

## Department of Commerce

CODE ON IMPORT AND EXPORT CONTROLS PROPOSED AT RECENT SESSION OF GATT: Substantial relief for all foreign traders from uncertainties and undue hardships arising from operation of the present systems of import and export controls of various countries is the objective of a major recommendation adopted at the recent session of the Contracting Parties of the General Agreement on Tariffs and Trade (GATT) at Torquay, England, according to an announcement by the Office of International Trade of the Department of Commerce. This code of standard practices, which is based upon a proposal by the U. S. Delegation, in the light of experiences reported by American exporters to the Department of Commerce, was made public December 27, 1950, at Geneva, and released simultaneously in Washington.

The representatives of the 29 Contracting Parties participating in the session recommended that, unless there are clear and overriding considerations to the contrary, governments should whenever possible be guided by this proposed code in the application of their import and export licensing systems, exchange controls, and like measures.

Ultimate elimination of quantitative trade restrictions and exchange controls is one of the primary objectives of the GATT and of the International Monetary Fund. For so long as it is necessary that such measures be maintained, however, the representatives of the countries assembled at Torquay agreed that it is important to reduce the uncertainties and hardships to merchants resulting from varying and unpredictable operation of such controls.

They believed that if the following standard practices were adopted by governments whenever possible, they would make a valuable contribution to the fulfillment of the objectives of the General Agreement, without weakening the essential effectiveness of the measures of control. It was urged that, in addition to meeting the complaints of the traders, general adoption of such practices would also minimize the accumulation of international commercial debts, and would avoid abrupt interruptions in the flow of commodities between countries.

The standard practices in this field recommended by the Torquay Conference for general adoption are:

1. The grant of an import license should imply that the necessary foreign exchange will be obtainable if applied for within a reasonable time. When both import licenses and exchange permits are required, the operation of the two requirements should be coordinated. If more than one rate of exchange applies in payment for imports, the import license or exchange permit should indicate the type of exchange which will apply in the settlement of the particular transaction.

2. Any new or intensified restrictions on impor-

tion or exportation should not apply to goods shown to the satisfaction of the control authority to have been en route at the time the change was announced or to have been paid for in substantial part or covered by an irrevocable letter of credit.

3. Goods proven to have been covered by adequate confirmed prior order at the time new or intensified restrictions are announced, and not marketable elsewhere without appreciable loss, should receive special consideration on an individual case basis, provided their delivery can be completed within a specified

period. Such goods, as well as those covered under paragraph 2, should be accountable against any import or export quota or exchange allocation that may have been established for that particular class of goods.

4. The administrative formalities in connection with the issuance of import and export licenses or exchange permits should be designed to allow action upon applications within a reasonably short period. A license or permit should be valid for a sufficient period to allow for the production and delivery of the goods, taking into account the character of the goods and the conditions of transport from the country of origin. The control authorities should not withdraw licenses or permits unless they are satisfied that the exceptional circumstances necessitate such action, and should give sympathetic consideration to requests for renewal or revalidation of licenses or permits when exceptional circumstances prevent their utilization within the original period.

5. Under a system involving the fixing of quotas for particular classes of goods or of allocations of exchange in payment for them, any period that may be set, within which applications for such quotas of allocations must be made, should be sufficient to allow for the exchange of communications with likely foreign suppliers and the conclusion of purchase contracts.

6. When foreign products subject to quantitative

limitations are apportioned among importers largely in the light of their past participation in the trade, the control authorities, at their discretion and without undue prejudice to the interests of established importers, should give consideration to requests for licenses or permits submitted by qualified and financially responsible newcomers.

7. If an assurance regarding the issue of an import license is required as a condition of consular legalization of shipping documents in the country of exportation, a reliable communication giving the number of the import license should suffice.

8. The authority given to customs officials should be adequate to allow them, at their discretion, to grant reasonable tolerance for variations in the quantity or value of individual shipments as delivered from that specified in the prior import or export authorization, in accordance with the character of the product involved and any extenuating circumstances.

9. Where, owing to exceptional and unforeseen balance-of-payment difficulties, a country is unable to provide foreign exchange for imports immediately payment becomes due to the supplier, transfers of foreign exchange in respect of goods already imported or licensed for importation should have priority over transfers in respect of new orders, or should at least have a definite and equitable share of the total amounts of foreign exchange currently available for imports.

#### NATIONAL PRODUCTION AUTHORITY <sup>1/</sup>

COPPER PROHIBITED IN EXTENSIVE LIST OF LESS-ESSENTIAL ITEMS: To conserve copper vitally needed for defense, an order governing the use of copper in the manufacture of a wide range of products, starting March 1, was issued December 30 by the National Production Authority. Use of copper was prohibited in an extensive list of less-essential items (excluding repair parts) by Amendment 1 to Order M-12.

The order does permit the use of copper generally, however, "where it serves a functional purpose and where no practical substitute is available."

The fishing industry will note with interest that commercial fishing vessels receive the same consideration as other essential vessels in the permitted use of copper for "furnishings, fittings, and fixtures when located within the sphere of the magnetic compasses; and builders' hardware, building materials, and snap hooks where the properties supplied by copper are essential and satisfactory substitutes are not available." Also recognized is the need of copper for marine lighting fixtures and for commercial fishing equipment and supplies.

"This action was taken to provide copper for defense and defense-supporting needs," the NPA Administrator said. "Although everything possible is being done to increase production, there is not enough copper to meet our expanding defense needs and to supply all civilian demands."

The order provides copper cannot be used in certain less-essential items, but it does not forbid the manufacture of the article itself. In many cases manufacturers will be able to use substitute materials.

<sup>1/</sup>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.

Manufacturers are permitted to complete and sell affected items if they were in the process of manufacture on or before March 1 and are completed not later than April 30. The order provides, through appeals procedures, for adjustments and exceptions where undue hardship occurs.

Contained in the order is a list (List A) of articles in which no form of copper may be used beginning March 1. The list includes items in the following categories: Builders' hardware, building materials, burial equipment, clothing and dress accessories, furniture and fixtures, hardware, home furnishings and equipment, household appliances, jewelry, gifts and novelties, miscellaneous articles, motor vehicles, and passenger transportation equipment.

Previous NPA actions designed to effect savings in the use of copper prior to March 1, remain in force. Manufacturers are permitted, during January and February, to use 85 percent of the average monthly amount of brass mill and wire mill products they used during the first six months of 1950, but they are permitted to use copper in foundry products at the same quarterly rate as they did during the first six months of 1950.

Parts of the text of the amendment to order M-12 of interest to the fishery and allied industries follow:

**PART 29—COPPER AND COPPER-BASE ALLOYS**  
**SUBPART B—USE OF COPPER AND COPPER-BASE ALLOYS**

- 29.30 Inventories.
- 29.31 Applications for adjustment.
- 29.32 Records and reports.
- 29.33 Communications.
- 29.34 Violations.
- 29.35 List A.

**AUTHORITY:** §§ 29.21 to 29.35 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, F. R. 6105.

This amendment to NPA Order M-12, dated November 29, 1950, is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950. In the formulation of this Order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of this Order has been rendered impracticable due to the necessity for immediate action and because the Order affects a large number of different trades and industries.

This amendment affects NPA Order M-12 as follows: Paragraph (c) of § 29.23 is revised; a new § 29.27 is added and present §§ 29.27 through 29.33 are redesignated §§ 29.28 through 29.34; references to §§ 29.27 and 29.28 are changed to read "§ 29.28" and "§ 29.29", respectively, whenever they occur; a new § 29.35 List A is added.

As amended, Order M-12 is revised to read as follows:

- 29.21 What this subpart does.
- 29.22 Definitions.
- 29.23 Copper forms and products to which this subpart applies.
- 29.24 Application of subpart.
- 29.25 Production of brass mill products, copper wire mill products and foundry products.
- 29.26 Use of copper forms and products.
- 29.27 Use of copper in manufacture and construction.
- 29.28 Maintenance, repair and operating supplies.
- 29.29 Exemptions.

§ 29.21 *What this subpart does.* The purpose of this subpart is to describe how the copper remaining after allowing for the requirements of national defense may be distributed and used in the civilian economy. It is the policy of the National Production Authority that copper and articles made of copper, not required to fill rated orders, shall be distributed equitably through normal channels of distribution, and that due regard shall be given by suppliers to the needs of new and small business. It is the intent of this subpart that other materials which are not in short supply shall be substituted for copper and copper-base alloy wherever possible.

§ 29.22 *Definitions.* As used in this subpart:

- (a) "Person" means any individual, corporation, partnership, association or any other organized group of persons and includes any agency of the United States or any other government.
- (b) "Base period" means the six-months period ending June 30, 1950.
- (c) "Manufacture" means to put into process, machine, incorporate into products, fabricate or otherwise alter the forms and products of copper defined in § 29.23 by physical or chemical means, and includes the use of copper in plating.
- (d) "Maintenance" means the minimum upkeep necessary to continue a building, machine, piece of equipment or facility in sound working condition, and "repair" means the restoration of a

building, machine, piece of equipment or facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like: *Provided, however,* Neither maintenance nor repair includes the improvement of any such item with materials of a better kind, quality or design.

(e) "Operating supplies" means any copper or copper-base alloy forms or products listed in § 29.23 which are normally carried by a person as operating supplies according to established accounting practice and are not included in his finished product, except that materials included in such product which are normally chargeable to operating expense may be treated as operating supplies.

§ 29.23 *Copper forms and products to which this subpart applies.* This subpart applies to the following forms and products of copper: Copper, copper-base alloy, brass mill products, copper wire mill products, and foundry copper products and copper-base alloy products. For the purpose of this subpart, these items are defined as follows:

- (a) "Copper" means unalloyed copper. (It includes electrolytic copper, fire refined copper and all unalloyed copper in any form including scrap.)
- (b) "Copper-base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40 percent of the total weight of the alloy. (It shall include fired and demilitarized cartridge and artillery cases, and all copper-base alloy, as specified above, in any form including scrap.) It does not include alloyed gold produced in accordance with U. S. Commercial standard CS67-38.
- (c) "Brass mill product" means sheet, including strip and plate; rod, including bars, forgings (rough as forged), and ex-

truded shapes; wire; or tube, including pipe; made from copper or copper-base alloy. This does not include copper wire mill products.

(d) "Copper wire mill product" means bare wire, insulated wire and cable whatever the outer protective coverings may be, and uninsulated wire and cables, where the conductors are made from copper, copper-base alloy, or copper clad steel containing over 20 percent copper by weight. All copper wire mill products should be measured in terms of pounds of copper content.

(e) "Foundry products" means cast copper and copper-base alloy shapes or forms suitable for ultimate use without remelting, rolling, drawing, extruding or forging. (Includes the removal of gates, risers and sprues, and sandblasting, tumbling, or dipping, but excludes any further machining or processing.)

§ 29.24 *Application of subpart.* Subject to the exemptions stated in § 29.29, this subpart applies to all persons who produce brass mill products, copper wire mill products or foundry products as listed in § 29.23, or who use any of the forms and products of copper defined in paragraphs (a), (b), (c), (d), and (e) of § 29.23 for the purpose of manufacture, use in installation or construction, or for maintenance, repair or operating supplies. This subpart does not apply to persons who use copper or copper-base alloy in the production of other metals or metal alloys.

§ 29.25 *Production of brass mill products, copper wire mill products and foundry products.* Subject to the exemptions stated in § 29.29, or unless specifically directed by the National Production Authority:

(a) No person shall produce during the following months a total quantity by weight of brass mill products and copper wire mill products in excess of the percentages specified with respect to each month of his average monthly production of such products during the base period:

	Percent
January, 1951.....	85
February, 1951.....	85
March, 1951.....	80

(b) During the calendar quarter commencing on January 1, 1951, no person shall produce a total quantity by weight of foundry products in excess of 100 percent of this average quarterly production of foundry products during the base period.

§ 29.26 *Use of copper forms and products.* Subject to the exemptions stated in § 29.29, or unless specifically directed by the National Production Authority, no person shall manufacture, or use in installation or construction:

(a) During December 1950, a total quantity by weight of the forms and products of copper defined in paragraphs (a), (b), (c), (d) and (e) of § 29.23 in excess of 100 percent of his average

monthly use of such material in October and November 1950.

(b) During the following months a total quantity by weight of the forms and products of copper defined in paragraphs (a), (b), (c), and (d) of § 29.23 in excess of the percentages specified with respect to each month of his average monthly use of such material during the base period:

	Percent
January, 1951.....	85
February, 1951.....	85
March, 1951.....	80

(c) During the calendar quarter commencing on January 1, 1951, a total quantity by weight of foundry products in excess of 100 percent of his average quarterly use of such products during the base period.

§ 29.27 *Use of copper in manufacture and construction.* (a) Commencing on March 1, 1951, copper in the forms and products defined in § 29.23 may not be used in the manufacture of any item included in § 29.35 (List A) except as indicated therein; *Provided, however,* That any such items may be completed if they were in the process of manufacture on or before March 1, 1951 and such completion is effected not later than April 30, 1951, and any such items so completed may be sold after April 30, 1951.

(b) During each of the months of January and February, 1951, subject to the limitations on use in manufacture stated in § 29.26, no person may use in the manufacture of the items on § 29.35 (List A) a total quantity by weight of the copper forms or products defined in paragraphs (a), (b), (c) and (d) of § 29.23 in excess of 85 percent, or of the foundry products defined in paragraph (e) of said section in excess of 100 percent, of his average monthly use of such material during the base period.

(c) Any person who uses in construction any brass mill product as such for any item included in § 29.35 (List A) may not accept delivery of or use such product for this purpose after April 30, 1951.

