

FEDERAL LEGISLATION, DECISIONS, ORDERS, ETC.

Department of Agriculture

CANNED ALASKA SALMON: The Production and Marketing Administration, United States Department of Agriculture, announced on June 13, in Announcement SC-87, that it will receive offers for the sale of canned Alaska salmon required to be set aside in 1946 pursuant to War Food Order No. 44.

Purchases will be made by negotiated contracts executed by the Commodity Credit Corporation. The contract terms and conditions are set forth in three separate documents:

Form PBT-400, Standard Contract Conditions, contains conditions which may apply to purchases of all commodities;

Form SCT-56, Canned Fish - General Contract Conditions, contains additional terms applying to purchases of canned fish;

Form SCO-87, Canned Alaska Salmon - Offer of Sale, which details the conditions applying specifically to these types of fish.

Canners who expect to operate during 1946 are requested to submit their proposals on the offer of sale form as soon as practicable but in any case prior to September 15, 1946.

Excerpts from SCO-87 follow:

SPECIFICATIONS: Fish delivered hereunder shall meet the requirements of "Federal Specifications for Canned Salmon," PP-S 31a (7/29/41), Section B to F, inclusive, provided that except for reds and chinooks, Section E-1 of such specifications shall be revised for the purpose of this contract to delete the words "shall be reasonably free from water-marking" and insert in lieu thereof, the words "Watermarking shall be scored only when texture, color of flesh, amount of oil, odor, and flavor have been affected."

All fish delivered hereunder shall conform in every applicable respect to the requirements of the Federal Food, Drug and Cosmetic Act and amendments and regulations thereunder.

MINIMUM QUANTITY AGREEMENT: Irrespective of any reductions in the quota to be delivered by the contractor under War Food Order No. 44, the CCC at the contractor's option, agrees to purchase at least 10 percent of the seller's pack (or such lesser percentage as contractor may tender), of fish, packed between April 1, 1946 and March 31, 1947.

CANNED MACKEREL - WEST COAST: The Production and Marketing Administration, United States Department of Agriculture, announced on June 12, in Announcement SC-88, that it will receive offers for the sale of canned Pacific mackerel and canned Pacific horse mackerel required to be set aside in 1946 pursuant to War Food Order No. 44.

Purchases will be made by negotiated contracts executed by the Commodity Credit Corporation. The contract terms and conditions are set forth in three separate documents:

- Form PBT-400, Standard Contract Conditions, contains conditions which may apply to purchases of all commodities
- Form SCT-56, Canned Fish - General Contract Conditions, contains additional terms applying to purchases of canned fish
- Form SCO-88, Canned Mackerel - West Coast, Offer of Sale, details the conditions applying specifically to this type of fish

Offers must be submitted prior to December 1, 1946.

Excerpts from SCO-88 follow:

SPECIFICATIONS: Fish delivered hereunder shall meet the following specifications:

- A. Fish shall be firm, of good appearance, well cleaned, practically unbroken and practically free from objectionable material. Salt or salt brine shall have been added to the can. Cans shall be packed as full as practicable. The average net content of the No. 300 (300 x 407) can shall be not less than 15 ounces. If other sizes of cans are used, the net content shall be in the same proportion as the relative size of the can.
- B. Definitions: The term "net content" means the total weight of the fish and liquid in the can. The term "well cleaned" means that the fish shall have the heads and scales removed; tails shall be removed to the extent that they shall not be present in amounts in excess of 20 percent by count of pieces of fish; and shall be free from entrails and other objectionable offal.
- C. A lot may be considered as meeting specifications if not more than one-sixth of the containers in a lot fail in some respect to meet requirements of these specifications; Provided, that none of the containers which may fail to meet the specifications shall fail to meet the requirements of the Federal Food, Drug and Cosmetic Act and amendments and regulations thereunder.

CANNED PILCHARDS: The Production and Marketing Administration, United States Department of Agriculture, announced on June 25, in Announcement SC-90, that it will receive offers for the sale of canned pilchards required to be set aside in 1946 pursuant to War Food Order No. 44.

Purchases will be made under negotiated contracts executed by the Commodity Credit Corporation. The contract terms and conditions are set forth in three separate documents:

- Form PBT-400, Standard Contract Conditions, contains conditions which may apply to purchases of all commodities
- Form SCT-56, Canned Fish - General Contract Conditions, contains additional terms applying to purchases of canned fish
- Form SCO-90, Canned Pilchards - Offer of Sale, details the conditions applying specifically to this type of fish

Offers must be submitted prior to October 1, 1946.

