

FEDERAL LEGISLATION, DECISIONS, ORDERS, ETC.

Department of Agriculture

FATS AND OILS DEFINITIONS: The U.S. Department of Agriculture on December 14, amended War Food Order 42 to include the definitions for edible fats and oils products formerly contained within Ration Order 16, recently terminated by the Office of Price Administration. The amendment to WFO-42 (No. 23), effective December 17, 1945, does not change in any way the operation of the order, but only continues the same definitions for these products as existed during the rationing period, since these products controlled by WFO-42 were defined through direct reference to RO-16.

MACKEREL AND PILCHARD SET-ASIDES: The U.S. Department of Agriculture announced on December 5 that cannerys of Pacific mackerel will not be required to reserve for governmental use any part of their packs processed after November 17, 1945. At the same time, the Department reduced the set-aside of pilchards for the period April 1, 1945 to March 31, 1946, from 45 to 30 percent of the entire pack.

Both actions were taken in Amdt. 17 to WFO-44. Under the provisions of the order, as amended, the USDA reserves 45 percent of the pack of Pacific mackerel for the period April 1, 1945 to November 17, 1945, but requires no set-aside after November 17.

As a result of the amendment, an additional 27 million pounds of canned pilchards will be available to civilians out of the current pack. This will raise the U. S. civilian share of canned pilchards to an estimated 126 million pounds, as compared to 67 million pounds from last year's pack.

Despite the fact that the estimated 1945 Pacific mackerel pack is expected to be less than half of last year's pack, civilians will now get 15 million pounds as compared to 19 million pounds from the 1944 pack.

EXPORT MATERIALS: With reference to claims filed by fish cannerys (canned fish in War Food Order 44 except canned Alaska salmon) for reimbursement of actual expenditures for export cases and packaging material purchased but not used for the purpose of fulfilling the Commodity Credit Corporation contract requirements, the USDA on December 3 issued the following:

In a notice dated September 24, 1945, contractors were given general instructions regarding the procedure for filing claims. It is now possible to give you further details on this. The claims may be filed either in Washington with the Special Commodities Branch, Production and Marketing Administration, or with the Regional Finance Office that handles other claims for you. In either case, the Contracting Officer in Washington must give his approval so if you file your claim with the Regional Finance Office, please send a copy or a letter giving the details of the claim to Contracting Officer, Special Commodities Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. The Contracting Officer will then verify the figures reported by you with the records of the Administrator of WFO 44 and notify the Regional Finance Office of his approval or disapproval.

Your attention is called to the last provision in Form PBT-401, paragraph 2, sub-paragraph (d) which reads as follows:

"Provided, That in no event shall CCC reimburse the Contractor for packaging material acquired, but not used, which is in excess of a quantity of packaging material necessary to pack in export packaging the Government quota of its pack of fish as provided in War Food Order 44, as in effect on April 1, 1945."

This means that CCC will reimburse the Contractor for export cases up to 80 percent of his actual pack during the year ending March 31, 1946. For example, if a cannery estimated his pack at 30,000 cases and purchased his supplies accordingly, then had a short pack to say 10,000 cases, the CCC is obligated for only 8,000 cases either as actual cases of fish delivered to CCC or as surplus empty cases.

The rate to be charged CCC is stated in the September 24, 1945 notice as "... the rate provided in the contract for V3c, V3s and export wood, respectively."

The Pilchard and Continental U. S. Salmon contracts include separate rates for strapping and marking; therefore, the rate shown in the contract for export cases is the correct rate to use.

The Maine Sardine and Sea Herring, Atlantic Mackerel and Pacific Mackerel contracts, however, include a combined charge for case, strapping, and marking; therefore, the rate shown in the contract must be reduced by the labor and material cost for strapping and marking.

If canner claims against CCC for surplus strapping material, it should be charged at his cost excluding the labor cost of applying straps. Such strapping material will become the property of the CCC and payment cannot be obtained until actually delivered to the CCC. Notice of Tender of Delivery shall be submitted in the same manner as provided for the canned fish. Orders for delivery may be obtained from the same office of the Shipping and Storage Branch that issues orders for delivery of the canned fish.

Each canner will no doubt have his own problems in making up his claim and it is difficult to prescribe a set of rules to be followed. It is requested, therefore, that if you have any questions regarding your claim, you address them to the Contracting Officer, Special Commodities Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C.

IMPORT CONTROLS: The United States Department of Agriculture has removed fish scales from import control through an amendment to War Food Order 63 which controls importations of certain food items into this country, the USDA announced on December 8. The amendment, effective December 8, 1945, also lifts import controls on Newfoundland and Canadian pickled and salted cod, haddock, hake, pollock, and cusk shipped to Puerto Rico and the Virgin Islands of the United States.

Because fish scales are used for other than food and feed purposes, continued control of these items is not considered necessary. However, controls are being continued on fish scrap and fish meal, the principal uses of which are for feed and fertilizer.