(d) The following items included in § 29.35 (List A) shall be exempt from the application of this section if they are used on vessels other than pleasure craft: (1) Furnishings, fittings and fixtures when located within the sphere of the magnetic compasses; and (2) builders hardware, building materials and snap hooks where the properties supplied by copper are essential and satisfactory substitutes not available.

(e) Commencing on March 1, 1951, no person may use: (1) In the manufacture of any item, including components and parts therefor, a greater quantity or better grade of the copper forms and products defined in § 29.23 than is necessary for the functional operation of such items; or (2) any such copper forms or products for decorative purposes.

(f) The exemptions contained in § 29.29 relating to the filling of rated orders and the use of small quantities of copper forms and products are not applicable to the items included in § 29.35 (List A).

§ 29.28 *Maintenance, repair and operating supplies.* Unless specifically directed by the National Production Authority, during the calendar quarter commencing on January 1, 1951, and each calendar quarter thereafter, no person shall use for maintenance, repair and operating supplies a quantity by weight of the forms and products of copper defined in paragraphs (a), (b), (c), (d) and (e) of § 29.23 in excess of 100 percent of his average quarterly use for such purposes during the base period.

§ 29.29 *Exemptions.* (a) The production of brass mill, wire mill and foundry products is permitted to fill rated orders, or to meet any mandatory order of the National Production Authority, in addition to the production permitted by the provisions of § 29.25.

(b) Copper forms and products defined in § 29.23 acquired with ratings or to meet a National Production Authority scheduled program may be used in addition to the quantities permitted by the provisions of §§ 29.26 and 29.28.

(c) The provisions of §§ 29.25, 29.26 and 29.28 do not apply to persons who use less than 1,000 lbs. of the copper forms and products defined in § 29.23 during any calendar quarter: *Provided, however,* That persons who by reason of the provisions of § 29.26 would be permitted to use less than 1,000 lbs. during any calendar quarter, may use during such period a quantity up to 1,000 lbs.

§ 29.30 *Inventories.* In addition to the provisions of Part 10 of this chapter (NPA Reg. 1) relating to Inventory Controls, it is considered that a more exact requirement applying to producers of brass mill products, copper wire mill products and foundry products, and to users of the copper forms and products defined in § 29.23 is necessary.

(a) No person producing brass mill products, copper wire mill products or foundry products may receive or accept delivery of copper or copper-base alloy if his inventory is, or by such receipt would become, in excess of that necessary to meet his deliveries or supply his services on the basis of his scheduled method and rate of operation pursuant to this subpart during the succeeding 45-day period, or in excess of a "practicable minimum working inventory" (as defined in Part 10 of this chapter (NPA Reg. 1)), whichever is less.

(b) No person obtaining copper forms or products defined in § 29.23 for use in manufacture, installation or construction, or for maintenance, repair or operating supplies, may receive or accept delivery of a quantity of such forms and products if his inventory is, or by such receipt would become, in excess of that necessary to meet his deliveries or sup-

his services on the basis of his scheduled method and rate of operation pursuant to this Order during the succeeding 60-day period, or in excess of a practicable minimum working inventory" (as defined in Part 10 of this chapter (NPA Reg. 1)), whichever is less.

(c) For the purpose of this section, copper forms and products defined in § 29.23, in which minor changes or alterations have been effected, shall be included in inventory. Part 10 of this chapter (NPA Reg. 1) will apply to all such forms and products except as modified by this section.

§ 29.31 *Applications for adjustment.* Any person affected by any provision of this subpart may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, because any provision otherwise works to undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or its enforcement against him would not be in the interest of the national defense or the public interest. In considering requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this subpart, consideration will be given to the requirements of the public health and safety, national defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, shall set forth pertinent facts and the nature of the relief sought, and shall state the justification therefor.

§ 29.32 *Records and reports.* (a) Persons subject to this subpart shall preserve the records which they have maintained of production, inventories, receipts, deliveries and uses of copper forms and products defined in § 29.23 commencing with January 1, 1950.

(b) Persons subject to this subpart shall make records and submit such reports to the National Production Authority as it shall require subject to the terms of the Federal Reports Act (Public Law 831, 77th Cong., 5 U. S. C. 139-139F).

§ 29.33 *Communications.* All communications concerning this subpart shall be addressed to the National Production Authority, Washington 25, D. C. M-12.

§ 29.34 *Violations.* Any person who willfully violates any provisions of this subpart or any other order or regulation of the National Production Authority or willfully conceals a material fact or furnishes false information in the course of operation under this subpart shall be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority allocation control and to deprive him of further priorities assistance.

§ 29.35 *List A. (See § 29.27.) The use of the forms and products of copper as defined in § 29.23 in the items listed under the descriptive sub-headings below (excluding repair parts) is prohibited except to the extent permitted by this order, or as specified on this list.*

#### BUILDERS HARDWARE

Butts, hinges and related items.  
Checking floor closers, overhead concealed semi-concealed and surface door closers (except gland nuts, regulating screw assemblies and fusible links).  
Closers, hanging brackets for.  
Closers, screen door.  
Cabinet hardware, including cabinet hinges.  
Hangers, track and related items including—  
Sliding door hardware  
Folding door hardware  
Sliding—Folding door hardware  
Folding Partition hardware  
Upward Acting door hardware  
Fire door hardware (except bearings and fusible links).  
Locks and lock trim (except that brass mill products may be used for cylinder assemblies and keys, for essential working parts of locks and and latches, for faces of locks and latches and for trim of cylinder lock sets).  
Sash, screen, transom, casement hardware and shelf hardware items.  
Spring hinges.  
Sash balances.  
Door holding devices.  
Kick plates.  
Push plates.  
Door pulls.  
Push bars.  
House numbers.  
Door knockers.  
Letter boxes.  
Nameplates.

#### BUILDING MATERIALS

Anchors and dowels (except safety anchors).  
Bands on pipe insulation.  
Bathtub enclosures and shower enclosures.  
Blinds, including fixtures and fittings (except where essential for operating parts).  
Caulking anchors.  
Cement flooring and composition flooring (except that crude arsenical copper precipitate may be used for flooring in hospital operating and anesthesia rooms, for places where explosives are handled or stored and for places where explosive vapors may be present).  
Chimneys and flues.  
Conduits (except for instrument assemblies).  
Cornices.  
Door sills.  
Door frames.  
Doors.  
Downspouts and accessories thereto.  
Drains (except strainer grids for showers and urinals).  
Drip pans.  
Elevators and escalators (except for worm gears and parts necessary for conducting electricity).  
Escutcheons and plates for floor, ceiling and wall use.  
Fences and gates.  
Food waste disposal units (except for current carrying parts, bearings and controls).  
Gratings.  
Grids (except for flooring in hospital operating rooms and anesthesia rooms, and for places where explosives are handled or stored and for places where explosive vapors may be present).  
Grilles and shields, including fresh air inlet boxes and radiator and convector enclosures.

Gutters and accessories thereto.  
Holdback hooks for curtains.  
I. P. S. waste nipples.  
Lavatory legs (excluding hospital types).  
Leaders and accessories thereto.  
Linoleum stripping.  
Louvres.  
Marquees.  
Metal siding.  
Mouldings for joining cabinet sinks.  
Ornamental metal work; including grille work, railings, and fittings.  
Pipe, I. P. S. and fittings (except for industrial process piping, chemical gas equipment, underground water and gas service connections and except for solder nipples, solder bushing and ferrules).  
Tube, tubing and fittings for interior piping systems or for lawn sprinkling systems. This restriction does not apply to the use of tube, tubing and fittings for underground water or gas service connections or for chemical gas equipment, and industrial process tube, tubing and fittings.  
Radiator covers and shields.  
Railings and fittings.  
Reglets, moulding and trim.  
Rim protectors for fixtures.  
Robe hooks.  
Roofing.  
Roofing nails (not including staples, clips and similar devices designed for the purpose of protecting shingles and siding against wind damage).  
Shower curtain rods or bars (excluding hospital).  
Shower door frames.  
Shower goosenecks.  
Skylights.  
Stair and threshold treads, nosing and edgings.  
Store fronts.  
Straps and hangers for pipe supports.  
Supply pipes, I. P. S. for plumbing fixtures such as lavatories, sinks and water closets.  
Switch plates.  
Tanks for automatic storage water heaters.  
Traps, (except tube traps in 20 gauge without cleanouts and except traps cast from secondary metal).  
Thresholds, and saddles.  
Towel bars and brackets.  
Unit heaters, unit ventilators, unit ventilator inlet wall boxes, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except that copper or copper base alloys may be used for valves, controls, bearings or parts necessary for conducting electricity, for fins, and for water or steam courses and headers).  
Ventilators.  
Vents.  
Weatherstripping.  
Window frames.  
Window sills.  
Windows.

#### FURNISHINGS AND EQUIPMENT

Andirons, fireplace screens and fittings.  
Candlesticks.  
Curtain fasteners, rods and rings.  
Cuspidors.  
Gas heater and stove installation connections (except parts essential for proper functioning).  
Lamp shades.  
Mops.  
Mud scrapers.  
Portable heaters (except electric portable heaters).  
Scrubbing boards.  
Stoves and ranges for household cooking use—gas (except for burner valves and oven thermostats and for oil reservoirs).  
Stoves and ranges other than gas stoves and

THE ITEMS APPEARING UNDER THE FOLLOWING SUBHEADINGS IN THE ORIGINAL ORDER ARE NOT PART OF THIS ABSTRACT: BURIAL EQUIPMENT; CLOTHING AND DRESS ACCESSORIES, NOT INCLUDING SAFETY EQUIPMENT; FURNITURE AND FIXTURES; HOUSEHOLD ELECTRICAL APPLIANCES; JEWELRY, GIFTS AND NOVELTIES; PASSENGER TRANSPORTATION EQUIPMENT.

ranges for household cooking use (except when the only copper products or copper base alloy products used are for valves, ferrules for compression fittings, controls, and parts necessary for conducting electricity or necessary for proper functioning).

Trays.

Upholsterers supplies, including nails and tacks.

Vases, pitchers, bowls, and artcraft (except laboratory).

Washing tubs and washing boilers.

Waste baskets, humidors and similar items.

MISCELLANEOUS

Alarm and protective systems (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper service or functioning of the parts).

Antique reproductions.

Arch supports.

Atomizers (except atomizers for medicinal purposes and for use in the preparation of dried milk and dried eggs).

Barrels, boxes, cans, jars, and other containers.

Badges (except for use for identification and industrial security purposes).

Bar and counter equipment and fittings.

Barber shop equipment and supplies.

Barrel hooks.

Bathroom accessories (including grab bars, tumbler holders, tooth brush holders, paper holders, and shelf brackets).

Beauty parlor equipment and supplies (except for repair and replacement parts of commercial permanent wave equipment and commercial hair driers).

Beverage dispensing units and parts thereof (except for carbonators and except for self-contained drinking water coolers).

Bicycles, and similar vehicles and equipment therefor (except valves for bicycle tires and tubes).

Binoculars (except precision types) and opera glasses.

Bird and pet cages and stands.

Branding, marking, and labeling devices and stock for same (except engraved burning branding dies; and except where the devices and the stock are for affixing governmental, notarial and corporate seals).

Brushes (except for the types used in electric motors and generators; and except for industrial brushes).

Carpet rods.

Chimes and bells (except for any bells when the only copper products or copper base alloy products used are for parts necessary for conducting electricity and except for bells for use on board ship when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts).

Clips, paper.

Cleaning and polishing accessories, such as brooms, carpet sweepers, crumbing sets, dust pans, mops, pot scourers, whisk brooms and floor and furniture polishers.

Clock cases (except for marine use).

Clothes line pulleys and reels.

Cocktail shakers.

Cooking utensils (except for commercial processing machinery).

Daubers for shoe polish.

Dispensers, hand, for hand lotions, paper products, soap and straws.

Flower pots, boxes and holders for same.

Fountain pens (except that copper products or copper base alloy products may be used

as an undercoating in the plating of outside functional parts and for clips).

Furniture grommets.

Garden tools and equipment (except that copper products or copper base alloy products may be used in parts necessary for functional parts).

Hair curlers, hair brushes and combs.

Ice cream freezers for use in the home.

Ink, bronze.

Juke boxes (except for copper products and copper base alloy products for conducting electricity).

Kitchen utensils, devices and machines (except electrical appliances).

Lace tips.

Lamps, portable electric (except that copper products or copper base alloy products may be used for parts necessary for conducting electricity and plating).

Lamps, other than electric (except when the only copper products or copper base alloy products used are for valves, controls, and wicks, and for burners for mantle type kerosene lamps).

Lanterns (except for functional parts).

Letter boxes and mail chutes.

Lighting fixtures (except for: (1) current-carrying parts, plating, rivets, eyelets, screws, small fasteners, (2) the threaded parts, clamping, sealing or attachment devices of exterior, explosion proof, dust tight and vapor tight fixtures, (3) Marine and airport).

Loose-leaf binders.

Manicure implements.

Match and pattern plates, matrices, and flasks.

Mattress buttons and furniture glides.

Name plates, not including instruction and data plates and not including identification plates for use on machinery or equipment.

Nonoperating or decorative uses of copper or copper base alloy, or the use of the same in such parts of installations and equipment (mechanical or otherwise) as bases, frames, guards, standards and supports.

Package handles and holders.

Parl-mutuel gambling and gaming machines, devices and accessories.

Pencils, mechanical (except that copper products or copper base alloy products may be used for the part or parts the function of which is to eject or retract the lead, and as an undercoating in the plating of outside functional parts).

Pins, (except when the only copper products or copper base alloy products used are for common or safety pins and except for laundry net and laundry identification pins or for safety catches on products otherwise permitted under this order).

