



# FEDERAL ACTIONS



## Department of Health, Education and Welfare

FOOD AND DRUG ADMINISTRATION

### POLICY ON PACKAGED PRODUCTS "WEIGHED AT TIME OF SALE" AFFECTS FISH FILLETS:

In place of the net weight statement on foods such as bananas, meat, and fish fillets that are wrapped in cellophane or similar film at the production level, packers have been permitted to substitute a statement or instructions on the wrapper that the article is to be weighed and marked at the time of resale. But a new "statement of interpretation" issued by the U. S. Food and Drug Administration in the Federal Register of December 4, 1962, considers the articles mentioned as food in packaged form.

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER A—GENERAL

#### PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

#### Net Weight Statement on Foods in Package Form That May Be Weighed at Time of Retail Sale

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a)) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), and pursuant to the provisions of the Administrative Procedure Act (sec. 3, 60 Stat. 237, 238; 5 U.S.C. 1002), the following statement of interpretation is issued:

§ 3.204 Net weight statement on foods in package form that may be weighed at time of retail sale.

(a) The Food and Drug Administration has been requested to comment on industry proposals to omit the net weight statement on foods such as bananas, meat, and fish fillets that are prepackaged in cellophane or similar films and to substitute therefor statements or instructions on the label that the article is to be weighed and marked at time of retail sale. The articles that are the subject of these proposals would be food in packaged form under the Federal Food, Drug, and Cosmetic Act. Sections 403(e)(2) and 405 of the act contain authority permitting reasonable variations from the required label statement of the quantity of contents under certain conditions arising in good packing practices; exemptions for small packages and open containers of fresh fruits and fresh vegetables; and exemptions for food which is, in accordance with the practice of the trade, to be processed, labeled, or repacked at establishments other than those where originally processed or packed. However, there is no authority in the statute for exemptions such as those requested in this instance. Therefore, any such food shipped in domestic

Therefore, that agency ruled that those products must bear a new weight statement on the wrapper when shipped in interstate commerce. The new policy insists that fish fillets that are prepackaged in cellophane or similar films bear an accurate statement of the net contents, whether or not it is intended that the package be weighed and marked at the time of retail sale.

Since April 25, 1940, the producers of individually- or consumer-wrapped frozen fish products have enjoyed an exemption from marking the net weight on wrapped fish packed in 5, 10, and 20-pound cartons at the time of packing. The recent ruling cancels the old exemption.

The ruling as published in the December 4, 1962, Federal Register follows:

interstate commerce or imported into the United States shall bear, among other mandatory statements on the label, an accurate statement of the net contents, whether or not it is intended that such package be weighed and marked at the time of retail sale. However, under the pertinent regulations, if preferred, a minimum net weight statement may be used, rather than an average net weight statement, if all units are in excess of the minimum quantity stated and if the variations above the stated minimum are not unreasonably large.

(b) This statement cancels that contained in Trade Correspondence Letter No. 258 (TC-258), issued April 25, 1940, with reference to a similar situation involving the labeling of individually wrapped frozen fish with a statement of net contents.

(Secs. 403(e)(2), 701(a); 52 Stat. 1047, 1055; 21 U.S.C. 343(e)(2), 371(a))

Dated: November 28, 1962.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.



## Department of the Interior

### FISH AND WILDLIFE SERVICE

#### PROGRAM REVIEW ASSISTANT TO COMMISSIONER NAMED:

Joseph F. Puncochar of Baltimore, a long-time Federal official, has been named Assistant for Program Review in the office of the Commissioner of the Fish and Wildlife Service, Secretary of the Interior Stewart L. Udall announced on December 20, 1962. He succeeds O. Lloyd Meehan who retired December 8, 1962.

Puncochar, 50, began his new duties January 7, 1963. He was formerly research Director for the Maine Sardine Council in Bangor, a position he held for two and a half years. Prior to his present job he had been with the Fish and Wildlife Service for 24 years.

In his new position, Puncochar will be responsible for over-all Fish and Wildlife Service program review and appraisal for the Bureau of Commercial Fisheries and the Bureau of Sport Fisheries and Wildlife. His responsibilities will cover such diverse programs as increasing the efficiency of the Nation's commercial fishing industry to preserving the 32 remaining wild whooping cranes.

### BUREAU OF COMMERCIAL FISHERIES

#### REGULATIONS FOR ISSUANCE OF DESIST ORDERS AGAINST POSSIBLE RESTRAINT OF TRADE BY FISHERY COOPERATIVES:

The Department of the Interior published in the Federal Register of December 19, 1962,

## Title 50—WILDLIFE AND FISHERIES

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

#### SUBCHAPTER I—FISHERY MARKETING COOPERATIVES

#### PART 290—ISSUANCE OF CEASE AND DESIST ORDERS BY THE GOVERNMENT

On pages 842 through 843 of the FEDERAL REGISTER of August 31, 1962, there was published a notice and text of proposed new Part 290 of Title 50 Code of Federal Regulations. The purpose of the new part is to set up rules of procedure for issuance of cease and desist orders under section 2 of the Fishery Cooperative Marketing Act of June 25, 1934 (48 Stat. 1213; 15 U.S.C. 521-522), and section 4(e) of 1939 Reorganization Plan (53 Stat. 1433).

