



Department of Commerce

NATIONAL PRODUCTION AUTHORITY

TIN ALLOCATIONS INCREASED TO PROVIDE FOR CANNING OF PERISHABLE FOODS: To provide for the canning of perishable foods and for other essential purposes, the National Production Authority on March 12 placed all domestic users of pig tin under allocation control effective May 1, and made a temporary, seasonal increase in tin allocations in the second quarter (Amendment 3 to NPA Order M-8).

At the same time NPA also designated the Reconstruction Finance Corporation as the sole importer of tin in the country. This should result in more orderly arrangements for acquiring tin needed in the United States, NPA said. This country normally uses about half of the tin produced in the world.

NPA explained that the second quarter increases in use allocations were made primarily to provide supplies of tin plate and terneplate for the canning industry, which must pack perishable farm crops that begin coming to market in May. This action assures cans for the spring and summer food pack, as the farmers harvest their crops. NPA indicated that the percentages of permitted use of tin would be dropped back to about 80 percent or less in the third quarter.

Amendment 3 to NPA Order N-8 permits tin plate and terneplate manufacturers to increase temporarily their use of pig tin to 95 percent of their monthly base period use during the second quarter. All other users of pig tin are permitted 90 percent of their monthly base period use during the second quarter. The base period is the first six months of 1950.

Under the previous tin conservation order (M-8)^{1/} all users of pig tin were restricted to 100 percent of their base period use in January, and 80 percent in February and March.

^{1/}SEE COMMERCIAL FISHERIES REVIEW, MARCH 1951, P. 49; FEBRUARY 1951, P. 81.

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CANNED PRODUCTS FOR USE BY ARMED FORCES EXEMPTED FROM METAL CAN ORDER: The National Production Authority on March 16 amended the metal can specification and limitation order (M-25)^{1/} to exempt the Armed Services from restrictions pertaining to the canning of products for use overseas.

This action will provide the additional packaging protection required by the military forces for canned products used overseas and subject to adverse handling conditions. NPA explained that the plate specifications of the original order (M-25) were based on customary conditions of storage and handling within the United States.

^{1/}SEE COMMERCIAL FISHERIES REVIEW, FEBRUARY 1951, PP. 79-81.

This amendment permits the packing of products having a DO rating in whatever types of metal containers may be specified by the Armed Services, provided these products are for use by the Armed Services outside the 48 States and the District of Columbia.

Restrictions of Order M-25 still apply to all other orders, including those with DO ratings, if they are not intended for overseas military use.

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FOOD CANNERS ABLE TO INCREASE PACK IN CERTAIN CASES: Under "automatic" base-period adjustment provisions of its containers order,¹ announced on March 12 by the National Production Authority, canners of food and other products will be able to increase their pack in certain cases where undue hardship would result under base-period provisions of the order.

Perishable foods (including fishery products) are permitted an unlimited pack, and the March 12 action (Direction 1 to NPA Order M-25) does not change this original provision of the order.

However, NPA explained that it has received a number of requests for adjustments under NPA Order M-25 which regulates the use of metal cans by the packing industry. Under this order the pack of all products, except perishable foods, is regulated in accordance with the base-period pack of such products. The base period is the corresponding quarter of 1949 or 1950.

Many of the applications for adjustment of the base period represent problems common to the industry and Direction 1 to NPA Order M-25 permits all packers to make their own readjustments in the following cases:

1. Where the base period is inapplicable because a particular product was not packed during the base period, or was packed during only a part of the base period.

In this case, packers are permitted to add up their entire pack of a certain product during either 1949 or 1950, divide that by the number of months in which the product was packed to obtain a monthly average, and then multiply by three to get their quarterly average. The quarterly average so obtained may be used as the base period for this particular product, until the packer is otherwise notified by NPA.

2. Where the base period is inapplicable because the pack of a certain product during the base period was less than the customary volume of packing of that particular product.

In this case, packers are permitted to add up their entire pack of a certain product during either 1949 or 1950, divide this by the number of months in which the packing took place to get the average monthly pack, and then multiply this by three to get their quarterly average. The quarterly average so obtained may be used as their base period for this particular product until notified otherwise by NPA.

3. Where there were shut downs of more than 15 consecutive days during the base period.

¹/SEE COMMERCIAL FISHERIES REVIEW, MARCH 1951, P. 49; FEBRUARY 1951, PP. 79-81.

In this case, packers are permitted to add up their pack of a particular product during either 1949 or 1950, excluding the month or months in which any shutdown of 15 consecutive days or more occurred. They then divide this by the number of months in which there was no shutdown to obtain their monthly average, and multiply this by three to obtain their quarterly average. This quarterly average may be used as the base period for determining their pack of this particular product until notified otherwise by NPA.