Plating. The use of copper products or copper base alloy products for plating any article not on List A or excepted on that list, and the plating of parts (including repair parts) for such an article is permitted Provided, That: (a) Such plating is not for decorative purposes, or part of a decoration. (b) The use of, or the normal wear on such article or parts would make impracticable any other form of coating for protective purposes or functional operation).

Pleasure boat fastenings and fittings.

Razors operated by electricity (except for repair parts and when the only copper products or copper base alloy products used are for functional parts and parts necessary for conducting electricity).

Razors not operated by electricity (except when the only copper products or copper base alloy products used in making safety

razors or parts are for heads, functional parts for head, and for plating, and, in making straight razors or parts are for rivets, pins and washers).

Razor blade magazines.

Reflectors (except photographic and except that copper products or copper base alloy products may be used as an undercoating or an overcoating in electroplating in connection with silvering or chromium).

Refrigerator display cases.

Slot, game and vending machines (except when the only copper products or copper base alloy products used are for tumblers for locks).

Soda fountain equipment (except for carbonators).

Sporting goods and equipment (except fishing equipment and supplies for commercial fishing use, ammunition, and except reel gears, bearings and spools, swivels and snaps, rod mountings and copper for plating of baits and lures for sport fishing use).

Staplers and stapler machines (not including foot-operated or power-driven stitching machines).

Stationery supplies:

Desk accessories.

Office supplies.

Pencils (except for ferrules).

Pens and penholders.

Statues and statuettes (except religious and artists' originals).

Sundials.

Tent poles and parts.

Tobacco pipes.

Toys (except copper in motors and essential operating parts).

Unions and union fittings (except seats, and except for other parts of unions and union fittings (1) where and to the extent that the physical and chemical properties of the liquid or gas passing through the union or union fittings make the use of any other material dangerous or impractical, or (2) where the valve is of a type designed for use in an air conditioning or refrigeration "system", or (3) where use of copper and tubing and/or brass pipe is permitted).

Umbrellas and parasols.

Vacuum bottles and jugs.

Valve handles (except plumbing fixture trim).

Walking sticks and canes.

Weather vanes.

Weight reducing and exercising machines (except where copper products or copper base alloy products are necessary for electrical conduction).

Wool (except metal sponges intended for use in dairy products processing plants and by the canning industry and for filtering purposes).

This subpart as amended shall take effect on December 30, 1950.

NATIONAL PRODUCTION  
AUTHORITY.

[SEAL]

W. H. HARRISON,  
Administrator.

\* \* \* \* \*

FURTHER STEPS TO CONSERVE TIN AFFECT USE OF METAL CONTAINERS AND TIN: Further steps to conserve tin to meet the requirements of national defense and to provide supplies for essential non-defense uses were taken on January 27 by the National Production Authority. Five orders (M-8 Amended, M-24, M-25, M-26, and M-27) were issued which permit the use of tin only in certain products, and limit its use in others. However, there are no restrictions under the new orders on the packaging of perishable foods. This action supersedes and amends the basic tin order (M-8) issued November 13 and amended December 18.<sup>1/</sup>

M-25, Metal Can Specification and Limitation Order: Of the orders issued, M-25 (dated January 27, 1951) specifically is of interest to the fishing and allied industries, especially to canners. No packer is permitted by this order to purchase, accept delivery of or use a can made in whole or in part of tin plate or terneplate for any purpose other than for packing products listed in Schedule I of the order. There are no restrictions on the packing of perishable foods. All fishery products that fall in this category as indicated by Schedule I will be allowed an unlimited pack. In addition, during the first quarter of 1951 there will be no reduction, below the first quarter 1950 or the first quarter 1949 base, in the pack of all other non-perishable agricultural products, except beer and pet food which will be allowed 90 percent of their first quarter 1950 or first quarter 1949 base.

The order permits can manufacturers and packers to use stocks in inventory or in process of manufacture on January 27. It also permits manufacturers to use until March 31, 1951, certain weights of tin plate and terneplate for soldered parts on cans where facilities for soldering blackplate are not available, to permit them to equip themselves for soldering blackplate.

Any person whose total use of cans for packing any product in any calendar year requires less than 250 base boxes (a base box equals 31,360 square inches) of tin plate or terneplate is exempt from the use limitation, but not from the plate specifications in the order.

The full text of order M-25 follows, except that only that part of Schedule I is given that lists fishery products:

**PART 102—CANS**

This order is found necessary and appropriate to promote the national defense and is issued pursuant to authority granted by section 101 of the Defense Production Act of 1950. In the formulation of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of this order has been rendered impracticable by the fact that the order affects a very substantial number of different trades and industries.

- 102.6 Exceptions.
- 102.7 Certification of delivery of cans.
- 102.8 Application for adjustment or exception.
- 102.9 Records and reports.
- 102.10 Communications.
- 102.11 Violations.

**AUTHORITY:** §§ 102.1 to 102.11 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Sec. 101, Pub. Law 774, 81st Cong., Sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105. Sec. 2, E. O. 10200, dated January 3, 1951, 16 F. R. 61.

**§ 102.1 What this part does.** This part places restrictions upon cans made of tin plate and terne plate. Schedule I sets out plate specifications for cans which vary according to the products packed. This part also limits the use of cans made of tin plate and terne plate. Cans made wholly of black plate are not restricted by this part. Part 23 of this chapter (Order M-24) permits the use of tin plate and terne plate for cans in accordance with the terms of this part.

Part 27 of this chapter (Order M-8) sets forth the specifications for solder that may be used in the manufacture of cans.

**§ 102.2 Definitions.** As used in this part:

(a) "Can" means any unused container made in whole or in part of tin plate, terne plate or black plate, which is suitable for packing any product. The term includes any container which has a closure or fitting, made in whole or in part of tin plate, terne plate or black plate, but does not include a glass container having such a closure or fitting. The term does not include fluid milk shipping containers.

(b) "Tin plate" means steel sheet coated with tin, and includes "primes", "seconds", and all other forms of tin plate, except waste and waste-waste.

(c) "Terne plate" means steel sheets coated with terne metal and includes "primes" and "seconds". The term does

- 2.1 What this part does.
- 2.2 Definitions.
- 2.3 Restrictions on use of cans.
- 2.4 Other restrictions.
- 2.5 Restrictions on amount that may be packed.

<sup>1/</sup>SEE COMMERCIAL FISHERIES REVIEW, JANUARY 1951, PP. 73-5.

not include terne plate waste-waste, or terne plate waste. "Terne metal" means the lead-tin alloy used as the coating for terne plate, but does not include lead recovered from secondary sources which contains less than 1½ percent residual tin.

(d) "SCMT" means special coated manufacturers' terneplate.

(e) "Waste" means scrap tinplate and terneplate (including strips and circles) produced in the ordinary course of manufacturing cans, and tinplate and terneplate strips produced in the ordinary course of manufacturing tinplate and terneplate. The term also includes tinplate and terneplate parts recovered from used cans.

(f) "Waste-waste" means hot dipped or electrolytic tin-coated steel sheets or steel sheets coated with terne metal which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(g) "Blackplate" means steel sheets (other than tinplate or terneplate) 29 gauge (128 pounds) or lighter. The term includes can manufacturing quality blackplate (CMQ), "blackplate rejects", chemically treated blackplate (CTB), waste-waste, and waste.

(h) "Packer" means any person who uses cans for commercially packing any product.

(i) "Person" means any individual, corporation, partnership, association, or any other organized group of persons and includes any agency of the United States or any other government.

§ 102.3 *Restrictions on use of cans.* No packer shall purchase, accept delivery of, or use a can made in whole or in part of tin plate or terne plate for any purpose other than for packing products listed in Schedule I, and in accordance with the specifications set out in said Schedule I. The restrictions contained in this section and said Schedule I are subject to the exceptions of § 102.6. Schedule I is set out at the end of this part.

§ 102.4 *Other restrictions.* No person shall manufacture, sell or deliver any cans which he knows or has reason to believe will be accepted or used in violation of the terms of this part or any other order or regulation of the NPA.

§ 102.5 *Restrictions on amount that may be packed.* (a) The restrictions of this section do not apply to the packing of those products which are listed in Schedule I and preceded by a single asterisk. However, the restrictions of paragraph (b) of this section do apply to products preceded by a single asterisk if such products are re-packed from other containers.

(b) During the first quarter of the calendar year 1951 and each quarter thereafter, until otherwise ordered by NPA, no packer may accept delivery of or use for packing any particular product which is listed in Schedule I and

preceded by a double asterisk any cans, made in whole or in part of tin plate or terne plate, requiring more than 100 percent of the quantity by area of measurement of tin plate, terne plate and black plate which he used for packing that particular product during the corresponding quarter of 1949 or 1950. The amounts packed during each quarter shall be spread as equally as possible over each of the three months of such quarter, but no packer shall be required to take delivery of cans in less than car-load lots to meet this provision.

(c) During the first quarter of the calendar year 1951 and each quarter thereafter, until otherwise ordered by NPA, no packer may accept delivery of or use for packing any other product which is listed in Schedule I any cans, made in whole or in part of tin plate or terne plate, by area of measurement requiring more than 90 percent of the quantity by area of measurement of tin plate, terne plate and black plate which he used for packing such product during the corresponding quarter of 1949 or 1950. The amounts packed during each quarter shall be spread as equally as possible over each of the three months of such quarter, but no packer shall be required to take delivery of cans in less than car-load lots to meet this provision.

§ 102.6 *Exceptions.* (a) The plate specifications set out in Schedule I do not apply to the use of any cans which are in the inventory of a packer or in the inventory of a can manufacturer or in process of manufacture, or to tin plate or terne plate which was either in process at a tin mill, in the inventory of a tin mill for the account of a can manufacturer or in the inventory of a can manufacturer on the effective date of this part. It is the intent of this section that any tin plate or terne plate intended for use in the manufacture of cans in inventory or process as aforesaid shall be used notwithstanding the plate specifications of this part. However, the restrictions of § 102.5 are not excepted by this paragraph (a).

(b) Until March 31, 1951, 25 pound electrolytic tin plate or SCMT plate may be used in place of black plate for soldered parts on cans where facilities for soldering black plate are not available. This exception is provided to enable manufacturers to equip themselves to solder black plate.

(c) Any person whose total use of cans for packing any product in any calendar year requires less than 250 base boxes of tin plate and terne plate shall be exempt from the use limitations of § 102.5 but not from the plate specifications of Schedule I.

(d) Cans may be used to pack any product provided such product is not to be sold in the same or different form, but this does not permit the use of cans contrary to the provisions of this part for the purpose of aiding or promoting the sale of a product.

(e) (1) Orders having a properly ap-

plied DO rating are exempt from the use limitations of this part but not from the plate specifications.

(2) The restrictions in this part shall not apply to military requirements for cans of a special design or style not normally produced or used commercially, nor to cans for emergency rations and supplies for life boats.

§ 102.7 *Certification of delivery of cans.* No manufacturer shall sell or deliver cans unless he has received from the purchaser a certificate signed manually. This certificate shall be by letter in substantially the following form and, once filed by a purchaser with a manufacturer, covers all future deliveries of cans from the manufacturer to that purchaser:

To \_\_\_\_\_, manufacturer:  
The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M-25 of the National Production Authority, and that all purchases from you of items regulated by that order, and the acceptance of the same by the undersigned, will be in compliance with said order, and any amendments thereto.

§ 102.8 *Application for adjustment or exception.* Any person affected by any provision of this part may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, or because any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry or its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this part, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

§ 102.9 *Records and reports.* (a) Each person participating in any transaction covered by this part shall retain in his possession for at least two years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this part have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this part shall be made available at the usual place of business where maintained for inspection and audit by duly authorized



representatives of the National Production Authority.

(c) Persons subject to this part shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Acts (Pub. Law 831, 77th Cong., 5 U. S. C. 139-139F).

§ 102.10 *Communications.* All communications concerning this part shall be addressed to the National Production Authority, Washington 25, D. C. Ref.: M-25.

§ 102.11 *Violations.* Any person who wilfully violates any provisions of this part or any other order or regulation of the National Production Authority or wilfully conceals a material fact or furnishes false information in the course of operation under this part is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this part have been approved by the Bureau of the Budget in accordance with said Federal Reports Act.

This part shall take effect on January 27, 1951.

**NATIONAL PRODUCTION AUTHORITY.**

[SEAL] **MANLY FLEISCHMANN, Acting Administrator.**

**SCHEDULE I—CAN SPECIFICATIONS**

Columns 2 and 3 specify the weights of tincoating per base box of tinplate and terneplate which may be used for the parts of cans for the products listed in column 1. Any packer may also use for packing a listed product blackplate cans or cans with a tin coating lighter than that specified for that

product. Wherever .25 lb. electrolytic tinplate is specified SOMT may be used. Tinplate menders arising in the production of electrolytic tin plate may be used without regard to the weight of coating for any purpose where .50 lb. electrolytic tin plate is permitted under this Schedule. Where menders arising cannot be used to replace .50 lb. electrolytic tin plate, they may be used to replace any electrolytic tin plate. When only a figure is given in columns 2 or 3 this means that tin plate may be used for the part and the figures given indicate the maximum weight of tin coating on each base box of plate. Reference is made to § 102.5 for restrictions on amount that may be packed and meaning of the asterisks preceding certain products.