Interested persons were given until September 30, 1962, to submit written

comments, suggestions or objections with respect to the proposed new part. Suggestions were received from one fishery cooperative. The suggestions presented in the one response had been previously considered, therefore the proposed new part is hereby adopted without change as set forth below. This part shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

Dated: December 14, 1962.

STEWART L. UDALL,  
*Secretary of the Interior.*

Part 290, reading as follows, is added to 50 CFR, Subchapter I—Fishery Marketing Cooperatives:

Sec.	
290.1	Scope of rules.
290.2	Institution of proceeding.
290.3	Complaint.
290.4	Notice of hearing.
290.5	Service of documents.
290.6	Hearing official.
290.7	Intervention.
290.8	Hearing.
290.9	Preliminary decision by hearing official.

rules of procedure governing the issuance of cease and desist orders against the associations of producers of aquatic products that the Secretary of the Interior has reason to believe are monopolizing or restraining trade in interstate or foreign commerce to such an extent that the price of any aquatic product is unduly enhanced.

The regulations became effective January 13, 1963.

Notice of the proposed form of the new regulations was published in the Federal Register of August 31, 1962. Since no new comments, suggestions, or objections were received from interested persons, the proposed regulations were adopted without change.

The new regulations give the scope of the rules, and have provisions for institution of proceeding, complaint, notice of hearing, intervention, hearing, and preparation and issuance of final decision and order.

The new regulations implement the authority given the Secretary of the Interior under section 2 of the Fishery Cooperative Marketing Act of June 25, 1934 (48 Stat. 1213; 15 U.S.C. 521-522), and section 4 (e) of the 1939 Reorganization Plan (53 Stat. 1433). The Secretary of the Interior will act through the U. S. Bureau of Commercial Fisheries in carrying out his responsibilities under the Act.

The regulations as published in the December 1962 Federal Register follow:

290.10 Argument before the Secretary.  
290.11 Preparation and issuance of final decision and order.

AUTHORITY: §§ 290.1 to 290.11 issued under sec. 2, 48 Stat. 1213; 15 U.S.C. 522; 1939 Reorganization Plan No. II, 53 Stat. 1433.

#### § 290.1 Scope of rules.

The Act of June 25, 1934 (48 Stat. 1213; 15 U.S.C. 521-522), the functions under which were transferred to the Secretary of the Interior by 1939 Reorganization Plan No. II, hereinafter in these rules referred to as the Act, in section 2 thereof provides a remedy whereby the associations of producers of aquatic products authorized by section 1 of the Act may be ordered by the Secretary of the Interior to cease and desist from monopolizing or restraining trade in interstate or foreign commerce to such an extent that the price of any aquatic product is unduly enhanced by reason thereof. These rules implement section 2 of the Act by establishing the procedure to be followed by the Secretary of the Interior or his authorized representative, hereinafter referred to in these rules as the Secretary, in the enforcement of the section. For

rules governing practice generally before the Department of the Interior see Part 1 of Title 43, Code of Federal Regulations.

#### § 290.2 Institution of proceeding.

(a) *Application to institute proceeding.* Any person having any information that an association of producers of aquatic products is monopolizing or restraining trade may file with the Secretary an application requesting the institution of such proceeding as is authorized under the Act. The application shall be in writing, signed by or on behalf of the applicant, and shall include a concise statement of the facts constituting the alleged activities and the name and address of the applicant together with the name and address of the association against which the applicant complains.

(b) *Status of the applicant.* The person filing an application as described in paragraph (a) of this section shall have no legal status in the proceeding which may be instituted as a result of the application, except where the applicant may be permitted to intervene therein, in the manner hereinafter provided, or may be called as a witness, and the applicant's identity shall not be divulged except with the applicant's prior consent or upon court order.

(c) *Who may institute.* If, after investigation of the matter complained of in the application described in paragraph (a) of this section, or upon application of another Federal agency, or after investigation made on his own motion, the Secretary has reason to believe that any association organized under the provisions of the Act is engaging in monopolization or restraint of trade in interstate or foreign commerce to such an extent that the price of any aquatic product is unduly enhanced by reason thereof, he will institute a proceeding. Proceedings will be instituted only upon complaint issued by the Secretary.

#### § 290.3 Complaint.

(a) *Service.* The complaint shall be served upon the association by being sent by certified mail with return receipt requested to its principal place of business or by being left with a responsible person at the association's principal place of business.

(b) *Contents.* The complaint shall state in concise terms the allegations of fact which constitute a basis for the proceeding and shall require the association to show cause why an order should not be issued requiring it to cease and desist from the activities alleged therein to be in restraint of trade.

#### § 290.4 Notice of hearing.

There shall also be served upon the association a notice of hearing, which shall be attached to the complaint or contained therein, and which shall specify a day and place not less than thirty days after service thereof to appear, introduce evidence, and make arguments to show cause why an order should not be made directing it to cease and desist from monopolization or restraint of trade.