Lifting of controls on the pickled and salted fish is in line with discontinuance of the Department's food program for Puerto Rico and the Virgin Islands. The exemption applies regardless of whether shipment is direct or by trans-shipment through the United States. On December 3, the USDA had reported that the importing of these fish products into Puerto Rico and the Virgin Islands was being returned to private trade.

SALTED FISH: Importation of salted fish into Puerto Rico and the Virgin Islands, which has been controlled under provisions of WFO-72, will be returned to private trade by the Department of Agriculture, that agency reported on December 3.

The action, taken in Amdt. 6 to WFO-72, became effective on December 4 and is in line with discontinuance of the Department's food program for Puerto Rico and the Virgin Islands. Under that program only the Department of Agriculture was authorized to import salted fish.

With discontinuance of the program in Puerto Rico and the Virgin Islands, distribution of salted fish is on a contractual basis between importers and supplying countries and therefore it is not necessary to continue distribution control under the order.



Civilian Production Administration

FIELD OFFICES: The Civilian Production Administration (formerly WPB) on December 5 announced that all its field offices will be closed on or before December 31, 1945. After

December 7, all applications for priorities assistance under Priorities Regulation 28, heretofore handled in the field offices, must be forwarded to its headquarters in Washington for handling, CPA said.

Replacing the field offices as sources of supply for priority application forms, will be 115 first class post offices in cities where CPA field offices have been located. The forms will also be available in the Smaller War Plants Corporation's field offices. CPA officials explained that there would be no one available in the post offices to assist applicants in filling out the forms. The revised CPA 541-A forms, on which application is made for assistance in breaking industrial reconversion bottlenecks under PR-28, will also be available in Room 1501 Social Security Building, Washington, D.C., as will other forms which business may need.

TRUCK PRIORITIES: The Civilian Production Administration (formerly WPB) announced on December 12 the policy by which ratings for obtaining new trucks will be granted. Ratings will be given only to producers of, or those intending to produce, materials that CPA has found to be in such tight supply as to be a serious threat to the civilian economy.

This action was effected by Direction 6 to Priorities Regulation 28, issued on December 12.

A CC rating issued for a truck can only be applied to a distributor or dealer and is not extendable, by him or by the holder, to a manufacturer, CPA officials said. Not covered by the order are station wagons, coupes fitted with pickup boxes, ambulances, hearses, taxicabs or integral type busses.

It was also explained that a CC rating will be denied where it appears that the new truck for which the rating is requested is available, but under different terms of sale or from a supplier other than the applicant's customary supplier.

This direction applies only to CC ratings granted for new trucks for use in the United States.



Department of Commerce

EXPORT LICENSING CONTROLS: Effective December 10, the following commodities were removed by the Office of International Trade Relations of the Department of Commerce, from its positive list and placed on general license for exportation to all destinations in Group K.

<u>Dept. of Commerce</u> <u>Sched. B. No.</u>	<u>Commodity</u>
008801	Shellfish, canned:
008803	Lobster
008805	Crabmeat and crabs
008898	Clams and oysters
	Other



Interstate Commerce Commission

REFRIGERATOR CARS: Citing the critical shortage of refrigerator cars, the ICC on December 12, ordered that no common carrier by railroad shall grant more than 48 hours free time on refrigerator cars held for loading or unloading in domestic commerce, nor more than 5 (five)

days free time on such cars held for loading or unloading in coastwise, intercoastal, or foreign commerce. The order became effective on December 15 and will expire on February 15, 1946, unless otherwise ordered.



Office of Price Administration

FISH NETS: Fish nets have been exempted from price control, the OPA indicated on December 7 in issuing Amdt. 12 to SO-126. The amendment was issued in accordance with the Administration's policy of removing controls as quickly as the need for them disappears.

Prices for fish nets were previously controlled by MFR-580 and the General Maximum Price Regulation.

The new amendment, which lists many items in addition to fish nets, became effective on December 12, 1945.

TUNA PRICES: Amdt. 5 to MFR-299, effective December 15, provides a method for pricing tuna, bonito, and yellowtail, packed in No. $\frac{1}{4}$ containers, in cases of 100 cans, the OPA announced on December 10. The prices listed in the regulation are for cases of 48 cans. To determine the prices for the cases of 100 cans, the canner must multiply the prices listed in the Table under the heading "No. $\frac{1}{4}$ tuna" by the factor 2.0833. Prices so determined are in line with the prices listed in the regulation.

Historically certain varieties of the tuna fish family in No. $\frac{1}{4}$ containers were frequently packed in cases of 100 cans. No. $\frac{1}{4}$ tonno was always packed in such cases. During the war the use of tin for the No. $\frac{1}{4}$ packs was limited to Army procurement packs under specifications which called for cases of 48 cans. The industry anticipates changes in the allocation order and has requested the establishment of price schedules to make explicit the prices for the No. $\frac{1}{4}$ tuna in cases of 100 cans.

RETAIL STORES: Amdt. 8 to RMPR-507--Ceiling Prices of Certain Fresh and Frozen Fish and Seafood Sold at Retail--effective January 2, requires that all retailers redetermine their store group by using their total sales for the year 1945 instead of 1944 in determining their "annual gross sales."