**CAN MATERIALS**

Product (1)	Soldered or welded parts (2)	Non-soldered parts (3)
<i>Fish and Shell Fish</i>		
140. *Abalone	.25	.25
141. *Alewives	.25	.25
142. *Anchovies	.25	.25
143. **Caviar	.25	.25
144. **Chowder, all varieties: Inside enameled cans	.25	.25
Plain body cans	1.25	.25
145. *Clams, processed	.25	.25
146. *Clam juice	.25	.25
147. **Codfish, salted, dry	.25	.25
148. **Crab, deviled	.25	.25
149. *Crabmeat, processed	.25	.25
150. *Crawfish	.25	.25
151. *Eels	.25	.25
152. *Finan haddie: In round cans	.25	.25
In oval cans	1.25	1.25
153. **Fish balls and cakes	.25	.25
154. **Fish frankfurters	.25	.25
155. *Fish and seafood, frozen or refrigerated	.25	.25
156. *Fish flakes and ground fish for human consumption only	.25	.25
157. *Fish livers: In reusable 5 gallon square cans	1.25	1.25
In non-reusable 5 gallon square cans	.50	.50
158. *Fish oil in 5 gallon square cans	.50	.50
159. *Fish paste	.25	.25
160. **Fish, pickled	1.50	1.50
161. *Fish roe	.25	.25
In round double seamed cans	.25	.25
In oval drawn cans	.50	.50
162. *Halibut	.25	.25
163. *Herring, in oil or brine (including sardines, pilchards and mackerel):		

**CAN MATERIALS**

Product (1)	Soldered or welded parts (2)	Non-soldered parts (3)
<i>Fish and Salt Fish—Continued</i>		
Round cans	.25	.25
¼ drawn cans	.25	.25
¾—3 piece cans	.50	.50
Oval, drawn or oblong (other than ¼ drawn)	.50	.50
1.25 may be used for scored covers		
164. *Herring, in tomato or mustard sauce (including sardines, pilchards and mackerel): In oval drawn or oblong cans	.50	.50
1.25 may be used for scored covers		
165. Lobster: *Processed	.25	.25
**Newburg	.25	.25
166. *Menhaden	.25	.25
167. *Mullet	.25	.25
168. *Mussels: Fresh Shucked	.25	.25
Processed	.25	.25
169. *Oysters: processed	.25	.25
170. *Salmon: In round double seam cans	1.25	.25
In oval or drawn cans	.50	.50
171. *Scallops: processed	.25	.25
172. *Shad: In round double seam cans	.25	.25
In oval or drawn cans	.50	.50
173. *Shrimp: Processed	.25	.25
174. *Squid: In inside enameled cans	.25	.25
Plain body cans	1.25	.25
175. *Tuna	.25	.25
176. *Turtle	.25	.25
<i>Miscellaneous foods</i>		
238. Animal and pet food	.25	.25
240. *Baby food: Fish base type	.50	.50
253. **Chop suey	1.25	.25
254. **Chow mein	1.25	.25
293. Soups, liquid: *Seasonal from fresh vegetables only: Tomato, vegetarian vegetable	1.25	.25
All other seasonal	.50	.50
**Nonseasonal: Black bean, bean with bacon beef	1.25	.25
Chicken with noodles or rice	.50	.50
All other nonseasonal	.75	.50
<i>Non Food Products</i>		
330. Oils (Industrial, vegetable): Animal or fish	.50	.50

Following is a brief summary of each of the other orders issued:

**M-8 Amended:** Except upon specific direction of NPA, no person is permitted, after March 1, to use pig tin, tin alloys, or other materials containing tin for purposes as listed in List A of the order.

All uses of tin not expressly authorized by NPA are prohibited and certification is required with all deliveries. The order permits the completion of the prohibited items, if they were in the process of manufacture on or before March 1, and completed prior to May 1, 1951.

**M-24, Tin Plate and Terneplate:** The order covers "specialty items" (listed in Schedule A of the order), including kitchen equipment, food preparation and cooking equipment, dairy pails and equipment, roofing, gutters, downspouts and fittings, roof flashing and fire doors, for which tin plate and terneplate may be used. It specifies the maximum coating of tin or terne metal permitted in each case, and re-

quires a certification of use by the purchaser prior to sale. It permits the use only of secondary tin in the manufacture of terne metal.

Tin plate and terneplate and reconditioned tin plate and terneplate may be used only for the purposes set forth in Schedule A, subject to the limitations, restrictions, and conditions specified in the Schedule.

The small manufacturer whose annual consumption of tin plate and terneplate is 100 base boxes or less may continue his present operation, if the items produced are not on the prohibited list (List A of M-8). Items on this list may be completed if they were in process of manufacture on or before March 1 and completed not later than April 30, 1951. (A base box equals 31,360 square inches.)

M-26, Tin Plate Closure Order: The use of tin plate closures, including bottle caps and jar lids, is permitted only in the packing of products specifically listed, and then only when tin coating of the lids and caps meets certain specifications that vary with the type of product. There are no restrictions on the number of closures that may be used.

Closures with a tin coating of not more than one-and-one-half pounds per base box are permitted for all food products, except malt beverages, if preserved in a hermetically-sealed container made sterile by heat. In the manufacture of home canning lids, no person is permitted to use any tin plate with a tin coating of more than half a pound per base box for top-seal lids, or in excess of one-quarter pound per base box for bands and jelly glass lids.

The order does not apply to any tin plate closures in the inventory of the packer or in the inventory of the manufacturer or in the process of manufacture on January 27, 1951.

M-27, Collapsible Tubes: The amount of tin that may be used in collapsible tubes is limited, the percentage varying with the products to be packaged in the tubes. Tubes used for some pharmaceuticals and for all food products for human consumption are not restricted in the percent of tin. No person is permitted to purchase, accept delivery of, or use collapsible tubes containing tin for the purpose of packaging products except as specifically permitted in Schedule A of the order. No person may use for any product a collapsible tube with a tin content greater than that used for packing the product on January 27, 1951. Purchasers are required to certify their compliance with the order before manufacturers are permitted to sell or deliver tubes.

No person may use in the manufacture of collapsible tubes during any calendar month more aluminum than 90 percent of the average monthly use of aluminum for this purpose during the period from August 1, 1950, through November 30, 1950. The order does not apply to tubes in inventory or goods in process of manufacture prior to January 27, 1951.

NOTE: COPIES OF M-8 AMENDED, M-24, M-25, M-26, AND M-27 ARE AVAILABLE FROM THE NATIONAL PRODUCTION AUTHORITY, WASHINGTON 25, D. C.

\* \* \* \* \*

SUPPLY PROBLEMS OF STEEL SHIPPING CONTAINERS DISCUSSED: The problem of obtaining sufficient steel to manufacture steel shipping containers for defense and essential civilian needs was discussed at a meeting of NPA officials and representatives of the steel shipping container industry on January 11.

Industry spokesmen told NPA that some container manufacturers had already been forced to cut plant operations and some smaller plants may be forced to shut down entirely unless sufficient steel is made available.

Steel shipping containers are used primarily by the petroleum, chemical, and food industries.

NPA officials pointed out that persons holding defense orders were entitled to material necessary to fill the orders and NPA would aid in finding steel for such orders.

However, NPA officials said, an end use limitation order on steel shipping containers may be necessary to assure that defense and essential civilian needs are met. Industry members asked NPA to consider establishment of a pattern of essentiality before issuing such a limitation order.

Industry members also recommended establishment of a steel allocation program to meet increased defense rated orders and essential civilian needs, "as such needs could not be met on the basis of present steel availability."

Appointment of a task group to study the immediate and urgent problems facing the industry was made by NPA's Container and Packaging Division, upon recommendation by industry members.

The used steel drum and wood barrel reconditioning industry met on January 15 with NPA as an advisory committee to discuss problems facing the industry as a result of the expanding defense program. Principal problems of the industry, spokesmen said, are: (1) the difficulty of obtaining used steel drums and wood barrels; and (2) the shortage of steel rings and hoops, caustic soda for cleaning the containers, and phenolic resin used as interior and exterior coating.

SEVERAL ITEMS ADDED TO INVENTORY CONTROL LIST:<sup>1/</sup> Several items were added to the list of materials which are subject to the anti-hoarding provisions of the Defense Production Act by the National Production Authority on January 11. Notice-1 (as amended January 10, 1951) with reference to designation of scarce materials was issued to cover the additions.

As a result of the recent additions, the list of items covered by the anti-hoarding provisions of Public Law 774 is virtually the same as that included in the inventory control regulation (NPA Regulation 1, issued September 18, 1950).

Items added to the anti-hoarding list today include: Industrial ethyl alcohol, chlorine, zinc dust and oxides, natural and synthetic rubber, and the following textile materials: burlap (hessian), cotton pulp, high tenacity rayon yarn, and nylon staples and nylon filament yarn.

<sup>1/</sup>ALSO SEE COMMERCIAL FISHERIES REVIEW, JANUARY 1950, PP. 76-7; DECEMBER 1950, P. 62; AND NOVEMBER 1950, P. 83.

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HARD FIBER CORDAGE CONTROLS APPEAR UNNECESSARY: Controls on the production and distribution of hard-fiber cordage appear unnecessary at this time, the National Production Authority announced January 30, following a meeting with members of the Hard Fiber Cordage Industry Advisory Committee.

According to the industry committee, both defense and civilian demands for their products are currently being met without difficulty.

The committee agreed with NPA officials, however, that in the event of a substantial increase in defense requirements, NPA should require the industry to reserve necessary amounts of hard-fiber cordage products to meet DO defense rated orders.

Types of hard fiber include: sisal, which is imported from Africa, Brazil, and Haiti; manila, which comes from the Philippines and Central America; and, henequen which is imported chiefly from Mexico.

Hard-fiber cordage products are important to the defense program and to certain industries such as commercial fishing, agriculture, transportation, oil and gas well drilling, commercial shipping, and public utilities. Among products in which these fibers are used are: rope, binder and baler twine, tying twine, some types of paper, padding for mattresses, furniture, and automobiles.



## Defense Production Administration

REDELEGATES CERTAIN FUNCTIONS RELATING TO PRIORITIES, ALLOCATIONS, ETC.: The Defense Production Administrator redelegated to other agencies certain functions relating to priorities, allocations, and other operations now being carried on by these agencies under provisions of the Defense Production Act of 1950, a January 24 DFA news release announced.

This action, the first taken by the Administrator, follows the terms of Executive Order 10200,<sup>1</sup> which established the Defense Production Administration and gave its Administrator all powers over priorities, allocations, requisitioning, loans, purchasing, and certification of accelerated tax amortization included under the Defense Production Act.

The text of DPA Delegation No. 1 (corrected February 5, 1951) follows:

### DEFENSE PRODUCTION ADMINISTRATION

**Del. 1**

Corrected Copy  
FEB. 5, 1951

Pursuant to Executive Order No. 10200, issued January 3, 1951, certain of the functions conferred upon the Defense Production Administration by said Order are further delegated as follows:

1. The functions conferred upon the President by Title I of the Defense Production Act of 1950 are hereby delegated to the same officers and agencies to whom the said functions were delegated by Section 101 of Executive Order No. 10161 issued on September 9, 1950 (F. R. Doc. 50-8018), except as modified in the next succeeding paragraph of this delegation.

2. Those functions under Title I of the Defense Production Act of 1950 which were previously delegated to the Secretary of Interior by the Secretary of Commerce in National Production Authority Delegation No. 5 issued on December 18, 1950 (15 F. R. 9195) are hereby delegated to the Secretary of the Interior.

3. Each officer and agency to whom functions are delegated by this Delegation No. 1 shall, with respect to the materials and facilities within his particular jurisdiction as defined in the preceding paragraphs of this Delegation No. 1, continue to perform the claimant functions assigned to him by Sections 102 and 103 of Executive Order 10161.

4. Each officer and agency to whom functions are delegated by this Delegation No. 1 shall, with respect to the materials and facilities within his particular jurisdiction as defined in the preceding paragraphs of this Delegation No. 1, make recommendations to the Defense Production Administrator for the issuance of certificates by the Administrator for action under Sections 302 and 303 of the Defense Production Act of 1950 (loans, purchases, commitments, etc.) as specified in paragraph 2b of Section 2 of Executive Order 10200, and in Sections 303 and 304 of Executive Order

10161, as amended. Such officers and agencies shall perform such additional functions with respect to the issuance of such certificates as may be prescribed by any regulations or procedures which may hereafter be issued. This paragraph shall not be construed to limit or affect the authority of the Secretary of Agriculture under Section 303 of Executive Order 10161, as amended by Executive Order 10200.

5. Each officer and agency to whom functions under Title I of the Defense Production Act of 1950 are delegated shall, with respect to the materials and facilities within his particular jurisdiction, make recommendations to the Defense Production Administrator for the issuance of certificates under Subsection (e) of Section 124A of the Internal Revenue Code, as added by Section 216 of the Revenue Act of 1950, approved September 23, 1950, subject to any regulations and procedures which may here-

after be issued.

6. Each officer and agency to whom functions under Title I of the Defense Production Act of 1950 are delegated may, with respect to the materials and facilities within his jurisdiction, carry out the consultations referred to in subsection 708 (a) of that Act, and make recommendations to the Defense Production Administrator for the approval

of voluntary agreements and programs as provided in Section 708 of that Act.

7. Nothing in this Delegation No. 1 shall be construed to limit the right of redelegation and authorization of successive redelegation of any of the foregoing functions, pursuant to paragraph (b) of Section 902 of Executive Order 10161.

8. The functions delegated by the pre-

ceding paragraphs of this Delegation No. 1 shall be exercised subject to the direction and control of the Defense Production Administrator.

This delegation shall take effect immediately (January 24, 1951).

WILLIAM H. HARRISON,  
Defense Production Administrator.



## Economic Stabilization Agency

**GENERAL CEILING PRICE REGULATION:** The General Ceiling Price Regulation issued by the Economic Stabilization Agency on January 26 affects the fishing and allied industries since it imposes a temporary ceiling on prices of most fishery products and byproducts, except "fresh fish and seafood" and a number of other specific products. The Director of Price Stabilization formulated and will be directly responsible for the administration of this Regulation.