#### § 290.5 Service of documents.

Copies of all pleadings, briefs, memoranda, letters, and other documents filed by or on behalf of any party or which

are otherwise submitted to an official conducting any part of the proceeding for consideration in connection therewith, shall be served upon all parties or their representatives in person or by certified mail.

#### § 290.6 Hearing official.

The hearing for the purpose of taking evidence and hearing arguments to determine whether an order should be issued requiring the association to cease and desist from monopolization or restraint of trade shall be conducted by a hearing official designated by the Secretary. No person shall be assigned as hearing official who (a) has any pecuniary interest in the matter or business involved in the proceeding, or (b) has participated in the investigation preceding the institution of the proceeding, in the preparation of the complaint, or in the development of the evidence to be introduced in the proceeding.

#### § 290.7 Intervention.

Upon written application, interested parties shall be permitted to intervene in the proceedings when the hearing official or the Secretary shall determine that the interests of justice will be served thereby.

#### § 290.8 Hearing.

(a) *Departmental counsel.* The case against the association shall be presented by a Departmental counsel appointed for that purpose. The Bureau of Commercial Fisheries shall be responsible for the case against the association and the Bureau shall be considered a party within the purview of these rules.

(b) *Conduct of hearing.* Insofar as feasible, hearings shall be informal. Parties may offer oral and written evidence, subject to the exclusion by the hearing official, in his discretion, of irrelevant, immaterial, repetitious, or hearsay evidence.

(c) *Briefs.* Briefs may be submitted on behalf of interested parties at any time prior to thirty days after the termination of the hearing.

(d) *Examination of witnesses.* Attention of witnesses shall be invited to 18 U.S.C. 1001. Testimony may be received under oath or affirmation. All witnesses may be examined or cross-examined by the hearing official and by representatives of any party.

(e) *Transcript.* The hearing official shall make provision for a complete transcript of the hearing. A copy of the transcript shall be available to interested parties upon payment of a fee prescribed by the Chief Clerk of the Department of the Interior pursuant to Part 2 of Title 43, Code of Federal Regulations, or pursuant to any applicable Departmental contract covering reporting services.

#### § 290.9 Preliminary decision by hearing official.

(a) *Issuance of preliminary decision.* Following the hearing and upon completion of the time allowed for filing briefs, the hearing official shall issue a decision embodying his findings of fact and conclusions of law on all issues as to whether the association monopolizes or restrains trade in interstate or foreign commerce to such an extent that the price of any aquatic product is unduly enhanced thereby. The decision

of the hearing official shall be made a part of the record and a copy thereof shall be served upon all parties to the proceeding.

(b) *Filing of exceptions.* Within thirty days after service of the decision of the hearing official any party to the proceeding may file with the hearing official exceptions to his decision. This document of exceptions shall set forth separately and specifically each error asserted.

(c) *Transmittal of record.* The hearing official, immediately following the period allowed for the filing of exceptions, shall transmit to the Secretary the entire record of the proceeding.

#### § 290.10 Argument before the Secretary.

(a) *Oral argument.* Unless a party has included in the exceptions a request for oral argument before the Secretary or has filed a separate request for oral argument prior to the expiration of the last date for filing such exceptions, the right to such oral argument shall be deemed to have been waived.

(b) *Briefs.* The parties may file written briefs either in addition to oral argument or in lieu thereof.

(c) *Scope of argument.* Except where the Secretary determines that argument on additional issues would be helpful, argument, whether oral or on brief, shall be limited to the issues raised by the exceptions. If the Secretary determines that additional issues should be argued, the parties or their representatives shall be given reasonable notice of such determination, so as to permit preparation of adequate argument on all the issues argued.

#### § 290.11 Preparation and issuance of final decision and order.

As soon as practicable after the receipt of the record from the hearing official, or in case further proceedings were had before the Secretary, as soon as practicable thereafter, the Secretary, upon the basis of and after due consideration of the record as a whole, including that of any proceedings before him, shall prepare a final decision and an order based upon the decision. If the Secretary has found that the association is engaged in monopolization or restraint of trade in interstate or foreign commerce to such an extent that the price of any aquatic product is unduly enhanced thereby, the order shall recite the facts found by him and direct such association to cease and desist from monopolization or restraint of trade. The Secretary shall cause this order to be served upon the association. On the request of the association, or if it falls and neglects for thirty days to obey such order, the Secretary shall, in accordance with the Act, file in the district court in the judicial district in which the association has its principal place of business a certified copy of the order and of all the records in the proceeding together with a petition asking that the order be enforced and shall give notice to the Attorney General and to the association of such filing.

[F.R. Doc. 62-12495; Filed, Dec. 18, 1962; 8:46 a.m.]





## Interstate Commerce Commission

### FEDERAL COURT ENJOINS ENFORCEMENT OF RULING ON COOKED VEGETABLES:

By an injunction granted December 6, 1962, the Federal Court in Wilmington, Del., enjoined the Interstate Commerce Commission's enforcement of its decision that french fried potatoes and other cooked vegetables were not "frozen vegetables." Fishery shippers who are also producing and distributing french fried potatoes, onion rings, candied yams, vegetables in sauce, and similar products, may now continue to use the services of formerly exempt truckers until the U. S. Supreme Court decides the case. It has been estimated that it will be at least 6 to 12 months before a final decision can be rendered.