All of the claimants this year prefer oval tomato pilchards but they have been advised that it will be impossible for canners to pack only this style for delivery to the Government. It is requested, however, that canners make every effort to deliver as much fish in tomato sauce as possible, preferably in oval cans.

All No. 1 oval cans should be packed with tomato sauce: Natural style pilchards in No. 1 oval cans are not acceptable unless prior written approval has been granted to canner by a CCC Contracting Officer. Eight-ounce short (211 x 300) or $\frac{1}{2}$ oblong cans will be accepted either natural style or with tomato sauce, but fillets and "short-cuts" in any size cans are not acceptable.

When tomato sauce is used, No. 1 oval and No. 300 (300 x 407) cans shall have added at the time of packaging not less than $1\frac{1}{2}$ ounces of tomato sauce having a specific gravity of not less than 1.06 before the addition of salt and spices, except that tomato sauce of a lower specific gravity may be used provided sufficient additional sauce is added so that the total amount of tomato solids of the lower specific gravity of tomato sauce shall be equal to the total amount of tomato solids in $1\frac{1}{2}$ ounces of tomato sauce having a specific gravity of 1.06 before the addition of salt and spices.

There shall be added to a smaller or larger size container an amount of tomato sauce proportionate to that added to the No. 1 size can.

Tomato sauce shall be made from whole ripe tomatoes and may have added salt and spices but no sugar, and must comply with the applicable requirements of the Federal Food, Drug, and Cosmetic Act and amendments and regulations thereunder. At time of cut-out, tomato sauce shall be of good consistency and not excessively oily.

Excerpts from Form SCO-90 follow:

SPECIFICATIONS: The fish delivered hereunder shall meet the following specifications:

- A. Fish shall be firm, of good appearance, well cleaned and practically unbroken. Cans shall be packed as full as practicable. In round cans the length of the fish shall be packed parallel to the side of the can; in oval and other flat type cans the length of the fish shall be packed parallel to the bottom of the can. The average net content of the No. 300 (300 x 407) can or the No. 1 oval can shall be not less than 15 ounces and shall contain not more than twelve nor less than four fish. If other sizes of cans are used, the net content shall be in the same proportion as the relative size of the can. The fish shall be packed natural or with added oils or sauces as may be specified by CCC.
- B. Definitions: For the purpose of these specifications, the following definitions shall apply:
 1. The term "natural" means without the addition of any condiments except brine or salt, but may have added oil of the same species of fish.
 2. The term "net content" means the total weight of the fish and liquid in the can.

3. The term "well cleaned" means that the heads shall be removed, the red and green feed that has exuded from the stomach or entrails shall not be present, shall be practically free from scales, and not more than five (5) percent of fish may contain entrails.
 4. The term "entrail" is defined as any portion of the stomach or entrail exceeding $\frac{3}{4}$ inch in length, except that any portion containing red or green feed shall be scored as an entrail regardless of its length.
 5. "Practically free from scales" means that not more than 5 percent by count of fish may possess scales on each fish which in the aggregate exceeds one-tenth of the surface area. Fish which possess scales covering one-tenth or less of the surface area are not scored.
- C. A lot shall be considered as meeting specifications if not more than one-sixth of the containers in the lot fail in some respect to meet the requirements of the specifications: Provided, That none of the containers which may fail to meet the specifications shall fail to meet the requirements of the Federal Food, Drug and Cosmetic Act of June 25, 1938, as amended, and to all regulations thereunder.

Supplement No. 1 to Announcements SC-85, Canned Continental U. S. Salmon, and SC-87, Canned Alaska Salmon, was issued on June 13, 1946, by the U. S. Department of Agriculture to provide for strapping and marking charges. Announcements SC-85 and SC-87 have been printed in the June and July issues, respectively, of Commercial Fisheries Review.



Food and Drug Administration

CANNED SHRIMP: Charges for canned shrimp inspection by the Sea Food Inspection Service of the Food and Drug Administration will be raised effective July 1, 1946, according to F&DA orders published in the Federal Register of June 1. The following changes will be made:

In Sec. 155.00 (a) "\$315" is changed to "\$450."

In Sec. 155.02 (a) "\$210" is changed to "\$300."

In Sec. 155.2 (b) "\$210" in each instance where it appears is changed to "\$300"; "\$315" in each instance where it appears is changed to "\$450"; "\$7.00" is changed to "\$10.00."