The wording of the General Ceiling Price Regulation as far as it affects fishery products and byproducts indicates that frozen, smoked, salted, canned, or any fishery products which are not considered "fresh fish and seafood," and most byproducts are frozen at the highest prices charged by a particular seller for each commodity during the period from December 19, 1950, to January 25, 1951. These prices become the particular seller's ceiling prices for all subsequent sales of the same commodities. However, methods are provided for establishing ceiling prices for "new commodities" which were not manufactured or produced during the indicated base period.

"Fresh fish and seafood" are exempt at all levels of production and distribution (producer, wholesaler, and retailer levels). Of the manufactured fishery products and byproducts, only the following are exempt from price ceilings: shark oil, whale oil, sperm oil, and cod oil.

Indirectly, of course, the fishing and allied industries also will be affected in various degrees by whether or not most of the supplies and materials used are under price ceilings. However, at present it seems that a large proportion of the supplies used by these industries are covered by the Price Regulation.

Since the complete text<sup>1/</sup> of the General Ceiling Price Regulation is quite lengthy, only those parts which are of interest to the fishing and allied industries are quoted below. (The underscoring of the portions which specifically apply to fishery products or byproducts is by the editors of this publication.)

## General Ceiling Price Regulation

JANUARY 26, 1951

**FLE 32A—NATIONAL DEFENSE,  
APPENDIX**

**Chapter II—Economic Stabilization  
Agency**

### GENERAL CEILING PRICE REGULATION

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Gen-

eral Ceiling Price Regulation is hereby issued.

#### WHAT THIS REGULATION DOES

The purpose of the accompanying general regulation is to hold prices on a broad front. Accordingly, it covers the

<sup>1/</sup>FOR COPIES OF THE COMPLETE TEXT OF THE GENERAL CEILING PRICE REGULATION (JANUARY 26, 1951) WRITE DIRECTLY TO THE ECONOMIC STABILIZATION AGENCY, WASHINGTON 25, D. C.

widest possible range of commodities and sellers. Manufacturers, wholesalers and retailers together with suppliers of services come within its terms. The intention has been to include within its scope all sellers of all commodities and services except to the extent that legal or strong practical reasons require that particular sellers or types of commodities be exempt.

Some exemptions are found provided in the Act itself. Thus, real estate is exempted by section 402 (e). That section of the Act also exempts professional services, materials furnished for publication by press associations or feature services, books, magazines, motion pictures, periodicals, newspapers, radio-broadcasting and television stations, outdoor advertising facilities, insurance, common carriers, public utilities, and margin requirements on commodity exchanges.

A number of commodities are excluded from the regulation for reasons of administrative impracticability. These include: stamps and coins; precious stones; paintings; antiques; used personal or household effects sold by the owner; and damaged, abandoned or confiscated property.

The regulation also excludes a number of agricultural and related commodities. Raw and unprocessed agricultural commodities when sold by the producer have been exempted, first, because the freeze technique is at present administratively impracticable when applied to sales by individual farmers, and, second, because the current prices of most such commodities are below the minimum price levels at which ceilings may be established under the Act. The further exemption of sales by farmers of farm-processed commodities in minor amounts is also dictated by administrative considerations.

Fresh fruits and vegetables and fresh fish and seafood, because of unusual marketing factors and seasonal and perishable characteristics, are subject to sharp and unforeseeable price fluctuations. Consequently, the imposition of a general freeze on these commodities would lead to capricious and inequitable price results. However, as soon as practicable, the Director of Price Stabilization will issue regulations for such commodities specifically adapted to these unusual factors.

The regulation employs the freeze technique. The highest prices charged by a particular seller for each commodity during the period from December 19, 1950 to January 25, 1951, become his ceiling prices for all subsequent sales of the same commodities. Methods are provided for establishing ceiling prices for new commodities or services not sold during this base period. These methods are designed to set ceiling prices for the new commodities which are directly in line with the ceiling prices established through sales in the base period. These new commodity pricing methods have been made as automatic as possible. However, where sellers are permitted, because they start handling a new category or a new business, to price their wares with reference to the ceiling prices of most closely competitive sellers of the same class, they are required to submit reports which will enable the Office of Price Stabilization to guard against abuses of this pricing formula. There is

a special problem in the case of some new wholesalers since previous experience under price control has demonstrated that intermediaries speculating in scarce goods inject themselves into the channels of distribution, multiplying the number of hands through which the goods must pass, and the number of markups added to basic costs. Such new intermediaries can be the source of a substantial amount of price inflation.

No general provision for the adjustment of individual hardship cases is included in the regulation. This is because it is virtually impossible to predict the specific types of hardship situations which an order of this scope may create and which can be relieved consistently with the effectuation of the fundamental stabilization objectives of the Defense Production Act of 1950. However, the Office of Price Stabilization will at a future date issue such provisions and standards for adjustment as may be necessary and proper under the statute.

There are two specific instances in which provision for relief is made. These situations involve, first, agricultural commodities or commodities processed or manufactured in whole or substantial part from agricultural commodities whose prices are at present below the standards set for them in the Defense Production Act of 1950, and second, certain sales of imported commodities.

The regulation makes special provision for certain importers, permitting them to pass on price increases for imported goods which they receive after January 26, 1951, pursuant to contracts entered into on or before that date. The purpose of this provision is to avoid interruptions in the flow of essential imported commodities, and the consequent reduction of supplies available for the defense program, as well as to avoid the damage to our relations with friendly nations that would result if importers canceled bona fide contracts. Once deliveries on existing contracts have been disposed of the importer's ceiling price reverts to the base level.

Opportunity will be afforded, through arrangements to be made by the Department of State, for consideration by the Director of Price Stabilization of the views of foreign governments regarding adjustments of ceiling prices of commodities which are of special concern to them.

#### FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the prices of commodities and services generally have risen and are threatening further to rise to an extent inconsistent with the purposes of the Defense Production Act of 1950.

In the judgment of the Director of Price Stabilization the objectives of Title IV of the Defense Production Act of 1950 cannot be attained by voluntary action by business, agriculture, labor and consumers or by taking action with respect to individual commodities and service.

In the judgment of the Director of Price Stabilization the ceiling prices established by this Regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of

Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to relevant factors of general applicability.

In the formulation of this Regulation special circumstances have rendered impracticable consultation with industry representatives, including trade association representatives. However, prior to the formulation of this Regulation the Director of Price Stabilization has advised with a large number of persons representing a substantial segment of trade and industry concerning methods of checking inflationary trends.

#### GENERAL CEILING PRICE REGULATION

**Section 1. What this regulation does.** The purpose of this regulation is to establish ceiling prices for all commodities and services (except those specifically exempt) upon the basis of prices in effect during the period from December 19, 1950 to January 25, 1951, inclusive. This period is referred to as the "base period."

**Sec. 2. Applicability, effective date and prohibitions.**

(a) **Applicability.** The provisions of this regulation are applicable to the United States, its Territories and possessions and the District of Columbia.

(b) **Effective date.** This regulation is effective immediately.

(c) **Prohibitions.** After the date of this order, regardless of any contract or other obligation, you shall not sell, and you shall not buy in the regular course of business or trade, any commodity or service at a price exceeding the ceiling price established by this regulation.

**Sec. 3. Ceiling prices for all sellers for commodities or services sold in base period.** Your ceiling price for sale of a commodity or service is the highest price at which you delivered it during the base period to a purchaser of the same class. If you did not deliver the commodity or service during the base period, your ceiling price is the highest price at which you offered it for base period delivery to a purchaser of the same class. The offer must have been made in writing, but in the case of a retailer may have been made by display.

**Sec. 4. Manufacturers' ceiling prices for new commodities falling within categories dealt in during the base period.**

(a) If you are a manufacturer of a commodity which you did not deliver or offer for delivery during the base period but which falls within a "category" in which you dealt during the base period, determine your ceiling price by applying to your current unit direct cost the percentage markup you are currently receiving on a "comparison commodity."

Your current unit direct cost for the commodity being priced and for the comparison commodity shall consist of the total unit direct labor and direct material cost for each. The comparison commodity must be in the same category as the commodity being priced; must be a commodity for which your ceiling price was determined under section 3; and must be of the commodities in that category with lower current unit direct costs, the one most nearly like the commodity being priced. If there is no commodity in the category having a lower current

unit direct cost, your comparison commodity is the one with the same or higher current unit direct cost which is most nearly like the commodity being priced.

If you are no longer manufacturing any commodities which meet the above standards for a comparison commodity, the commodity which you dealt in during the base period, in the same category, which is most nearly like the commodity being priced is your comparison commodity, but the current unit direct cost of the base period commodity must be computed by using current material prices and wage rates.

(b) To determine your ceiling price you ascertain the percentage markup for the comparison commodity by comparing its current unit direct cost with its ceiling price. You determine your ceiling price on the new commodity by applying this markup to your current unit direct cost for the new commodity. The ceiling price so determined remains your ceiling price on all subsequent sales.

(c) Category means a group of commodities which are normally classed together in your industry for purposes of production, accounting, or sales. You are required by section 16 of this regulation to prepare a list of your categories and in applying the pricing provisions of this section, you should refer to this list. You might, for example, have a category such as one of the following: glass containers; fractional horsepower motors; brass mill products; millwork; print cloth yarn fabrics; screw machine products; ball bearings; textile machinery; women's and misses' blouses; house and barn paints; motor oils.

**Sec. 5. Wholesalers' and retailers' ceiling prices for new commodities falling within categories dealt in during base period.** (a) If you are a wholesaler or retailer and wish to determine a ceiling price for a commodity which you did not deliver or offer for delivery during the base period, but which falls within a "category" in which you dealt during the base period, you determine your ceiling price by applying to your net invoice cost the percentage markup you are currently receiving on a "comparison commodity."

The comparison commodity must be in the same category as the commodity being priced; must be a commodity for which your ceiling price was determined under section 3; and must be, of the commodities in that category with lower costs, the one most nearly like the commodity being priced. (If you have no commodity in the category with a cost below that of the commodity being priced, your comparison commodity is the one with the same or higher cost which is most nearly like the commodity being priced.) The percentage markup of the comparison commodity must be determined with reference to your most recent net invoice cost for that commodity. The ceiling price so determined remains your ceiling price for all subsequent sales of that commodity.

(b) Category means a line of merchandise, a merchandise department, or a group of commodities which are normally classed together in your trade for selling, buying, merchandising or accounting. You are required by section 16 of this regulation to prepare a list of your categories and in applying the pricing provisions of this section you

should refer to this list. You might, for example, have a category such as one of the following: men's clothing; men's furnishings; infants' wear; canned fruits; cosmetics and toiletries; frozen foods, notions; musical instruments; women's coats and suits; cotton piece goods; major household appliances; women's house dresses; office furniture; hand tools.

**Sec. 6. Ceiling prices for commodities in new categories; for new services; and for new sellers.** (a) If you are pricing a commodity which is in a different category from any dealt in by you during the base period or if you are selling a service which cannot be priced under section 3, your ceiling price is the same as the ceiling price of your most closely competitive seller of the same class selling the same commodity or service to the same class of purchaser.

Once you have determined your ceiling prices under this section you may not redetermine them. Before selling any commodity or service for which you have determined a ceiling price under this section you must file the report required by paragraph (b) with the Director of Price Stabilization, Washington 25, D. C., and in addition you must observe the following requirements:

(1) If you are a manufacturer, you may not sell the commodity until ten days after mailing your report; thereafter you may sell the commodity at your proposed ceiling price unless and until notified by the Director of Price Stabilization that your proposed ceiling price has been disapproved or that more information is required.

(2) If you are a wholesaler, you may not sell the commodity until thirty days after mailing the report; thereafter you may sell the commodity at your proposed ceiling prices unless and until you are notified by the Director of Price Stabilization that your proposed ceiling price has been disapproved or that more information is required.

(3) If you are a retailer or are selling a service, you must prepare and maintain for the commodities or services being priced under this section the records required of you under section 16. You may begin sales of the new commodities and services as soon as you have prepared these records and mailed the required report to the Director of Price Stabilization, Washington 25, D. C., and may continue to sell them unless and until notified by the Director of Price Stabilization that your ceiling prices have been disapproved or that more information is required. If, as a retailer, you feel that because of the large number of new commodities which you propose to sell, an item by item price comparison would be too burdensome, you may apply to the Director of Price Stabilization for an alternative method of establishing ceiling prices. Your application should contain the information required in paragraph (b) together with a complete statement of the formula proposed and your reasons demonstrating that it will result, on the average, in ceiling prices no higher than those of your most closely competitive sellers. In such a case you may not begin sales of any commodity with reference to which the application has been made until the Director of Price Stabilization has fixed a method for establishing your ceiling prices.

(b) *Required report if you are pricing under this section.* Your report should state the name and address of your company; the new categories in which the commodities fall and the most comparable categories dealt in by you during the base period; the name, address and type of business of your most closely competitive seller of the same class; your reasons for selecting him as your most closely competitive seller; a statement of your customary price differentials; and, if you are starting a new business, a statement whether you or the principal owner of your business are now or during the past twelve months have been engaged in any capacity in the same or a similar business at any other establishment, and if so, the trade name and address of each such establishment. Your report should also include the following:

(1) *If you are a manufacturer:* Your proposed ceiling price and the specifications of the commodity you are pricing; the manufacturing processes involved; your unit direct costs; and the types of customers to whom you will be selling.