## Department of Labor

### WAGE AND HOUR AND PUBLIC CONTRACTS DIVISION

#### TUNA CANNERY WORKERS NOT INCLUDED IN WAGE ORDER PROGRAM FOR PUERTO RICO INDUSTRIES:

A review of tuna cannery wages is not included in the wage order program under the Fair Labor Standards Act for Puerto Rico through June 1963. The program was announced on November 1, 1962, by the U. S. Labor Department's Wage and Hour and Public Contracts Divisions.

It has been determined that Industry Committee Number PR-60, which will consider wages in food and related products industries, will not cover wages in the tuna canning industry. The Committee will consider only food products industries that presently have wages from 57½ cents to \$1.09 an hour. Since tuna cannery workers in Puerto Rico are now paid a minimum rate of \$1.15 an hour, they are excluded from the current minimum wage study by the Committee.



## Department of the Treasury

### COAST GUARD

#### RENEWAL OF MOTORBOAT NUMBERS ISSUED:

Procedures designed to expedite the renewal of the Certificate of Number issued to motorboat owners by the U.S.

Coast Guard were published in the Federal Register January 5, 1963, as an amendment to 46 CFR 171.10-20, to become effective March 6, 1963. The States and areas in which the Coast Guard presently issues Certificates of Number in accordance with the Federal Boating Act of 1958 (46 U.S.C. 527-527h) are: Alaska, District of Columbia, Guam, Hawaii, Maine, New Hampshire, Pennsylvania, Tennessee, Washington, and Wyoming. The Certificate of Number issued for vessels subject to the Act is valid for a period of 3 years from the date shown thereon unless sooner revoked or cancelled.

The amended regulations state, "Numbers issued to owners of undocumented vessels pursuant to the regulations in this Part shall be renewed not later than the expiration dates shown on the Certificates of Number. The number may be renewed at any time within the 90-day period preceding the expiration date on the Certificate of Number. However, the renewal application should be received by the Coast Guard 60 days prior to the expiration date shown on the Certificate of Number . . . ."

Form CG-3876, "Application for Number," is to be used in applying for renewal of Certificates of Number. Form CG-3876 together with instructions for submitting the application will be forwarded by the Coast Guard to owners of motorboats numbered by the Coast Guard. The form will be forwarded to owners about 90 days prior to the expiration date of their current Certificate of Number. The failure of the Coast Guard to forward such an application, or the failure of the owner to receive it, does not excuse the owner from the requirement of renewing the number on or before the expiration date shown on the Certificate of Number.

Form CG-3876 is available upon request at all First Class and Second Class Post Offices throughout the United States and at all designated Third and Fourth Class Post Offices in States in which undocumented vessels must be numbered by the Coast Guard, and at all Coast Guard Marine Inspection Offices.



## Eighty-Eighth Congress

### (First Session)

CONGRESS CONVENES: The first session of the 88th Congress convened January 9,



1963. 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 in to law or other final disposition are covered.

ANADROMOUS FISH CONSERVATION: H.R. 2392 (Dingell) introduced in House Jan. 21, 1963, to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States; referred to the Committee on Merchant Marine and Fisheries. Also H.R. 3195 (Moss) introduced in House Jan. 31, 1963, referred to Committee on Merchant Marine and Fisheries.

ANTIDUMPING ACT AMENDMENT: H.R. 2575 (Dent) introduced in House Jan. 24, 1963, to amend

certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes; referred to the Committee on Ways and Means. Provides for certain changes in wording.

**AQUATIC PLANTS ERADICATION:** S. 250 (Beall et al) introduced in Senate Jan. 16, 1963, to provide for the control and progressive eradication of certain aquatic plants in the States of Maryland, Virginia, New Jersey, and Tennessee; referred to the Committee on Agriculture and Forestry. Concerns the Eurasian water mill-foil which occurs in fresh brackish waters in the States named. The eradication program would involve Federal-State cooperation through the Corps of Engineers. A companion bill H.R. 2994 (Morton) was introduced in House Jan. 28, 1963; referred to the Committee on Public Works.

**CHEMICAL PESTICIDES COORDINATION ACT:** H.R. 2857 (Dingell) introduced in House Jan. 28, 1963, to provide for advance consultation with the Fish and Wildlife Service and with State wildlife agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls; referred to Committee on Merchant Marine and Fisheries.

**COMMERCIAL FISHERIES FUND:** H.R. 726 (Multer) introduced in House Jan. 10, 1963, to amend the act of Aug. 11, 1939, relating to domestically produced fishery products and to establish a fund for the advancement of commercial fisheries; referred to the Committee on Merchant Marine and Fisheries. This provides that an amount equal to 30 percent of the gross receipts collected on fishery products shall be annually apportioned by the Secretary of the Interior among those states with commercial fishing on a percentage basis. The percentage basis is determined by the ratio which the value of raw fish landed within each state for the immediately preceding year plus the value to the manufacturer of processed products within each state for the immediately preceding year bears to the total value of all raw fish landed and products processed for the most recent year within all participating states.