NPA said that Order M-25 specifically provides that cans made wholly of black plate (which does not contain tin) are not subject to restriction. Therefore, these cans should be excluded in the computations in making the base period adjustments. However, cans made in whole of tin plate or terneplate, or a combination of tin plate and black plate or terneplate and black plate, should be included in the computations. To aid packers in making their own adjustments, Direction 1 gives specific examples of how these base period adjustments may be made in typical cases.

Packers who readjust their base-period-use averages under Direction 1 are required to continue to use during succeeding quarters of 1951 whatever adjustment they elect to use during the first quarter of 1951, until otherwise ordered by NPA. They are also required to prepare and retain detailed written records of the facts relating to the readjustment and to make the records available for audit by NPA when requested to do so.

NPA said that cases not covered by Direction 1 that have been submitted to NPA for adjustment will be subject to NPA rulings, and that any packer who wishes to file an application for adjustment not covered by the Direction may do so by submitting form NPAF-38, "Cans: Users Application for Adjustment or Exception." Copies of the form may be obtained from Department of Commerce field offices.

However, all packers are permitted to make their own base-period-use adjustments in line with Direction 1 whether or not they have filed an application for adjustment with NPA.

Previous restrictions of NPA Order M-25 specifying the amount of pack, as related to the base-period use, of various types of products, and the quality of tin plate, terneplate, or black plate that may be used for each, remain in effect.

Further information may be obtained from Department of Commerce field offices.

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SIMPLIFICATION AND USE OF GLASS CONTAINERS: An order (M-51) prohibiting new designs in glass containers after March 31 was announced by the National Production Authority. Means for establishing simplified styles of glass containers, if such action becomes necessary to achieve additional production, is also provided in the order.

Order M-51 is intended to avoid wasting the industry's production capacity because of the heavy demand for glass containers arising from limitations placed on use of tin in packaging containers.

If necessary to secure more production, NPA may under the new order require the packaging of specified products in simplified glass containers. Should such end-use restrictions be put in effect, through the later addition of a schedule to M-51, a conversion period will be permitted.

NOTE: COPIES OF REGULATIONS, NOTICES, PRESS RELEASES, ETC., ISSUED BY THE NPA ARE AVAILABLE FROM THE NATIONAL PRODUCTION AUTHORITY, DEPARTMENT OF COMMERCE, WASHINGTON 25, D. C., OR FROM DEPARTMENT OF COMMERCE FIELD OFFICES.

Defense Transport Administration

DOMESTIC CIVILIAN TRANSPORTATION REQUIREMENTS PROGRAMS SUBMITTED TO NPA: The Defense Transport Administration announced March 19 that it had completed and forwarded to the National Production Authority programs covering domestic civilian requirements for the year 1951 for new trucks and truck tractors; truck trailers; automotive replacement parts; and other public transportation facilities.

The submission of these programs follow the completion of intensive studies into the numbers of the various kinds of transport equipment now in operation, average ages, obsolescence, and prospective increases in traffic resulting from the expansion in the civilian economy and the program of mobilization for defense,



Economic Stabilization Administration

OFFICE OF PRICE STABILIZATION

CONTRACTS TO SELL FOR FUTURE DELIVERY: Contracts to sell for future delivery are now permissible under Amendment 6 to the General Ceiling Price Regulation issued by the Office of Price Stabilization on March 16.

The change allows sellers to offer a commodity or service for future delivery at the ceiling price in effect at the time of delivery or, if a fixed price is specified, at the fixed price or the ceiling price in effect at the time of delivery, whichever is lower.

In many cases "tailored" regulations, designed for particular industries, are now in preparation and will permit sellers to deliver commodities or services at ceiling prices different from those established under the General Ceiling Price Regulation. OPS officials explained that this action was taken in order that offers and contracts to sell for future delivery will not be impeded while the tailored regulations are under consideration. It was pointed out, however, that this change does not permit a seller to deliver a commodity or service at a price to be adjusted subsequent to delivery.

This amendment applies only to those commodities and services covered by the General Ceiling Price Regulation. It does not apply to any commodity or service for which a ceiling price is established by any other regulation or order of the Director of Price Stabilization in effect at the time the offer or contract is made.

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Ceiling Price Regulation, Amdt. 6]

GCPR, AMDT. 6—CONTRACTS TO SELL FOR FUTURE DELIVERY

AMENDATORY PROVISION

The General Ceiling Price Regulation is amended as follows:

Section 22 is amended by adding to the paragraph defining the word "sell" the following sentence: "Nothing in this regulation shall be construed to prohibit the making of a contract or offer to sell a commodity or service at (a) the ceiling price in effect at the time of delivery or

(b) the lower of a fixed price or ceiling price in effect at the time of delivery."