(2) *If you are a wholesaler:* Your proposed ceiling price and your net invoice cost of the commodity being priced; the names and addresses of your sources of supply, the function performed by them (e. g., manufacturing, distributing, etc.), and the types of purchasers to whom they customarily sell; the types of customers to whom you plan to sell; and a statement showing that your proposed ceiling price will not exceed the ceiling price your customers paid to their customary sources of supply.

(3) *If you are selling a service:* Your proposed ceiling price and a description of the most comparable service delivered by you during the base period showing your present direct labor and materials costs and ceiling price for it.

**Sec. 7. Sellers who cannot price under other sections.** If you claim that you are unable to determine your ceiling price for a commodity or service under any of the foregoing provisions of this regulation (which, in the opinion of the Director of Price Stabilization, provides adequate pricing instructions for virtually all transactions), you may apply in writing to the Director of Price Stabilization, Washington 25, D. C., for the establishment of a ceiling price. This application shall contain an explanation of why you are unable to determine your ceiling price under any other provision of this regulation; all pertinent information describing the commodity or service, and the nature of your business; your proposed ceiling price and the method used by you to determine it; and the reason you believe the proposed price is in line with the level of ceiling prices otherwise established by this regulation. You may not sell the commodity or service until the Director of Price Stabilization, in writing, notifies you of your ceiling price.

**Sec. 8. Modification of proposed ceiling prices by Director of Price Stabilization.** The Director of Price Stabilization may at any time disapprove or revise ceiling prices reported or proposed under this regulation so as to bring them into line with the level of ceiling prices otherwise established by this regulation.

**Sec. 9. Customary price differentials.** Your ceiling prices, when determined,

shall reflect your customary price differentials, including discounts, allowances, premiums and extras, based upon differences in classes or location of purchasers, or in terms and conditions of sale or delivery.

**Sec. 10. Exporters and importers.**

(a) **Exporters:** Sales by persons exporting commodities from the United States (or its territories and possessions) are subject to the provisions of this regulation. If the ceiling price is determined by the seller for domestic purchasers, it may be adjusted pursuant to section 9 to take account of the seller's customary differentials for export sales.

(b) **Importers:** Sales made within the territorial jurisdiction of the United States, its territories and possessions, of commodities imported by the sellers from other countries are subject to the provisions of this regulation.

**(c) Special provision for importers with existing purchase commitments.**

(1) If you resell a commodity which you import in substantially the same form (except for services normally performed by importers such as sorting or packaging), or sell that commodity after simple processing operations by you, such as wool scouring or coffee roasting, you may adjust a ceiling price determined under section 3 for any such commodity which is delivered to you pursuant to a contract dated on or before January 26, 1951 to offset an increase in landed cost since the base period. The amount of the permitted increase is the dollar and cents amount by which your current landed cost per unit exceeds your highest base period landed cost for the commodity. . . . .

**Sec. 12. Group of retail sellers under common control.** A group of retail sellers under common ownership or control which had an established practice of centrally determining uniform prices during the base period for some or all of their categories of commodities or services, may treat the entire group of retail sellers as one seller for the purpose of (1) computing ceiling prices for the commodities or services for which this practice existed and (2) complying with the record-keeping, reporting and filing provisions of this regulation.

The ceiling prices shall be the uniform centrally determined prices. Records shall be centrally kept, listing the names and addresses of all retail sellers of this group. If a group of retail sellers determines ceiling prices under this section, each retail outlet which is a member of the group must continue to abide by the ceiling prices under this section. The permission granted by this section may be withdrawn by the Director of Price Stabilization from any group of retail sellers upon consideration of the price records maintained by such group and such reports as he may require . . . .

**Sec. 14. Exemptions and exceptions.** This regulation does not apply to the following:

(a) Prices or rentals for real property;

(b) Rates or fees charged for professional services; . . . . .

(c) Rates charged by any person in the business of selling or underwriting insurance;

(f) Rates charged by any common carrier or other public utility;

(g) Margin requirements on any commodity exchange; . . . . .

(n) Sales or deliveries of commodities made or produced by the seller at his home, solely for his own account, without the assistance of hired employees, if the total of such sales or deliveries does not exceed \$200 in any one calendar month. . . . .

(s) The following agricultural commodities: . . . . .

(8) Fresh fish and seafood and game.

(11) The following oilseeds or nuts, their oils and fatty acids or combinations of these oils so long as in normal trade practice they retain their identity: . . . . .

Shark oil	Sperm oil
Whale oil	Cod oil

**Sec. 15. Amendments, protests and interpretations.** The Director of Price Stabilization may issue supplementary regulations modifying or implementing this regulation as he deems appropriate. Price Procedural Regulation No. 1 sets forth the circumstances and the manner in which you may obtain an official interpretation of this regulation; file a protest; or petition for an amendment. If the Director of Price Stabilization determines that adjustments are necessary to prevent or correct hardships or inequities and can be put into effect consistently with the objectives of the Defense Production Act of 1950, he will issue appropriate amendments or supplementary regulations providing for such adjustments.

**Sec. 16. Records.** This section tells you what records you must preserve and what additional records you must prepare.

**(a) Base period records.**

(1) You must preserve and keep available for examination by the Director of Price Stabilization those records in your possession showing the prices charged by you for the commodities or services which you delivered or offered to deliver during the base period, and also sufficient records to establish the latest net cost incurred by you prior to the end of the base period in purchasing the commodities (if you are a wholesaler or retailer).

(2) In addition, on or before March 1, 1951, you must prepare and preserve a statement showing the categories of commodities in which you made deliveries and offers for delivery during the base period; or if you sold services you must prepare and preserve a statement listing the services which you delivered or offered to deliver during the base period.

(3) On or before March 1, 1951, you must also prepare and preserve a ceiling price list, showing the commodities in each category (listing each model, type, style, and kind), or the services, delivered or offered for delivery by you during the base period together with a description or identification of each such commodity or service and a statement of the ceiling price. Your ceiling price list may refer to an attached price list or catalogue. If you are a retailer you

may satisfy the requirement of this paragraph (3) by recording on your purchase invoices, covering the commodities (including every model, type, style, and kind) delivered or offered for delivery by you during the base period, the price at which you sold, or offered the commodities for delivery, during the base period.

(4) You must also prepare and preserve a statement of your customary price differentials for terms and conditions of sale and classes of purchasers, which you had in effect during the base period.

(5) If you operate a restaurant, you are required to preserve all menus used by you during the last ten days of the base period and all menus hereafter used by you.

(b) **Current records.** If you sell commodities or services covered by this regulation you must prepare and keep available for examination by the Director of Price Stabilization for a period of two years, records of the kind which you customarily keep showing the prices which you charge for the commodities or services. In addition, you must prepare and preserve records indicating clearly the basis upon which you have determined the ceiling price for any commodities or services not delivered by you or offered for delivery during the base period. If you are a retailer you are required to preserve your purchase invoices and to record thereon both your initial selling price and the section of this regulation under which you have determined your ceiling price.

(c) In certain situations, other sections of this regulation require additional records to be prepared or submitted.

**Sec. 17. Sales slips and receipts.** Any seller who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so. Upon request from a purchaser any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of each commodity or service sold, and the price received for it.

**Sec. 18. Evasion.** Any practice which results in obtaining indirectly a higher price than is permitted by this regulation is a violation of this regulation. Such practices include, but are not limited to, devices making use of commissions, services, cross sales, transportation arrangements, premiums, discounts, special privileges, tie in agreements and trade understandings.

**Sec. 19. Transfers of business or stock in trade.** If the business, assets or stock in trade of any business are sold or otherwise transferred after January 26, 1951, and the transferee carries on the business, or continues to deal in the same type of commodities or services, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which



are necessary to enable the transferee to comply with the record provisions of this regulation.

Sec. 20. *Separate statement of taxes.* In addition to your ceiling price, you may collect the amount of any excise, sales or similar taxes paid by you as such only if, during the base period, you stated and collected such taxes separately from your selling price. In the case of such a tax imposed by law which is not effective until after January 26, 1951, you may collect the amount of the

tax actually paid as such by you, in addition to your ceiling price, if not prohibited by the tax law. You must in all such cases state separately the amount of the tax.

Sec. 21. *Penalties.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Defense Production Act of 1950. . . . .

NOTE: The record keeping and reporting requirements of this regulation have been

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DiSALLE,  
Director of Price Stabilization.

JANUARY 26, 1951.

Approved:  
ERIC JOHNSTON,  
Administrator, Economic  
Stabilization Agency.

JANUARY 26, 1951

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**GENERAL WAGE STABILIZATION:** General Wage Stabilization Regulation 1 was issued by the Economic Stabilization Agency on January 26, 1951, at the same time as the General Ceiling Price Regulation was issued. It stabilizes wages as of January 25, 1951. The Wage Stabilization Board formulated and will be directly responsible for the administration of this Regulation.

The full text of this Regulation follows:

**TITLE 32A—NATIONAL DEFENSE,  
APPENDIX**

**Chapter II—Economic Stabilization  
Agency**

**GENERAL WAGE STABILIZATION  
REGULATION 1**

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.) and Executive Order 10161 (15 F. R. 6105), it is hereby ordered, That rates of wages, salaries and other compensation are stabilized as hereinafter provided.

*Statement of considerations.* A regulation establishing ceilings on prices of materials and services generally was issued by the Economic Stabilization Agency on the 26 day of January, 1951. The provisions of Section 402 (b) of the Defense Production Act of 1950 require that upon the issuance of such an order wages, salaries and other compensation generally shall be stabilized.

For the purpose of preparing itself for the discharge of its responsibilities the Wage Stabilization Board heretofore distributed to representative labor and industry groups a series of questions, the answers to which would provide the Board with essential information for the development of wage stabilization policies.

Following the distribution of the series of questions, the Wage Stabilization Board conducted conferences which were attended by representative groups of labor and industry which presented their views respecting the development of wage stabilization policies.

The Administrator has this day issued General Ceiling Price Regulation 1 and is required by the Defense Production Act of 1950 to stabilize at the same time wages, salaries and other compensation. This regulation will be modified and implemented, from time to time, as the Wage Stabilization Board develops its wage stabilization policy. The Board will issue regulations governing the procedure for applying for modifications and adjustments.

**GENERAL WAGE STABILIZATION REGULATION 1  
Sec.**

- 1 General stabilization of wages, salaries and other compensation.
- 2 Other existing regulations and orders superseded.
- 3 No rates below May 24-June 24, 1950, period.
- 4 Definitions.
- 5 Petitions for approval of increases.
- 6 Modifications and amendments.

**AUTHORITY:** §§ 1 to 6 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

**Section 1. General stabilization of wages, salaries and other compensation.** No employer shall pay any employee and no employee shall receive "wages, salaries and other compensation" at a rate in excess of the rate at which such employee was compensated on January 25, 1951, without the prior approval or authorization of the Wage Stabilization Board. New employees shall not be compensated at rates higher than those in effect on January 25, 1951, for the jobs for which they are hired.

**Sec. 2. Other existing regulations and orders superseded.** The provisions of

this regulation shall supersede the provisions of existing wage regulations and orders of the Economic Stabilization Agency. Wage Procedural Regulation No. 1 is hereby revoked.

**Sec. 3. No rates below May 24-June 24, 1950, period.** Nothing in this regulation shall be construed to require the stabilization of wages, salaries and other compensation for any job at a rate less than that paid during the period from May 24, 1950, to June 24, 1950, inclusive.

**Sec. 4. Definitions.** The term "wages, salaries and other compensation" shall have the meaning defined in Section 702 (e) of the Defense Production Act of 1950.

**Sec. 5. Petitions for approval of increases.** Petitions for the approval of any increase in "wages, salaries and other compensation" affected by this regulation shall be filed with the Wage Stabilization Board.

**Sec. 6. Modifications and amendments.** This regulation may be modified, amended or superseded by orders or regulations hereafter issued by the Wage Stabilization Board.

All other orders and directives of the Economic Stabilization Administrator, including General Order No. 3 of January 24, 1951, are hereby superseded to the extent that they are inconsistent herewith.

ERIC JOHNSTON,  
Economic Stabilization  
Administrator.

Issued: January 26, 1951.

\* \* \* \* \*

**OPENING OF REGIONAL AND DISTRICT PRICE CONTROL OFFICES:** Opening of 14 regional and 42 district price control offices throughout the country on January 29 was announced by the Economic Stabilization Agency. Regional offices will be opened with a skeleton staff, with most of its members borrowed from other government agencies or loaned from ESA in Washington.

In addition, it is expected that 20 more district offices will be opened on or about February 15, and 9 others about March 1. The regional offices operating directly under national headquarters in Washington will direct the activities of the district offices, which in turn will carry the price stabilization program into local communities.

Each regional price director will be assisted by a staff which will include price specialists, attorneys, enforcement personnel, an information officer, an administrative officer, and a clerical staff. The district offices will be similarly staffed.

The 13 continental regional offices and the States they will serve and the 42 district offices are as follows:

## TITLE 32A—NATIONAL DEFENSE, APPENDIX

### Chapter II—Economic Stabilization Agency

#### REGIONAL AND DISTRICT OFFICES

#### AMENDMENT OF ORGANIZATIONAL STATEMENT

The organization of the Economic Stabilization Agency, established pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), and Executive Order 10161 (15 F. R. 6105), as published in the FEDERAL REGISTER dated December 16, 1950 (15 F. R. 9004), is amended by adding the following section thereto:

SEC. VII. *Location.* The Regional and District Offices of the Economic Stabilization Agency are located as follows:

Region I (Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont). Office: Boston, Mass., 141 Milk Street. District offices: Portland, Maine, Post Office Building; Montpelier, Vt., 126 Main Street; Concord, N. H., 44 South Main Street; Hartford, Conn., 179 Allyn Street; Providence, R. I., 49 Westminster Street.