S. 627 (Bartlett et al) introduced in Senate Jan. 31, 1963, to promote State commercial fishery research and development projects, and for other purposes; referred to the Committee on Commerce. Authorizes the Secretary of the Interior to cooperate with the States in carrying out projects designed for research and development of commercial fishing resources and authorizes to be appropriated annually \$5 million for a total 5-year program. These funds would be apportioned among the States on a matching basis according to the extent of commercial fisheries in each State as represented by the value of raw fish harvested by domestic fishing vessels and received within each State plus the average value of the fishery products manufactured within each State. To assure that each State will receive an adequate portion, a maximum of 10 percent and a minimum of one-half of 1 percent of the funds are assured under the allocation. Each State desiring to take advantage of the benefits of the act is required to submit its plans for any proposed project to the Secretary of the Interior. The Secretary has authority to approve the plans and pay to the State the Federal share of any approved project in an amount not exceeding 75 percent of the total cost.

**COMMODITY PACKAGING AND LABELING:** S. 387 (Hart et al) introduced in Senate Jan. 21, 1963, to amend

the Clayton Act to prohibit restraints of trade carried into effect through the use of unfair and deceptive methods of packaging or labeling certain consumer commodities distributed in commerce, and for other purposes; referred to Committee on the Judiciary. Directs the Food and Drug Administration--for foods, drugs, and cosmetics--and the Federal Trade Commission--for other consumer commodities--to promulgate regulations that will require packages accurately and clearly to give essential product information and fairly represent the contents. Identical bill, H.R. 2490 (Farbstein) introduced in House Jan. 24, 1963, referred to Committee on the Judiciary.

**FISHERY MARKETING ACT AMENDMENT:** H.R. 1821 (Pelly) introduced in House Jan. 14, 1963, to make clear that fishermen's organizations, regardless of their technical legal status, have a voice in the ex-vessel sale of fish or other aquatic products on which the livelihood of their members depends; referred to the Committee on Merchant Marine and Fisheries. Would amend the Fisheries Marketing Act of 1934, an act originally designed to provide fishermen as primary producers with the right of self-association for cooperative improvement of their conditions. The amendment seeks to bring the Marketing Act up to date by relating it to the practical problems that presently cloud the rights of fishermen to associate themselves together, whether in unions or cooperatives and collectively bargain for a fair return on the fish harvested.

**FISH HATCHERY (KENTUCKY):** H.R. 123 (Siler) introduced in the House Jan. 9, 1963, to provide for the establishment of a new fish hatchery on or near the Cumberland River in the eastern part of the State of Kentucky; referred to the Committee on Merchant Marine and Fisheries.

**FISHING VESSEL DISASTER LOANS:** H.R. 2603 (Kilgore) introduced in House Jan. 24, 1963, to provide disaster loans to fishing vessel owners and operators adversely affected by failure of the fishery resource, and for other purposes; referred to Committee on Merchant Marine and Fisheries. Would authorize the Secretary of the Interior to make loans to fishing vessel owners or operators where he finds that a fishery production or resource disaster for credit that is not available from commercial banks, cooperative lending agencies, or other sources.

**FISH PROTEIN CONCENTRATE:** H.R. 741 (Bates) and H.R. 801 (Pike) introduced in House Jan. 10, 1963, to amend clause (3) of section 402(a) of the Federal Food, Drug, and Cosmetic Act, to provide that "no processed seafood product shall be deemed to consist of any such (filthy, putrid or decomposed) substance or to be otherwise unfit for food because such processed seafood product is derived from whole fish, provided such product is processed under sanitary conditions and after processing is nutritious and in no manner harmful to the health of consumers thereof;" referred to the Committee on Interstate and Foreign Commerce.

**GAME & FOOD FISH CONSERVATION IN DAM RESERVOIRS:** H.R. 2910 (Olsen) introduced in House Jan. 28, 1963, to direct the Secretary of the Interior to establish a research program in order to determine means of improving the conservation of game fish in dam reservoirs; referred to the Committee on Merchant Marine and Fisheries.

**HIGHWAYS AND FISH AND WILDLIFE PROTECTION:** S. 468 (Metcalf and Moss) introduced in Senate Jan. 24,

1963, to amend title 23 of the United States Code relating to highways in order to require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highway systems for the purpose of protecting fish and wildlife and recreation resources; referred to the Committee on Public Works. A companion bill H. R. 2996 (Olsen) was introduced in House Jan. 29, 1963, referred to Committee on Public Works.

IMPORT COMPETITION ADJUSTMENT: H. R. 1139 (St. George) introduced in House Jan. 10, 1963, to provide for adjusting conditions of competition between certain domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States; referred to Committee on Ways and Means.

IMPORTED COMMODITY LABELING: S. 61 (McGee) introduced in Senate Jan. 14, 1963, to amend the Federal Food, Drug, and Cosmetic Act, as amended, to require the labeling of certain imported meats, poultry, and fish; referred to the Committee on Labor and Public Welfare. Provides that imported food products or any food products processed in the United States in whole or substantial part from imported products shall be marked or labeled to indicate to purchaser that such products were not produced in the United States. Includes sales by importers, processors, packers, jobbers, distributors, dealers, retailers, or others. Companion bill H. R. 2513 (Herlong) introduced in House Jan. 24, 1963; referred to Committee on Ways and Means.