Effective date. This amendment shall become effective March 19, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization

MARCH 16, 1951.

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FISH MEAL AND SOLUBLES PRICE CEILING REGULATION RECOMMENDED: Adoption of a price ceiling regulation tailored to its specialized needs by April 1 was recommended today by the Fish Meal and Fish Solubles Manufacturers Industry Advisory

Committee in its first meeting with Office of Price Stabilization officials, according to a March 20 announcement by OPS.

Committee spokesmen emphasized that the industry is seasonal in nature and its regulation should be issued before the new fishing season starts in April.

The Industry's products mostly go into the commercial manufacture of feed used by farmers.

Industry members said the proposed regulation should take into account price relationships with competing products, such as meat scraps, and the relationship of prices within the industry between the east and west coasts.

Members of the industry advisory committee are:

Moses Pike, President
Associated By-Products Company
Eastport, Maine

Howard Sturgis, Manager
By-Products Department
Gorton-Pew Fisheries Limited
Gloucester, Massachusetts

Sidney Feener
Aberjona Division
General Foods Corporation
Woburn, Massachusetts

George Wallace, President
Wallace Fisheries
700 Evans Street
Morehead City, North Carolina

Edw. J. Robel, Manager
Menhaden Fish Meal Company
Baltimore, Maryland

Thomas A. Barber
J. Howard Smith Company
Monmouth, New Jersey

R. C. Hayes
Consolidated Fisheries
Lewes, Delaware

Wallace M. Quinn, President
Quinn Menhaden Fisheries Inc.
Fernandina, Florida

H. R. Humphreys, Jr., Manager
White Stone Products Company
White Stone, Virginia

Malcolm Goldie, Sales Manager
Van Camp Sea Food Company
Terminal Island, California

Charles Hester, Vice President
Pacific Processing Company
704 S. Spring Street
Los Angeles, California

A. H. Mendonca, President
F. E. Booth Company, Inc.
San Francisco, California

Lief Ericksen
Chatham Strait Fish Company
2408 Commodore Way
Seattle 99, Washington

Donald Saxby
California Packing Corporation
San Francisco, California

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FROZEN TUNA FOR CANNING NOT "FRESH FISH" The question was presented to the Office of Price Stabilization as to whether or not tuna and tuna-like fish that have been frozen for canning could be considered "fresh fish" pursuant to Section 4 (s) (8) of the General Ceiling Price Regulation issued January 26, 1951. An interpretation issued by that agency on March 2 states that tuna and tuna-like fish that have been frozen are not considered "fresh fish" and, therefore, come under the general freeze on prices which took place with the issuance of the General Ceiling Price Regulation.

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RECORD-KEEPING REQUIREMENTS OF PRICE CONTROL PROGRAM: OPS's Assistant Director of Enforcement on March 18 directed his field investigating staff to begin an immediate nationwide check to make sure that manufacturers and wholesalers are keeping full price schedules and records required by the price control program.

Evidence already received indicates there is widespread non-compliance with the record-keeping requirements of OPS, the Assistant Director reports.

All regional and district offices are soon to receive a manual outlining in detail exactly what records must be kept by manufacturers and wholesalers in order to comply with the law. This manual will be followed up by a second booklet dealing with retail merchants' record requirements. An investigation of retailers was expected to begin on a nationwide basis sometime after March 22, the date the record requirements become effective.

OPS regional and District offices now are staffed with personnel qualified to "answer questions pertaining to OPS regulations and assist all persons in connection with the preparation of records and statements."

The record-keeping requirements that must be fulfilled by wholesalers and retailers by March 22 were outlined by OPS as follows:

1. The seller must preserve all records in his possession showing the prices charged for all commodities or services delivered or offered for delivery during the period December 19, 1950, to January 25, 1951, and (as to wholesalers or retailers only) records establishing the latest net cost incurred by the seller prior to the end of that period with respect to each such item.
2. Each seller must prepare a statement showing the categories of commodities or services in which he made deliveries or offers for delivery during that period. The "categories" referred to are such general groupings as "infants' wear," "bedroom furniture," "hand tools," "cosmetics and toiletries," etc.
3. Each seller must prepare a ceiling price list listing and describing in detail (by model, type, style and kind) each separate item and each separate service delivered or offered for delivery by him during that period, together with a statement of the ceiling price for each such item as determined by reference to the highest price charged during that period.
4. Each seller must also prepare a statement of his customary price differentials and terms and conditions of sale and different classes of purchasers which were in effect during the same base period, that is, December 19, 1950 to January 25, 1951.
5. Each seller must also continue to prepare and preserve all records of the kind which he customarily kept showing the prices charged for all commodities or services, and he must also prepare records indicating the basis upon which his ceiling prices have been determined, as required by the regulation, for commodities or services not sold by him during that base period. With respect to retailers alone, they are required to preserve all purchase invoices and to record on them their initial selling prices for the item or items covered by the invoice and the section of the regulation under which their ceiling price or prices for these items were determined.