Region II (New York, New Jersey). Office: New York, N. Y., 2 Park Avenue. District offices: Buffalo, N. Y., 295 Main Street; Newark, N. J., 185 Washington Street.

Region III (Delaware, Pennsylvania). Office: Philadelphia, Pa., Fifteenth and Market Streets. District offices: Pittsburgh, Pa., Fulton Building; Wilmington, Del., 901 West Eighth Street.

Region IV (Maryland, North Carolina, Virginia, West Virginia, District of Columbia). Office: Richmond, Va., 900 North Lombardy Street. District offices: Charleston, W. Va., 601 Virginia Street East; Charlotte, N. C., 500 West Trade Street; Baltimore, Md., 103 South Gay Street; District of Columbia, 310 Sixth Street NW.

Region V (Alabama, Florida, Georgia, Mississippi, South Carolina, Tennessee). Office: Atlanta, Ga., 114 Marietta Street NW. District offices: Columbia, S. C., 1313 Main Street; Memphis, Tenn., Marx & Benschdorf Building; Jackson, Miss., 407 West Capitol Street; Birmingham, Ala., 1814 Second Avenue; Jacksonville, Fla., 221 West Adams Street.

Region VI (Kentucky, Michigan, Ohio). Office: Cleveland, Ohio, 1901 East Thirtieth Street. District offices: Cincinnati, Ohio, 37-41 West Seventh Street; Detroit, Mich., Book Tower; Louisville, Ky., 307 South Fifth Avenue.

Region VII (Illinois, Indiana, Wisconsin). Office: Chicago, Ill., 219 South Clark Street. District offices: Indianapolis, Ind., 730 East Washington Street; Milwaukee, Wis., 161 West Wisconsin Avenue.

Region VIII (Minnesota, North Dakota, Montana, South Dakota). Office: Minneapolis, Minn., 620 Marquette. District offices: Fargo, N. Dak., 16 Eighth Street South; Sioux Falls, S. Dak., 114 South Main Avenue; Helena, Mont., Federal Building.

Region IX (Iowa, Kansas, Missouri, Nebraska). Office: Kansas City, Mo., 112 Ninth Street. District offices: St. Louis, Mo., 314 North Broadway; Omaha, Nebr., 1516 Harney Street; Des Moines, Iowa, 418 Seventh Street; Wichita, Kans., 3234 East Douglas Street.

Region X (Louisiana, Oklahoma, Arkansas, Texas). Office: Dallas, Tex., 2306 Main Street. District offices: Little Rock, Ark., 555 Building; Houston, Tex., 510 LaBanc Street; New Orleans, La., Standard Oil Building; Oklahoma City, Okla., 322 North Robinson Street.

Region XI (Colorado, New Mexico, Utah, Wyoming). Office: Denver, Colo., Central Savings Building, Fifteenth and Arapahoe Streets. District offices: Cheyenne, Wyo., 1509 Bent Avenue; Salt Lake City, Utah, 222 South West Temple Street; Albuquerque, N. Mex., 142 North Monroe Street.

Region XII (Arizona, California, Nevada). Office: San Francisco, Calif., 1000 Geary Street. District offices: Reno, Nev., 1475 Wells Avenue; Los Angeles, Calif., 109 West 6th Street; Phoenix, Ariz., 315 North Central Avenue.

Region XIII (Idaho, Oregon, Washington). Office: Seattle, Wash., 1110 Second Avenue. District offices: Portland, Oreg., Lincoln Building; Boise, Idaho, American Legion Building.

ERIC JOHNSTON,  
Economic Stabilization Administrator.

The fourteenth regional office will be for territories, and will be located in Washington. District offices will be located in the principal cities of the territories, and acting directors will be appointed to head them by the territorial governors.



## Department of the Interior DEFENSE FISHERIES ADMINISTRATION

SURVEY OF MATERIALS REQUIREMENTS OF FISHERY INDUSTRIES: Late in January the Defense Fisheries Administration (DFA) announced that it was participating in a Nation-wide survey requested by the National Production Authority (NPA). This survey is a prerequisite to the establishment of an orderly system of production and apportionment programming for scarce materials. Because of the expanded military program, it is possible that a "Controlled Materials Plan" may be implemented as

early as the third quarter of 1951. In order to prepare for this contingency, NPA must have the necessary information on materials requirements of all industries by March 1, 1951.

Obviously, the time available did not allow for a complete and comprehensive survey. For the phase of the survey affecting the fishery and allied industries, the Fish and Wildlife Service assigned some 30 of its staff to assist DFA in making the materials requirements survey of these industries. A high degree of cooperation from the fishery industries and the best efforts of those assigned to make the survey are required in order to successfully gauge the needs of these industries for scarce materials.

Whether or not the fishery industries are apportioned the necessary amounts of scarce materials depends on whether or not the members of these industries realize how important it is to them that their requirements be stated as completely and accurately as possible. The early days of World War II demonstrated the futility of granting priorities assistance for more materials than had been produced and how necessary and important it was to schedule in advance sufficient production to meet requirements.

No questionnaires were circulated and no formal reports were required for this survey, but Service personnel are calling on representatives of the industry and asking their assistance in arriving at typical unit requirements. It is from these that estimates will be made for total requirements of the various segments of the fishery industries.

\* \* \* \* \*

SECOND DEPUTY DEFENSE FISHERIES ADMINISTRATOR NAMED: The appointment of Maurice Rattray of Seattle, Wash., as a deputy administrator of the Defense Fisheries Administration was announced by the Secretary of the Interior on January 25.

The new deputy will assist DFA Administrator Albert M. Day and Deputy Administrator Milton C. James in the broad supervision of the Department's program for assuring sufficient fishery commodities to satisfy the country's emergency needs.

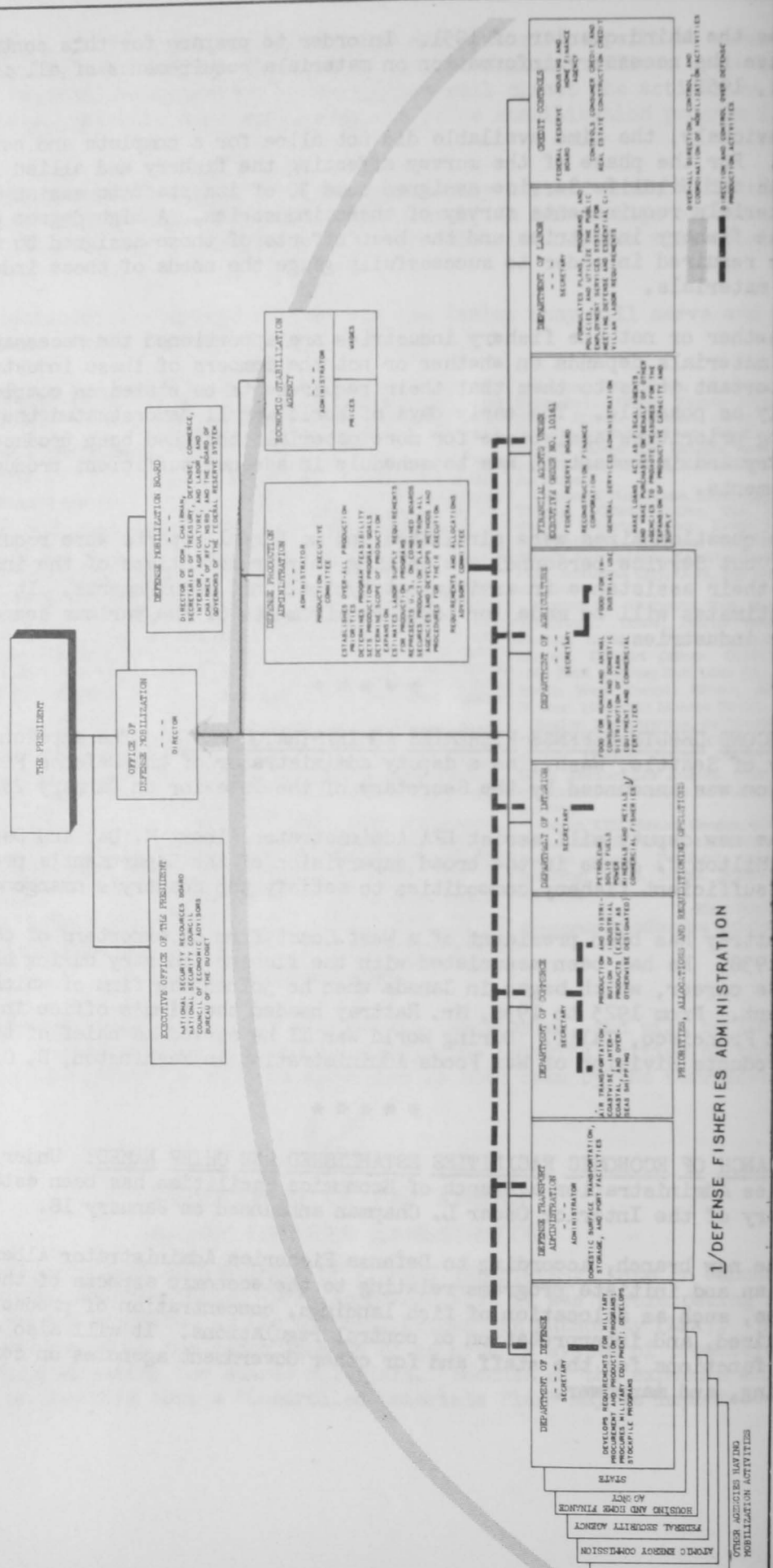
Rattray has been president of a West Coast firm of exporters of canned foods since 1938. He has been associated with the fishing industry during his entire business career, which began in Canada when he joined the firm of which he is now president. From 1925 to 1938, Mr. Rattray headed the firm's office in Seattle, Wash., and San Francisco, Calif. During World War II he served as chief of the Fish and Food Products Division of War Foods Administration in Washington, D. C.

\* \* \* \* \*

BRANCH OF ECONOMIC FACILITIES ESTABLISHED AND CHIEF NAMED: Under the Defense Fisheries Administration a Branch of Economics Facilities has been established, Secretary of the Interior Oscar L. Chapman announced on January 18.

The new branch, according to Defense Fisheries Administrator Albert M. Day, will plan and initiate programs relating to the economic aspects of the fishery industries, such as allocation of fish landings, concentration of production insofar as required, and interpretation of control regulations. It will also exercise advisory functions for the staff and for other Government agencies on ceiling prices, rationing, and manpower.

Lines of Authority Under Defense Mobilization



At the same time, Dr. Richard A. Kahn has been named acting chief of the newly-established Branch. He has been Chief of the Economics and Cooperative Marketing Section, Branch of Commercial Fisheries, U. S. Fish and Wildlife Service, since January 6, 1944. His new duties will be somewhat similar to those he had during World War II when he was detailed from the Fish and Wildlife Service to the Office of the Coordinator of Fisheries in Washington, D. C., to assist in handling manpower problems, deferments, allocation and concentration orders, and matters related to the adjustment of ceiling prices then administered by the Office of Price Administration.



## Department of State

INTERIOR REPRESENTATIVE TO ATTEND THIRD SET OF TARIFF NEGOTIATIONS:<sup>1/</sup> Paul A. Unger, Office of the Secretary, Department of the Interior, will attend the Third Set of Tariff Negotiations by the Contracting Parties to the General Agreement on Tariffs and Trade now in session at Torquay, England, the Department of State announced on January 25. He will represent the Department of the Interior on the Interdepartmental Committee on Trade Agreements. The representative of the Department of the Interior on the committee,<sup>1/</sup> William E. S. Flory will be unable to attend and Unger, who left January 25 for Torquay, will serve as his alternate.

Executive Order No. 10170, issued by the President on October 12, 1950, added the Department of the Interior to the eight government agencies which already had members on the Committee.

<sup>1/</sup>ALSO SEE COMMERCIAL FISHERIES REVIEW, NOVEMBER 1950, P. 84.

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POINT FOUR AGREEMENT WITH PERU INCLUDES FISHERY DEVELOPMENT PROJECTS: The United States and Peru on January 26 concluded a Point Four General Agreement, under which the two Governments will continue and expand their comprehensive program of technical cooperation, the Department of State announced on the same date. The agreement specifies the basic conditions of cooperation, as prescribed by the Act for International Development, authorizing the Point Four Program.

U. S.-Peruvian cooperation in the fields of agriculture (including fisheries), health and sanitation, and education has been carried on for the past eight years, chiefly through the work of three "servicios" jointly organized, staffed, and financed by the Peruvian Government and the Institute of Inter-American Affairs, a corporation of the U. S. Government.

With the establishment last September of the Technical Cooperation Administration in the Department of State, this work came under the Point Four Program. Six other technical assistance projects, begun under previous legislation, are also being continued under Point Four. Twelve requests for new projects are now under consideration by the Technical Cooperation Administration.

A total of \$1,091,250 has been tentatively earmarked from Point Four funds for the Peruvian program in the current fiscal year. This includes the \$750,000 earmarked for the work of three "servicios" operated by the Institute of Inter-American Affairs and the Peruvian Government.

The agriculture "servicio" has been mainly concerned with improving the food supply of the Peruvian people. The program now engages the services of 17 U. S.

specialists and 279 Peruvians. Included among the U. S. specialists is Robert O. Smith, fisheries consultant, who is working through the "servicio" on a project to develop Peru's fishing industry.