H. R. 339 (Herlong) introduced in House Jan. 9, 1963, to amend the Tariff Act of 1930 to require certain new packages of imported articles to be marked to indicate the country of origin, and for other purposes. Would make three substantial changes in existing law: (1) it would be required that articles removed from a container be marked to show country of origin; (2) containers for articles for export to the United States must be marked to indicate that in the event of repackaging, such repackaging must contain the designation of the country of origin; (3) there is a penalty provision for failure to comply with these marking requirements applicable in the case of repackaging. Referred to the Committee on Ways and Means.

IMPORTS OF POLLUTED SHELLFISH PROHIBITED: H. R. 1777 (Colmer) introduced in House Jan. 14, 1963, to prohibit the importation into the United States of polluted shellfish; referred to the Committee on Ways and Means. Provides for investigations and studies in foreign countries relating to sanitary control of the shellfish industries. It would prohibit importation of shellfish from any country in which sanitary standards and practices are lower than the minimum requirements prescribed by the Public Health Service for the United States industry.

INDIAN FISHING RIGHTS: H. J. Res. 48 (Pelly), H. J. Res. 66 (Tollefson), and H. J. Res. 67 (Westland) introduced in House Jan. 10, 1963, regarding Indian fishing rights; all referred to Committee on Interior and Insular Affairs. Proposes to solve the problem of treaty or non-treaty Indians fishing off the reservation in violation of the State regulations. In furtherance of the purposes of any treaty with American Indians, the States involved are authorized to enact and to enforce laws of a regulatory nature concerning the time and manner of fishing outside an Indian reservation that are necessary

for conservation of fish, and that are equally applicable to Indians and all other citizens without distinction.

INSPECTION OF FISHERY PRODUCTS BY INTERIOR DEPARTMENT: H. R. 2031 (Morrison) introduced in House Jan. 17, 1963, to authorize the continuation of certain inspection activities of the Secretary of the Interior; referred to the Committee on Merchant Marine and Fisheries. Would authorize the Secretary of the Interior to continue inspection of food products, other than fishery products, at request of a manufacturer or processor, provided the food product was under inspection by contract for a one-year period prior to Aug. 31, 1961.

INTERIOR DEPARTMENT APPROPRIATIONS FY 1964: H. Doc. 15, Part I, The Budget of the United States Government, Fiscal Year Ending June 30, 1964, 440 pp., printed. Contains the Budget Message of the President and other significant data to place before the Congress the President's budgetary recommendations. Also contains the facts and figures that most users of the budget would normally need or desire.

H. Doc. 16, The Budget of the United States Government, Fiscal Year Ending June 30, 1964 (Appendix), 1195 pp., printed. Contains the text of appropriation language, schedules, narrative statements on program and performance for the individual appropriations and funds, and supplementary schedules required by law with respect to details of personnel compensation. Included are funds for the Fish and Wildlife Service, its two bureaus--Bureau of Commercial Fisheries and Bureau of Sport Fisheries and Wildlife--and the Commissioner's Office. The 1964 Budget estimate for the Office of the Commissioner is \$386,000 an increase of \$11,000 over the 1963 appropriation of \$375,000. For the Bureau of Commercial Fisheries, the Budget estimate is \$26,526,000 an increase of \$906,951 as compared with the 1963 appropriation of \$25,619,049. The Budget estimate of \$47,754,000 for the Bureau of Sport Fisheries and Wildlife is an increase of \$4,693,703 as compared with \$43,060,297 the 1963 appropriation.

MEDICAL CARE FOR VESSEL PERSONNEL: H. R. 2108 (Rivers) introduced in House Jan. 17, 1963, to provide medical care for certain persons engaged on board a vessel in the care, preservation, or navigation of such vessel; referred to Committee on Interstate and Foreign Commerce. Identical bill H. R. 2669 (Hansen) introduced Jan. 24, 1963, referred to House Committee on Interstate and Foreign Commerce.

METRIC SYSTEM STUDY: H. R. 18 (Miller) introduced in House Jan. 9, 1963, to provide that the National Bureau of Standards shall conduct a program of investigations, research, and survey to determine the practicability of the adoption by the United States of the metric system of weights and measures; referred to Committee on Science and Astronautics.

H. R. 403 (Roosevelt) introduced in House Jan. 9, 1963, to provide that the Secretary of Commerce shall conduct a study to determine the practicability and desirability of the adoption by the United States of the metric system of weights and measures; referred to Committee on Science and Astronautics.

NATIONAL FISHERIES CENTER AND AQUARIUM: In the Senate on Jan. 31, 1963, pursuant to the provisions of section 5 (a), of P. L. 87-758, Senators Kirwan (Ohio) and Jensen (Iowa) were appointed as members



of the National Fisheries Center and Aquarium Advisory Board.

**NATURAL RESOURCES CONSERVATION POLICY:** H. R. 57 (McGee) introduced in Senate Jan. 14, 1963, declares a national policy on conservation, development, and utilization of natural resources; referred to Committee on Interior and Insular Affairs.

