., printed. Contains the hearings held Sept. 5 and 6, 1963, on S. 1988, to prohibit fishing in the territorial waters of the United States and in certain other areas by persons other than nationals or inhabitants of the United States; reports of various Federal agencies; statements by Members of Congress, Government officials, various fishing associations, and members of the industry; and statements and letters submitted to the Committee.

On Oct. 24, 1963, Senator Bartlett presented to the Senate a resolution of the Gulf States Marine Fisheries Commission approving the bill S. 1988 (Congressional Record, page 19159).

**EXEMPT TRANSPORTATION OF AGRICULTURAL AND FISHERY PRODUCTS:** The Surface Transportation Subcommittee of the Senate Committee on Commerce on Oct. 24, 1963, concluded its hearings on S. 1061, to exempt certain carriers from minimum rate regulation in the transportation of bulk commodities, agricultural and fishery products and passengers, and for other purposes.

**FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT:** Registration of Economic Poisons (Hearings before the Subcommittee on Departmental Oversight and Consumer Relations of the Committee on Agriculture, House of Representatives, 88th Con-



gress, 1st Session), 72 pp., printed. Contains hearings held Aug. 21 and 22, 1963, on H. R. 6828, H. R. 6913, and H. R. 7336, to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration numbers, to eliminate registration under protest, and for other purposes; report from the Department of Agriculture; and statements from Members of Congress and officials of Federal agencies.

On Nov. 14, 1963, the Subcommittee ordered H. R. 6828 (amended) favorably reported to the full Committee.

The Senate on Oct. 21, 1963, received the report (S. Rept. 573) on S. 1605, to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration numbers to eliminate registration under protest, and for other purposes.

S. Rept. 573, Registration of Pesticide Chemicals (Oct. 21, 1963, report of the Committee on Agriculture, U. S. Senate, 88th Congress, 1st Session), 29 pp., printed. The Committee recommended passage with amendment of S. 1605. Contains a short explanation of the bill, need for legislation, departmental reports and changes in existing law.

The Senate on Oct. 22, 1963, passed with Committee amendment S. 1605.

Senator Neuberger spoke from the floor of the Senate on Nov. 14, 1963, recommending proposed legislation to regulate chemical pesticides (Congressional Record, page 20748.)

FOREIGN ASSISTANCE ACT OF 1961 AMENDMENT CONCERNING FISHERIES: The Senate on Nov. 7, 1963, adopted by a vote of 57 to 29 an amendment to H. R. 7885, to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes. The amendment introduced by Kuchel and Engle of California is as follows: "(k) No assistance shall be furnished under this Act to any country which (1) has extended, or hereafter extends, its jurisdiction for fishing purposes over any area of the high seas beyond that recognized by the United States, and (2) hereafter imposes any penalty or sanction against any United States fishing vessel on account of its fishing activities in such area. The provisions of this subsection shall not be applicable in any case in which the extension of jurisdiction is made pursuant to international agreement to which the United States is a party." Senator Kuchel had inserted in the Congressional Record (pages 20253-20254) several editorials from newspapers located in California.

The Senate on Nov. 13, 1963, continued consideration of H. R. 7885. During this consideration, the Senate approved the amendment which would make domestically-produced fishery products available under Titles I and IV of Public Law 480. However, at the insistence of Senator Carlson, language was adopted which would eliminate fish flour from such program until approved by the Food and Drug Administration. Senator Douglas on Nov. 14, 1963, moved to reconsider the vote eliminating fish flour, but his motion was tabled on the motion of Senator Carlson.

The Senate on Nov. 15, 1963, by a record vote of 63 to 17, passed with amendment H. R. 7885 authorizing

funds to continue for the foreign assistance program for fiscal year 1964. The Senate insisted on its amendment, asked for a conference with the House, and appointed as conferees Senators Fulbright, Sparkman, Humphrey, Hickenlooper, and Aiken.

The House on Nov. 18, 1963, disagreed to Senate amendments to H. R. 7885, agreed to the conference requested by the Senate, and appointed as conferees Congressmen Morgan, Zablocki, Hays, Adair, and Frelinghuysen.

HEALTH, EDUCATION, AND WELFARE DEPARTMENT APPROPRIATIONS FY 1964: H. Rept. 774, Departments of Labor, and Health, Education and Welfare, and Related Agencies Appropriation Bill, 1964 (Sept. 25, 1963, conference report from the Committee of Conference, House of Representatives, 88th Congress, 1st Session), 12 pp., printed. The Committee of Conference came to agreement and presented their recommendations to the respective Houses on H. R. 5888, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes. Included are funds for the Food and Drug Administration; milk, food, interstate and community sanitation; and water pollution control. The milk, food, interstate and community sanitation programs assure that only safe water, milk, shellfish and other marine food, and food supplies are served to the public; also provides for research and technological assistance programs on shellfish and other marine foods at the two new shellfish sanitation research centers which are to be constructed. The water pollution program provides for regional laboratories located in strategic points throughout the country to promote research and training activities and provide a base of action of State, interstate, and Federal agencies cooperating to eliminate water pollution.