By these changes the basic charge per month was raised from \$210 to \$300. The inspection fee per case remains at 10 cents.



Department of the Interior

HALIBUT RULING: On June 21 the Department of the Interior issued a ruling on an appeal from the decision of the Area Coordinator with respect to allocation of American halibut in Prince Rupert, British Columbia, Canada.

The findings, in part, are as follows:

"The allegations indicate a lack of recognition of the purposes of the program and its aim to preserve the historical channels of distribution during the time of emergency. The appellant did not sell American halibut before the war and has been accorded the same treatment as other new dealers in the field. As a matter of fact, exceptional recognition was given to the appellant as a new dealer and proper allocation made to it in the interest of establishing good will and maintaining harmonious trade relations. If the appellant, a cooperative, has in recent months expanded by accepting American fishermen as members, it has done so with full knowledge of the requirements of the allocation program, and should realize the obvious inequity which would result to dealers in the field before the arrival of the Association, from enlargement of the percentage of the landings to be permitted to newcomers, like the Association, while those dealers are still held subject to the allocation restrictions. No information other than that supplied by the appellant has been received by the Department to the effect that because of the American allocation program 'the system of allocation of Canadian halibut has almost entirely broken down.' Since the appellant has supplied no substantiating evidence, the point need be discussed no further than to observe that an alleged deterioration of the Canadian halibut program could in no event alter the position of this Department in the circumstances. If the cooperative finds itself in a disadvantageous position, it must be attributed to its own ill-advised action in enlarging its membership beyond the point at which their requirements could be met under the present allocation program.

"Accordingly, the appeal of the Prince Rupert Fishermen's Cooperative Association is dismissed, and the decision of the Area Coordinator is affirmed."



International Fisheries Commission

HALIBUT AREAS: The International Fisheries Commission, on May 30, determined upon the date of June 11, midnight, as that upon which Areas 1B and 2 as defined in the Pacific halibut regulations shall be closed to all halibut fishing except that provided for in Article I of the Convention.

Area 1B is defined to include all convention waters between a line running northeast and southwest through Cape Blanco Light and a line running northeast and southwest through Willapa Bay Light on Cape Shoalwater.

Area 2 is defined to include all convention waters off the coasts of the United States of America and of Alaska and of the Dominion of Canada between Area 1B and a line running through the most westerly point of Glacier Bay, Alaska, to Cape Spencer Light, thence south one-quarter east.

Area 1A, lying south of Cape Blanco, will close to halibut fishing with Areas 3 and 4.

Vessels fishing for halibut in Area 1A after closure of Areas 1B and 2 are required to have their licenses validated in a Customs port in Area 1A such as Eureka.

Reference should be had to a copy of the regulations for further details regarding these boundaries.



Office of Price Administration

SQUID PRICES: Amdt. 32 to OPA's Supplementary Order No. 132, effective May 22, 1946, exempted from price control domestic and imported canned and frozen squid.

The total sales volume at the retail level of canned and frozen squid amounts to less than three quarters of a million dollars annually.

CRABMEAT SPECIALTIES: The Office of Price Administration, on June 13, removed all price controls from imported and domestic frozen crabmeat specialties. This was done by one of the provisions of Amdt. 37 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.

SUGAR ALLOTMENTS: The Sugar Rationing Section of the Office of Price Administration, after receiving complaints from fishermen, issued a letter on or about June 20 to its field offices, in which they pointed out that the clause relating to "refreshments" in General Ration Order No. 5 (Secs. 7.6 and 7.7) had never, or in very few instances, been applied or used in giving fishing vessels an increase in their allotments. If, in the preceding allotment period, fishermen had received at least two refreshments per day (coffee or "mug-ups," in addition to the regular meals), they can now obtain .015 pounds of sugar per refreshment, not to exceed two refreshments per day. This would mean a total increase in the allotment per man per day of as much as .03 pounds. In other words, .9 pounds per man per month (counting 30 days to the month) might be added to the present sugar allotment of 3.6 pounds, making a total of 4.5 pounds.

The complaints indicated that the present allotment of 3.6 pounds is not always sufficient since wheat products and other foodstuffs are less available now than they had been at the beginning of the year, when this allotment was established.

Fishermen may wish to take advantage of this opportunity for obtaining more sugar by requesting the additional allotment from their Ration Board.