**OCEANOGRAPHIC RESEARCH PROGRAM:** H. R. 13 (Bonner) introduced in House Jan. 9, 1963, 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. Also introduced in the House Jan. 10, 1963: H. R. 822 (Thompson), H. R. 880 (Dingell), H. R. 895 (Keith) and H. R. 1001 (Lennon) and H. R. 3119 (Tollefson) introduced Jan. 31, 1963; all were referred to Committee on Merchant Marine and Fisheries.

**OCEANOGRAPHIC RESEARCH VESSELS:** H. R. 1149 (Morrison) to require that title to certain vessels supplied directly or indirectly by the United States for oceanographic research shall remain in the United States, and for other purposes; referred to the Committee on Merchant Marine and Fisheries.

**OUTDOOR RECREATION BUREAU:** S. 20 (Anderson et al) introduced in Senate Jan. 14, 1963, to promote the coordination and development of the effective Federal and State programs relating to outdoor recreation, and for other purposes; referred to Committee on Interior and Insular Affairs. Authorities and responsibilities given the Secretary of the Interior through the bill would include maintenance of an inventory of outdoor recreation facilities, establishment of a classification system, provision for technical assistance, encouragement of regional cooperation by the States and developing facilities, conducting research, cooperating with educational institutions in developing personnel and disseminating recreation knowledge, and promoting coordination of Federal activities in outdoor recreation. Companion bills H. R. 1762 (Aspinall) and H. R. 1763 (Saylor) were introduced in House Jan. 14, 1963; referred to Committee on Interior and Insular Affairs.

**POWER PROJECTS AND MIGRATORY FISH CONSERVATION:** H. R. 2391 (Dingell) introduced in House Jan. 21, 1963, to promote the conservation of migratory fish and game by requiring certain approval by the Secretary of the Interior of licenses issued under the Federal Power Act; referred to the Committee on Interstate and Foreign Commerce.

**PRICE-QUALITY STABILIZATION:** H. R. 457 (Cederberg) introduced in House Jan. 9, 1963, to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution, and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; referred to Committee on Interstate and Foreign Commerce. Identical bill H. R. 2564 (Dent) introduced in House Jan. 24, 1963, referred to Committee on Interstate and Foreign Commerce.

**SALMON DEVELOPMENT PROGRAM IN CALIFORNIA:** H. R. 94 (Holland) introduced in House Jan. 9, 1963, to direct the Secretary of the Interior to initiate a salmon and steelhead development program in California; referred to the Committee on Merchant Marine

and Fisheries. Would authorize an anadromous fish development program in California. Existing facilities of the Bureau of Sport Fisheries and Wildlife of the Fish and Wildlife Service and those of the California Department of Fish and Game shall be utilized to the fullest extent.

**SALMON IMPORT RESTRICTIONS:** H. R. 105 (Pelly) introduced in House Jan. 9, 1963, to facilitate the application and operation of the Fish and Wildlife Act of 1956 and for other purposes; referred to the Committee on Merchant Marine and Fisheries. Would make it unlawful to import salmon taken by any country that allows high-seas net fishing for salmon without proper conservation measures. Companion bill S. 471 (Magnuson) introduced in Senate Jan. 24, 1963; referred to Committee on Commerce.

**SALMON RIVER ANADROMOUS FISH:** H. R. 2920 (Westland) introduced in House Jan. 28, 1963, to provide for the conservation of anadromous fish and spawning areas in the Salmon River, Idaho; referred to Committee on Interstate and Foreign Commerce.

**SHRIMP IMPORTS:** H. R. 822 (Thompson) introduced in House Jan. 10, 1963, to amend the Tariff Act of 1930 to provide for the establishment of country-by-country quotas for the importation of shrimps and shrimp products, to impose a duty on all unprocessed shrimp imported in excess of the applicable quota, and to impose a duty on processed shrimp and prohibit its importation in excess of the applicable quota; referred to the Committee on Ways and Means.

H. R. 1774 (Colmer) introduced in House Jan. 14, 1963, to provide for an ad valorem duty on the importation of shrimp; referred to the Committee on Ways and Means.

**SEAMEN'S PHYSICAL REQUIREMENTS:** H. R. 77 (Bonner) introduced in House Jan. 9, 1963, to encourage and promote safety in the merchant marine by requiring that seamen on vessels of the United States meet certain physical requirements. Bill would cover many fishermen on vessels of 5 net tons and over. The Secretary of the Treasury, acting through the Commandant of the Coast Guard would establish physical qualifications for all positions on vessels of the United States. Those fishermen who are "employed on board in the care, preservation, or navigation of any vessel of the United States" would apparently be included.

**SMITHSONIAN INSTITUTE & MARINE & AQUATIC BIOLOGICAL RESEARCH:** H. R. 2653 (Cannon) introduced in House Jan. 24, 1963, to authorize expanded programs of research in marine natural history by the Smithsonian Institution, and for other purposes; referred to the Committee on House Administration.