NEW BASE PERIOD PLANNED FOR CONTROLLING PRICES OF IMPORTS AT WHOLESALE AND RETAIL: Provisions of a tentative regulation which would set up special pricing standards for all imported commodities, except those specifically classified as "essential" or "strategic," were discussed on March 16 by the officials of the Office of Price Stabilization and the agency's new Import Industry Advisory Committee.

The new regulation, expected to be issued soon, would establish a new base period for controlling prices of imports at both the wholesale and retail level.

Prices of imported commodities now are controlled by the General Ceiling Price Regulation at the highest level they reached between December 19, 1950, and January 25, 1951--the base period established under the GCPR. Committee members said this base period was not "broad enough" for the import trade because of long shipping distances and the fact that most import contracts are made far in advance of delivery dates.

Importers' representatives asked OPS officials for quick action on the proposed new regulation. They said the general price freeze had "stymied" their business to such an extent that imports had fallen off "drastically" during the last two months.



Interstate Commerce Commission

FREIGHT RATES INCREASED FOR 1951: As a result of the railroads' request for increases in freight rates and charges on an interim basis, the Interstate Commerce Commission on March 12 made the following authorizations in Ex Parte No. 175:

Except as otherwise provided in these findings, all basic freight rates and charges of petitioning railroads, including rates and charges for the transportation of milk and cream in passenger or freight service (including commodities listed in the milk and cream tariffs), may be increased 4 percent within eastern territory, 2 percent within southern territory, 2 percent within western territory, and 2 percent interterritorially between the three territories.

The following are important exceptions to the above affecting the fishery industries:

Carload shipments of canned or preserved food products (not cold-pack or frozen) in packages, as specified in Item 490 of Tariff X-162-B, may be increased as provided in the above paragraph, subject to a maximum of 2 cents per 100 pounds.

No increase is authorized in the charges for protective services published in Perishable Protective Tariff No. 15, Agent Quinn's I.C.C. No. 26.

No increase is proposed or authorized in charges for demurrage on freight cars.

No increase is proposed or authorized in charges for handling, loading or unloading, export, import, coastwise, or inter-coastal traffic which do not affect the measure of the line-haul rate and are not in addition to the line-haul rate.

Latest advices indicate that the railroads were endeavoring to make the authorized increases effective April 4.

These authorizations are made by the Interstate Commerce Commission on an interim basis and the proceedings will be held open for further hearings.



Eighty-Second Congress (First Session)

MARCH 1951

Listed below are public bills and resolutions introduced and referred to committees, or passed by the Eighty-Second Congress (First Session) and signed by the President, that affect in any way the fisheries and allied industries. Public bills and resolutions are shown in this section only when introduced and, if passed when they are signed by the President. The more pertinent reports, hearings, or chamber actions on some of the bills shown in this section from month to month are also listed.

BILLS AND RESOLUTIONS INTRODUCED:

Chemicals in Food Products: H. R. 3257 (Miller of Nebraska) - A bill to amend the Federal Food, Drug, and Cosmetic Act, as amended, by providing for the regulation of chemical additives in food; to the Committee on Interstate and Foreign Commerce.

Collisions at Sea: S. 1182 (Johnson of Colorado) - A bill to authorize the President to proclaim regulations for preventing collisions at sea; Committee on Interstate and Foreign Commerce.

Commercial Fisheries Activities Transfer: S. 1141 (O'Connor, for himself and 14 other Senators) - A bill to expand the activities of the Department of Commerce in accordance with the recommendations of the Commission on Organization of the Executive Branch of the Government. (Includes the transfer to the Secretary of Commerce of "all functions of the Secretary of the Interior and the Department of the Interior in relation to commercial fisheries.")

Also: H. R. 3310 (Hoffman of Michigan)...to the Committee on Interstate and Foreign Commerce.