The House and the Senate on Sept. 26, 1963, agreed to the Conference Report. The President on Oct. 11, 1963, signed the bill H. R. 5888 into Public Law 88-136.

INTERNATIONAL NORTH PACIFIC FISHERIES PROBLEMS: Senator Gruening on Oct. 24, 1963, presented to the Senate a resolution from the Cordova, Alaska, Chamber of Commerce, urging the representatives of the United States, Canada, and Japan to renew the abstention principle at their meeting in Tokyo on Sept. 16, 1963. Senator Gruening also commented, in part, "Now that the Senate has given its approval to S. 1988 which would make possible the enforcement of our 3-mile fishing limit it is imperative that we take the second important step in this area which would be to extend the fisheries limit to 12 miles if and when a Governor of a State makes such a request. My bill, S. 1816, would make this possible. . . ." (Congressional Record, pages 19165-19166.)

Senator Gruening on Nov. 5, 1963, presented a statement to the Senate concerning the ". . . invasion of Alaska's crab-fishing grounds by Russian fishing vessels and the pulling up and destruction of American fishermen's crab traps." In discussing the problem, he stated, in part, "Two remedies, of course, are immediately available: The first would be to extend the fishing limits for all fisheries to 12 miles, and the second--and even more pertinent--would be to extend the limits for taking of crustacea and shellfish to the

Continental Shelf, which would be a wholly proper procedure since crab and shellfish exist on the bottom of sea. . . ." He also inserted three recent articles from the New York Times. (Congressional Record, pages 20005-20006.)

Senator Bartlett on Nov. 12, 1963, presented a statement to the Senate calling attention to the threat by Soviet fishermen to the king crab fishery off Kodiak Island in Alaska. (Congressional Record, pages 20477-20479.)

OCEANOGRAPHY WORLD CONFERENCE: H. J. Res. 794 (Wilson) introduced in House Nov. 4, 1963, authorizing the Secretary of State to convene in the United States in 1965 a World Conference on Oceanography; referred to Committee on Foreign Affairs. In his statement on introduction of his resolution, Representative Wilson stated that "It would enable us to bring together the top scientists of the world to exchange information, to map joint projects, and in general to bring the world up to date on the progress man has made in exploring the sea and extracting from it some of the riches it contains."

RESEARCH PROGRAMS: On Nov. 18-19, 1963, the House Select Committee on Government Research opened and held hearings on current Government research programs. Testimony was received from various public witnesses and Federal officials including the Science Adviser to the Secretary of the Interior.

SMALL BUSINESS DISASTER LOANS: H. R. 9111 (Staebler) introduced in the House Nov. 13, 1963, to amend the Small Business Act to authorize loans to small business concerns injured by their inability to process and market certain products because of disease or toxicity in such products; referred to the Committee on Banking and Currency.

TRADE AGREEMENTS PROGRAM: A message from the President (H. Doc. 170), Seventh Annual Report on The Trade Agreements Program, was received in the House and the Senate on Oct. 21, 1963. The message transmits the seventh Annual Report of the President of the United States on the trade agreements program. Contains the letter of transmittal; United States and

world trade in perspective; GATT and the implementation of United States policy; the removal of foreign restrictions against United States exports; tariff negotiations; safeguarding actions taken in 1962; looking ahead--the Trade Expansion Act, and Appendix A.

TRANSPORTATION ACT OF 1963: The Surface Transportation Subcommittee of the Senate Committee on Commerce on Oct. 24, 1963, concluded its hearings on S. 1062, to provide for strengthening and improving the national transportation system and for other purposes.

VESSEL CONSTRUCTION SUBSIDY AMENDMENTS: Fishing Vessel Subsidies (Hearings before the Subcommittee on Fisheries and Wildlife Conservation of the Committee on Merchant Marine and Fisheries, House of Representatives, 88th Congress, 1st Session) 97 pp., printed. Contains hearings held on Aug. 6 and 7, 1963, on H. R. 2172 and H. R. 2643, to amend the Act of June 12, 1960, for the correction of inequities in the construction of fishing vessels, and for other purposes; reports of Federal agencies; statements by members of Congress, officials of various Federal agencies, and industry members; and additional communications submitted to the Committee.

The Subcommittee on Fisheries and Wildlife Conservation of the House Committee on Merchant Marine and Fisheries on Nov. 13, 1963, held hearings on S. 1006, to amend the Act of June 12, 1960, for the correction of inequities in the construction of fishing vessels, and for other purposes. Testimony was heard from various departmental witnesses. The hearing was adjourned subject to call.

WATER POLLUTION CONTROL ADMINISTRATION: H. R. 9127 (St. Onge) introduced in the House Nov. 14, 1963, to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes; referred to the Committee on Public Works.



### CORRECTION

In the flow diagram for individually frozen peeled and deveined shrimp, fig. 2, p. 2, November 1963, the arrows should be pointed downward from top to bottom.

Separate No. 692, the reprint of the article, shows the corrected figure.