**STERN RAMP TRAWLERS:** H. R. 1025 (Bates) introduced in House Jan. 10, 1963, to authorize the Secretary of the Interior to construct two modern stern ramp trawlers to be used for research, and for other purposes; referred to Committee on Merchant Marine and Fisheries. Also H. R. 1603 (Glenn) introduced in House Jan. 14, 1963; referred to Committee on Merchant Marine and Fisheries.

H. J. Res. 194 (Westland) introduced in House Jan. 24, 1963, to authorize the Secretary of Commerce to construct a modern stern ramp trawler to be used for research purposes and authorizing the appropriation of funds; referred to the Committee on Merchant Marine and Fisheries.

SUBMERGED LANDS ACT: H. R. 116 (Roberts) and H. R. 360 (Huddleston) introduced in House Jan. 9, 1963, to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana, as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources, within said boundaries; both referred to the Committee on the Judiciary. Also introduced in House Jan. 10, 1963, H. R. 937 (Seldon) and H. R. 1031 (Boggs), Jan. 14, 1963, H. R. 1772 (Colmer); Jan. 17, 1963 H. R. 2153 (Morrison); all referred to Committee on the Judiciary.

TRADE EXPANSION ACT AMENDMENT: H. R. 2912 (Reuss) and S. 541 (Douglas) introduced in the House and the Senate Jan. 28, 1963, to amend the Trade Expansion Act of 1962 to extend the provisions applicable in respect to the European Economic Community to the European Free Trade Association, and to require that each category of articles designated under section 211 of such act be identifiable by not less than four digits; referred to the Senate Committee on Finance and the House Committee on Ways and Means. Would allow the dominant supplier clause of the act to apply to the United States and the Common Market and any nation of the European Free Trade Association so designated by the President. Allows the dominant supplier clause to be applied not only to the European Six, but also to Great Britain and to any of the other countries of EFTA which are designated by the President.

S. 602 (Javits) introduced in Senate Jan. 30, 1963, to authorize the President, in carrying out trade agreements with fully developed countries or areas, to reduce duties below the limitation set forth in section 201 (b) (1) of the Trade Expansion Act of 1962, and for other purposes; referred to the Committee on Finance. Will enable the United States to offer "full economic partnership" to Great Britain and to the Commonwealth countries.

WATER POLLUTION CONTROL ADMINISTRATION: S. 649 (Muskie and Humphrey), H. R. 3166 (Blatnik) and H. R. 3167 (Dingell) were introduced in the House and the Senate on Jan. 31, 1963, to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to increase grants for construction of municipal sewage treatment works, to provide financial assistance to municipalities and others for the separation of combined sewers, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate or navigable waters, and for other purposes; referred to the Senate and House Committee on Public Works.

VESSEL COLLISION LIABILITY: H. R. 1070 (Garmatz) introduced in House Jan. 10, 1963, to unify apportionment of liability in cases of collision between vessels and related casualties; referred to Committee on Merchant Marine and Fisheries. Companion bill S. 555 (Bartlett) introduced in Senate Jan. 28, 1963, referred to the Committee on Commerce.

VESSEL CONSTRUCTION SUBSIDY AMENDMENTS: H. R. 1026 (Bates) introduced in House Jan. 10, 1963, to amend the act of June 12, 1960, for the correction of inequities in the construction of fishing vessels, and for other purposes; referred to the Committee on Merchant Marine and Fisheries. Would amend the law which provides a construction differential subsidy for fishing vessels by extending the life of the program from June 12, 1963 to June 30, 1972; by increasing the amount of the subsidy from a maximum of one third to a maximum of one-half of the construction costs; and by broadening the scope of the law to permit participation by fisheries not eligible under the present law. Also H. R. 1604 (Glenn) introduced Jan. 14, 1963, H. R. 2172 (Tollefson) introduced Jan. 17, 1963, and H. R. 2643 (Tollefson) introduced Jan. 24, 1963; all referred to House Committee on Merchant Marine and Fisheries.

VESSEL MEASUREMENT: H. R. 81 (Bonner) introduced in House Jan. 9, 1963, to simplify the admeasurement of small vessels. Would substitute for present complicated method of tonnage measurement a new system which would permit the assignment of tonnages from a table on the basis of length and breadth only. Tonnage would be limited to self-propelled vessels of less than 500 gross tons and nonself-propelled vessels of not more than 997 gross tons. Referred to Committee on Merchant Marine and Fisheries.

VESSEL OPERATORS LICENSES: H. R. 1055 (Chamberlin) introduced in House Jan. 9, 1963, to provide for the licensing of operators of vessels numbered under the provisions of the Federal Boating Act of 1958. Fishing vessels are not specifically mentioned but the terms of the proposal would require licensed operators for fishing vessels which are undocumented and propelled by machinery of more than 10 horsepower. Referred to Committee on Merchant Marine and Fisheries.

VESSEL OWNERS LIABILITY: H. R. 1069 (Garmatz) introduced in House Jan. 10, 1963, to limit the liability of shipowners, and for other purposes; referred to the Committee on Merchant Marine and Fisheries. A companion bill S. 556 (Bartlett) was introduced in Senate Jan. 28, 1963; referred to the Committee on Commerce.