Treasury Department

PARTY BOAT FARES: All vessel owners planning to charter their vessels for party fishing or to transport fishing parties for hire, either on a total party or individual fee basis, are reminded of certain requirements to which they are subject under the Federal Internal Revenue Code.

Section 3469 of the Code imposes a tax at the rate of 15 percent of amounts paid for the transportation of persons. The tax applies to transportation by water, as well as by motor vehicle, rail, or air. Since the carrying of fishing parties by boat on fishing trips or to fishing grounds is "transportation" within the meaning of the Code, the tax applies to such transportation if the charge for the transportation is paid in the United States.

It is important to note that the tax applies only to amounts paid for transportation. Thus, when the amount or amounts paid for a fishing trip include charges for the use of fishing tackle, or a supply of bait, these charges, if reasonable and separable from the transportation charge proper, may be excluded from the total charge in determining the amount to which the tax applies.

The only exemption from the tax pertinent to this discussion is one which exempts transportation charges amounting to 35 cents, or less, per person. This means that if the total transportation charge made for each individual transported (that is, the total amount paid less reasonable charges for tackle or bait, when a separation of these charges is possible) amounts to 35 cents, or less, the tax does not apply. It does not mean that whenever the transportation charge made for each individual transported amounts to more than 35 cents, the first 35 cents may be excluded in computing the tax.

Vessels are frequently let out on charter for fishing purposes to persons or organizations for a fixed lump-sum amount. In these cases, if the amount paid for the charter of the vessel represents a per capita transportation charge of more than 35 cents for each individual actually transported on the trip (and provided no charge is made to such individuals by the person or organization chartering the vessel), that portion of the total amount paid for the charter which represents the transportation charge is subject to the 15 percent tax. If, on the other hand, the person or organization chartering the vessel makes a transportation charge to the individuals transported of more than 35 cents per person, the tax applies to these amounts and not to the lump sum paid for the charter.

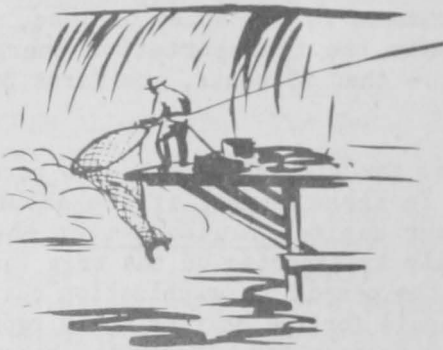
The law provides that the tax must be collected from the person making the taxable transportation payment by the person receiving the payment. The person receiving the payment is then required to report and pay over the tax each month to the collector of internal revenue for his district. The return form used for this purpose is Form 727, which can be secured from collectors' offices. The return must be prepared and filed in duplicate and, unless the amount of tax is \$10.00, or less, must be executed under oath. Where the tax is \$10.00, or less, the form may be signed or acknowledged before two witnesses instead of under oath. The return must be filed on or before the last day of the month following the month for which it is made. All persons required to file returns and report the tax must keep accurate records to enable internal revenue officers to verify the liability reported on their returns.

This notice is for informational purpose only and does not have the effect of law, regulation, or official ruling. Its purpose is only to place vessel owners on notice as to their possible obligations under the internal revenue laws. All vessel owners desiring further information in regard to the tax are referred to the collector of internal revenue for their district and to the pamphlet entitled "Regulations 42 (1942 Edition), Relating to Taxes on * * * Transportation of Persons" issued by the Bureau of Internal Revenue of the U. S. Treasury Department.



FRESH-WATER FISHERY RESOURCES

When the average man speaks of "fishing," he has in mind a fresh-water stream or lake. These bodies of water individually contain rather small populations of fishes; but all the streams and creeks, lakes and ponds in the United States add up to a vast quantity of water, and the fish in them to a tremendous total in pounds of food.



Commercial fresh-water fisheries outside the Great Lakes are carried on by a large number of individuals, most of them operating on a very small scale from day to day. The production per man by these fishermen is small, but according to the last statistical survey made (in 1931), the sum of all their efforts runs close to 85 million pounds of fish a year. They operate with all kinds of gear--with gill nets, fyke nets, traps, haul seines, hook and line, spears, and many other, less conventional apparatus.

As impressive as these commercial fisheries may be, anglers fishing for recreation take a very much larger total from our fresh waters than do the commercial fishermen.

It is estimated from the number of State licenses bought and from various other sources that in the year ending June 30, 1943, at least 12 million people took advantage of our recreational fishing resources.