COOKED SHRIMP: Cents-per-pound ceiling prices have been established for coastal processors' sales of cooked shrimp, the Office of Price Administration announced on December 7, 1945.

The new prices apply only to processors' sales of shrimp cooked at, or sold or delivered from, points within 75 air miles of the coasts North and South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas.

Inland distributors (other than processors) whose sales are not covered by the wholesale and retail "fixed mark-up" regulations and who sell cooked shrimp from their warehouses, mainly to other wholesalers, are allowed a mark-up of five cents per pound over the sum of the processor's price plus transportation.

Inland processors--who are for the most part small operators supplying local trade--will continue to price cooked shrimp under provisions of the General Maximum Price Regulation, which "freezes" individual sellers' prices at March 1942 "highs." That regulation previously covered all shrimp processors.

The specific prices are based on the average level of former "freeze" prices for processors, OPA said. Counts for the various sizes of the item, based on those already provided for canned shrimp, are as follows:

Wholesale and retail ceiling prices for cooked shrimp will remain at about the same level as those now in effect, since the general level of processors' ceilings has not been changed.

Uniform processors' ceilings based on standard shrimp count should aid in better enforcement of cooked shrimp maximum prices and help in preventing diversion of the raw product from canning and other types of shrimp processing, OPA added.

Style of processing	Size	Count per pound
Headless, cooked, peeled and veined.	Jumbo	Less than 32
	Large	32-40
	Medium	41-50
Headless, cooked and peeled.	Jumbo	More than 120
	Large	121-150
	Medium	151-200
Headless, cooked (unpeeled).	Jumbo	Less than 32
	Large	32-40
	Medium	41-50

Size	Size container (net weight of shrimp)	Headless, cooked (unpeeled)	Headless, cooked and peeled	Headless, cooked, peeled and veined
Jumbo	5 pound	\$0.48	\$0.70	\$0.80
	1 pound	.49½	.72	.82
	¼ pound or less	.50	.73	.83
Large	5 pound	.39	.60	.70
	1 pound	.40½	.62	.72
	¼ pound or less	.41	.63	.73
Medium	5 pound	.33	.50	.60
	1 pound	.34½	.52	.62
	¼ pound or less	.35	.53	.63
Small	5 pound	.28	.40	.50
	1 pound	.29½	.42	.52
	¼ pound or less	.30	.43	.53
Ungraded	5 pound	.28	.40	.50
	1 pound	.29½	.42	.52
	¼ pound or less	.30	.43	.53

The action lists processors' maximum prices for container sizes of 3/4 of a pound or less, one pound, and five pounds. These are the container sizes in which cooked shrimp is usually sold. For sales in other container sizes, processors must apply to OPA's national office for a maximum price.

The new processors' ceilings, in cents-per-pound, are shown in the table opposite this text.

The prices apply to cooked shrimp of all species and regardless of whether or not they are also frozen, peppered, spices, or otherwise processed.

Amdt. 6 to MFR-550--Cured and Smoked Fish--became effective on December 11.

SPONGES, SHELLS: Twelve miscellaneous commodities--mostly minor food items--are being exempted from price control, and ceilings are being suspended for 90 days on four other commodities, the Office of Price Administration announced on December 10.

This action was in line with Office of Stabilization Administration Directive 68, dealing with exemption and suspension of price controls, OPA said.

Among items on which controls were suspended for 90 days are oyster and clam shells (used largely as grit for poultry).

Amendment 11 to Supplementary Order 132--Exemption and Suspension From Price Control of Certain Foods, Grains and Cereals, Feeds, Tobacco and Tobacco Products, Agricultural Chemicals, Insecticides and Beverages--became effective on December 15, 1945.

PACIFIC SMELT: On December 5, OPA's San Francisco office issued Region VIII Revised Order G-6 Under MFR-418, Amdt. 12 covering fresh fish and seafood in the San Francisco region.

Excerpts from the new order, which was effective on December 13, follow:

In the table in Appendix I, the item "Smelt" and footnote 3 are amended, a footnote reference 4 is added, and footnote 4 is added, all to read respectively, as follows:

APPENDIX I

Species	Item No.	Basing point	Style of dressing	Quantity (pounds) *	Maximum prices per pound		
					Table A, Part of entry	Table B, Part of entry	Table D, Part of entry
Smelt	1	(See footnote 4)	Banquet	0-1,000	\$1.20	\$1.20	\$1.20
				1,001-2,000	.15	.15	.15
				2,001-25,000	.05	.05	.05
				25,001 and over	.025	.025	.025

* With respect to Smelt, during the period from 1200 a. m. Thursday to 1200 a. m. the following Monday, the maximum price is the price in this table applicable to the total catch during the preceding period of Saturday noon through Tuesday noon. During the period from 1200 a. m. Monday to 1200 a. m. the following Thursday, the maximum price is the price in this table applicable to the total catch during the preceding period of Tuesday noon through Saturday noon.

* For gill net smelt, the basing point is Clatskanie, Oregon. For dip net smelt, the basing point is Kelso, Washington.