Department of Agriculture Reorganization Includes Food Products Regulatory Functions: H. R. 3308 (Hoffman of Michigan) - A bill to provide for the reorganization of the Department of Agriculture in accordance with the recommendations of the Commission on Organization of the Executive Branch of the Government; to the Committee on Agriculture. (Included is a directive to the Secretary of Agriculture that in conjunction with the Federal Security Administrator and Federal Trade Commission a study be conducted of the "diverse requirements and procedures and overlapping authority of the various Federal agencies in connection with the exercise of regulatory functions with respect to food products and drugs, with a view to submission to the Congress of a plan for placing regulatory functions respecting food products under the Department of Agriculture and those respecting drugs under the Public Health Service.)

Also: S. 1149 (Aiken and 12 other Senators)...to the Committee on Expenditures in the Executive Department.

ECA Amendment: S. 1164 (Cnavey) - A bill to extend the provisions of the Economic Cooperation Act of 1948

so as to make them applicable to any nation friendly to the interests of the United States, and to transfer certain certain programs and agencies of the Federal Government to the Economic Cooperation Administration, and for other purposes; to the Committee on Foreign Relations.

Fish and Wildlife Conservation in Military Reservations: H. R. 3233 (Sikes) - A bill to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations; to the Committee on Armed Services.

Foreign Trade Agreements Authority: S. 1122 (Malone) - A bill to terminate the authority of the President to enter into foreign trade agreements under section 350 of the Tariff Act of 1930, as amended; to the Committee on Finance.

Foreign Trade Agreements "Escape Clause": S. 1040 (Malone) - A bill to provide for the inclusion in all existing foreign trade agreements of an effective "escape clause;" to the Committee on Finance.

General Ceiling Price Regulation Amendment: S. Res. 93 (Williams, for himself, and four other Senators) - Resolved, That the Director of Price Stabilization is requested to amend section 11 of the General Ceiling Price Regulation so that its provisions will not under any circumstances accord sellers greater than their normal margins of profit.

Tidelands Jurisdiction: H. R. 3300 (Rankin) - A bill to confirm and establish the title of the States to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources; to the Committee on the Judiciary.

Also: S. 940 (Holland and 34 Senators)...to the Committee on Interior and Insular Affairs.

Transportation Tax Exemption for Fishing Boats: H. R. 1607 (Boogs of Delaware) - A bill to amend section 3469 (b) of the Internal Revenue Code to provide that the tax imposed on the transportation of persons shall not apply to transportation on boats for fishing purposes; to the Committee on Ways and Means.

Also: S. 955 (O'Connor)...to the Committee on Finance.

Water Pollution Control Act Amendment: H. R. 3360
 (Fulton) - A bill to encourage the prevention of stream pollution by allowing amounts paid for plants for the treatment of industrial waste as a deduction in computing net income; to the Committee on Ways and Means.

The following is an additional bill introduced during February and not previously reported in this section:

Sea Lamprey Investigations Appropriations: H. R. 2995
 (Potter) - A bill to amend the joint resolution of August 8, 1946, as amended, with respect to appropriations authorized for the conduct of investigations and studies thereunder; to the Committee on Merchant Marine and Fisheries. (Indicates that the cost of investigations and studies of the sea lampreys of the Great Lakes by the Fish and Wildlife Service shall not exceed "\$359,000 for the first year, \$216,000 for the fiscal year ending June 30, 1951, and \$500,000 for each of the five succeeding fiscal years.")

CONGRESSIONAL HEARINGS:

Printed proceedings of Congressional hearings of interest to the fishery and allied industries (available only from the committee holding the hearings):

Trade Agreements Extension Act of 1951 (Hearings before the Committee on Finance, United States Senate, Eighty-second Congress, First Session, on H. R. 1612, an act to

extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes). Part 1 - Hearings held on February 22, 26, 27, 28, March 1, 2, 5, 6, 7, 8, 12, 13, 1951, 999 p., printed; and Part 2 - Hearings held on March 16, 19, 20, 21, 22, April 3, 4, 5, and 6, 1951, 455 p., printed. This report contains all the statements and data submitted to the Committee on the Trade Agreements by Federal agencies and members of industry. It includes the testimony and information presented by members of the fishery and allied industries who testified as to the affect of these Agreements on the Nation's fisheries.

CONGRESSIONAL REPORTS:

Committee reports on bills reported in this section of interest to the fishery and allied industries (available only from the committee submitting the report):

Prohibiting the Sale in the District of Columbia of Rockfish Weighing more than 15 Pounds, Senate Report No. 167 (March 14, 1951, 82nd Congress, 1st Session), 2 p., printed, pursuant to S. 41 (82nd Cong., 1st Session), prohibiting the sale in the District of Columbia of rockfish weighing more than 15 pounds for the purpose of making a uniform protective law within the District of Columbia for the conservation of this species in connection with similar conservation laws in the adjoining States. Committee recommended passage of the bill.