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THIRD MEETING OF INDO-PACIFIC FISHERIES COUNCIL<sup>1/</sup> SCHEDULED: The Third Meeting of the Indo-Pacific Fisheries Council is scheduled to open at Madras, India, on February 1, 1951. H. J. Deason, Chief, Office of Foreign Activities, U. S. Fish and Wildlife Service, Washington, D. C., has been designated the United States Delegate, according to a January 26 Department of State news release. Deason will be assisted by Townsend Cromwell, Oceanographer, Research and Development Section, Pacific Oceanic Fishery Investigations, U. S. Fish and Wildlife Service, Honolulu, Hawaii.

The principal functions of the Council are (1) to formulate the oceanographical, biological, and other technical aspects of the problems of development and proper utilization of the living aquatic resources of the Indo-Pacific area; (2) to encourage and coordinate research and the application of improved methods in everyday practices; and (3) to assemble, publish or otherwise disseminate oceanographical, biological, and other technical information relating to living aquatic resources.

Arrangements have been made for the Council to survey all aspects of the work which has been performed in carrying out these functions since its last meeting at Cronulla, Australia, April 17-28, 1950, and to review and discuss a number of special technical papers which have been prepared for the guidance of the Council in outlining its program for the coming year.

In connection with the forthcoming meeting, the Council will also hold a symposium on "The Transplantation of Fish within the Indo-Pacific Region and the Introduction of Fish to the Region from Outside."

The Agreement for the Establishment of the Indo-Pacific Fisheries Council, which was formulated at a fisheries meeting held at Baguio, Philippines, February 25-28, 1948, under the auspices of the Food and Agriculture Organization of the United Nations, entered into force on November 9, 1948. The following 15 countries are parties to the agreement at the present time: Australia, Burma, Ceylon, China, France, India, Korea, Indonesia, Netherlands, Pakistan, Philippines, Thailand, United Kingdom, United States, and Vietnam.

<sup>1/</sup>SEE COMMERCIAL FISHERIES REVIEW, JULY 1950, PP. 23-4; MAY 1950, PP. 91-2.

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U. S. COMMISSIONERS APPOINTED TO NORTHWEST ATLANTIC FISHERIES COMMISSION: The appointment of three Commissioners to represent the United States on the Northwest Atlantic Fisheries Commission was announced by the President, on January 15, 1951. They are: Hilary J. Deason, Chief of the Office of Foreign Activities, Fish and Wildlife Service, U. S. Department of the Interior; Bernhard Knollenberg, author and lawyer of Chester, Connecticut; and Francis W. Sargent, Director of the Division of Marine Fisheries, Commonwealth of Massachusetts, Boston, Massachusetts.

The Commission is being established by virtue of a Convention between the United States and nine other nations which participate in the fisheries of the Northwest Atlantic Ocean. Its purpose will be to provide the machinery for international cooperation in the scientific investigation and development of the fishery resources of the waters off the west coast of Greenland, and the east coasts of



HILARY J. DEASON

Canada and New England. The Commission will have no regulatory powers but will make recommendations to the respective Governments regarding measures which may be necessary for maintaining the stocks of fish which support the international fisheries in the Convention area.

The Convention came into effect on July 3, 1950 upon deposit of instruments of ratification by four of the Contracting Governments. Five countries have ratified the Convention: Canada, Denmark, Iceland, United Kingdom, United States. Five nations have not yet deposited instruments of ratification: France, Italy, Norway, Portugal, Spain.

By the Final Act of the Conference the United States was charged with the duty of convening the first meeting of the Commission as soon as possible after the Convention came into effect and

it is expected that such a meeting will be held in Washington within the next few months.



Department of the Treasury  
BUREAU OF CUSTOMS

BANS IMPORTS OF RUSSIAN CANNED CRAB MEAT: Imports of Russian crab meat were banned by the Bureau of Customs effective January 27, 1951, on the grounds that it is processed by "forced, convict and indentured labor." The full text of the order as it appeared in the Federal Register of January 27 follows:

**Bureau of Customs**

[T. D. 52655]

**CONVICT, FORCED OR INDENTURED LABOR GOODS**

**CANNED CRAB MEAT FROM THE UNION OF SOVIET SOCIALIST REPUBLICS**

Upon the basis of the evidence obtained from various sources, I have ascertained and hereby find, pursuant to the provisions of § 12.42, Customs Regulations of 1943, promulgated in accordance with the authority contained in section 307, Tariff Act of 1930 (19 U. S. C. 1307), that convict labor, forced labor, and indentured labor under penal sanctions are used in whole or in part in the manu-

facture and production of canned crab meat in the Union of Soviet Socialist Republics and on vessels which are of "U. S. S. R." registry or under the exclusive dominion and control of the "U. S. S. R.", and that canned crab meat is manufactured or produced in the United States in sufficient quantities to meet the consumptive demands of the United States.

Accordingly, on and after the date of the publication of this finding in the FEDERAL REGISTER, collectors of customs shall prohibit, under the provisions of section 307, Tariff Act of 1930, the importation of canned crab meat manufactured or produced wholly or in part in the Union of Soviet Socialist Repub-

lics or manufactured or produced wholly or in part on vessels of "U. S. S. R." registry or on vessels under the exclusive dominion and control of the "U. S. S. R.", unless the importer establishes by satisfactory evidence, as provided for in §§ 12.42-12.46, inclusive, Customs Regulations of 1943, that the merchandise was not manufactured or produced wholly or in part by any one of the classes of labor mentioned above.

(Sec. 307, 46 Stat. 689; 19 U. S. C. 1307)

[SEAL] **FRANK DOW,**  
*Commissioner of Customs.*

Approved: January 25, 1951.

**JOHN S. GRAHAM,**  
*Acting Secretary of the Treasury.*

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1951 TARIFF-RATE QUOTA FOR GROUND FISH (INCLUDING ROSEFISH) FILLETS:<sup>1/</sup> The following establishing a 1951 tariff-rate quota for fresh and frozen groundfish (including rosefish) fillets appeared in the Federal Register of January 20, 1951:

<sup>1/</sup>ALSO SEE PP. 40-1 OF THIS ISSUE.

## DEPARTMENT OF THE TREASURY

## Bureau of Customs

(T. D. 52647)

FISH

## TARIFF-RATE QUOTA

JANUARY 16, 1951.

The tariff-rate quota for the calendar year 1951 on certain fish dutiable under paragraph 717 (b), Tariff Act of 1930, as

modified pursuant to the General Agreement on Tariffs and Trade (T. D. 51802).

In accordance with the proviso to item 717 (b) of Part I, Schedule XX, of the General Agreement on Tariffs and Trade (T. D. 51802), it has been ascertained that the average aggregate apparent annual consumption in the United States of fish, fresh or frozen (whether or not packed in ice), filleted, skinned, boned, sliced, or divided into portions, not specially provided for: Cod, haddock, hake,

pollock, cusk, and rosefish, in the 3 years preceding 1951, calculated in the manner provided for in the cited agreement, was 194,932,053 pounds. The quantity of such fish that may be imported for consumption during the calendar year 1951 at the reduced rate of duty established pursuant to that agreement is, therefore, 29,239,808 pounds.

[SEAL]

FRANK DOW,  
Commissioner of Customs.



## Eighty-Second Congress (First Session)

JANUARY 1951

The First Session of the Eighty-Second Congress commenced on January 3, 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; and the more pertinent reports or hearings on some of the bills shown in this section from month to month are also listed.

BILLS AND RESOLUTIONS INTRODUCED:

Alaska Fisheries—Transfer of Jurisdiction to Territory: H. R. 159 (Bartlett) - A bill transferring the jurisdiction, supervision, administration, and control over the salmon and other fisheries of Alaska, except the fur-seal and sea-otter fisheries, from the Department of the Interior to the Territory of Alaska, and for other purposes; to the Committee on Merchant Marine and Fisheries.

Alaska Statehood: S. 50 (O'Mahoney, for himself and 18 other Senators) - A bill to provide for the admission of Alaska into the Union; to the Committee on Interior and Insular Affairs.

Also: H. R. 1493 (Bartlett)...to the Committee on Public Lands.

H. R. 1510 (Yorty)...

H. R. 1863 (Angell)...

Alaskan Labor Conditions Report: H. J. Res. 5 (Bartlett) - Joint resolution authorizing the Bureau of Labor Statistics of the United States Department of Labor to report periodically on labor conditions in the Territory of Alaska; to the Committee on Education and Labor.

Chemicals in Food Products: H. Res. 18 (Delaney) - Resolution to continue the authority of the Select Committee to Investigate the Use of Chemicals in Food Products; to the Committee on Rules.

Also: H. Res. 74 (Delaney)...

H. Con. Res. 39 (Delaney) - Authorizing the Select Committee to Investigate the Use of Chemicals in Food Products to have printed for its use additional copies of certain hearings; to the Committee on House Administration.

Colorado River Dam: S. 75 (McFarland, for himself and Hayden) - A bill authorizing the construction, operation, and maintenance of a dam and incidental works in the stream of the Colorado River at Bridge Canyon, together with certain appurtenant dams and canals, and for other purposes; to the Committee on Interior and Insular Affairs.

Defense Production Act Presidential Powers: H. Con. Res. 4 (Javits) - Concurrent resolution expressing

the sense of the Congress that the President exercise now powers granted him by section 402 of the Defense Production Act of 1950; to the Committee on Banking and Currency.

Also: H. Con. Res. 38 (McKinnon)...

Defense Production Act—Repeal Provisions which Prevent Control of Food Prices: H. R. 2126 (Ribicoff) - A bill to repeal those provisions of the Defense Production Act of 1950 which prevent effective control of food prices; to the Committee on Banking and Currency.

Dollar Purchasing Power Equalization for Imports: H. R. 283 (Ramsay) - A bill to equalize the purchasing power of the American dollar and currencies of the United States, when the same come into competition with foreign moneys in the purchase of goods and merchandise, of all kinds not on the free list, that are bought for transportation and importation into the United States of America from foreign countries; to the Committee on Ways and Means.

Economic Aid Ban for Foreign Countries Exporting to Russia or Satellites: H. R. 1621 (Lantaff) - A bill to provide that no economic or financial assistance shall be furnished to foreign countries which permit the exportation of strategic war materials to Russia and Russia's satellites, and for other purposes; to the Committee on Foreign Affairs.

Economic Aid to China: S. 438 (McCarren) - A bill to provide economic, financial and other aid to China; to the Committee on Foreign Relations.

Economic Aid to Israel: H. R. 57 (Dingell) - A bill to provide for the extension of economic aid to Israel; to the Committee on Foreign Affairs.

Economic Stabilization: H. R. 1617 (Hoffman of Michigan) - A bill to stabilize prices, prevent inflation, and control production; to the Committee on Banking and Currency.

Export Policies and Control Regulations Study: H. Res. 23 (Heseltun) - Resolution directing full, complete, and continuing study and investigation of the administration, execution, and enforcement of export policies and control regulations; to the Committee on Rules.



Facilities to Protect Federal Resources Affected by Dam Projects: H. R. 1626 (Mansfield) - A bill to provide for the installation of improvements and facilities needed for the protection, development, and utilization of Federal resources affected by dam and water reservoir projects constructed by the Federal Government, and for other purposes; to the Committee on Public Lands.

Fats and Oils Import Equalizing Fee, Etc.: H. R. 528 (McCormack) - A bill to provide aid in stabilizing agriculture prices by providing an equalizing fee on imported fats and oils, an offset on exports of fats and oils, and for other purposes; to the Committee on Ways and Means.

Fats and Oils Parity Price: H. R. 1312 (Scudder) - A bill to amend the Agricultural Act of 1948 by adding thereto a new section to establish an average parity price for fats and oils and to aid in maintaining such parity price to producers; to the Committee on Agriculture.

Fertilizer Materials Regulations: H. R. 1755 (Burdick) - A bill to regulate the registration, manufacture, labeling, and inspection of fertilizer and fertilizer materials shipped in interstate commerce, and for other purposes; to the Committee on Agriculture.

Fish Hatchery: H. R. 424 (Wickersham) - A bill to establish rearing ponds and a fish hatchery in southwestern Oklahoma; to the Committee on Merchant Marine and Fisheries.

Fishing Industry Relief: S. Res. 30 (Brewster) - Whereas the fishing industry is an important part of the economy of the United States; and

Whereas the growing population of the Nation emphasizes the increasing future importance of fish as a food; and

Whereas the men and equipment of the fishing fleets and the shore workers engaged in the preparation of the catches, and the food resource thereby made available, have been demonstrated in two world wars to be necessary to the national defense; and

Whereas operations of much of the fishing industry have been seriously curtailed by reason of steadily growing imports of fish and fishery products, particularly of fresh and frozen groundfish fillets, and there is reason to believe that similar conditions are imminent in the tuna industry on the Pacific coast; and

Whereas if the present trend is permitted to continue, the fishing industry will, within a short time, be so impaired as to force out of business a major portion of the fishing fleet of the United States and force out of employment a major portion of the workmen employed in various phases of the industry; and

Whereas the domestic fishing industry has already been adversely affected and is further seriously threatened by the consistently increasing importations of fish and fishery products into the United States; and

Whereas the imported fish are caught by workmen whose wage scale and standard of living are far below those of Americans in like occupations; and

Whereas, notwithstanding the resulting lower cost of fish in their primary foreign market, the finally processed product is sold to the American housewife at the same price as the domestic fish; and

Whereas representatives of the fishing industry and others from many parts of the United States recently appeared before the Committee on Merchant Marine and Fisheries of the House of Representatives and attested to the facts hereinbefore stated; and

Whereas the foregoing indicates the need for an immediate study and investigation of the cause and effect of a situation that will, if not corrected, result in the serious impairment of the oldest and one of the most important food-producing industries in the United States: Therefore be it

Resolved, That the Secretary of the Interior be, and he hereby is, requested to cause an immediate study to be made of--

(1) the differences in the costs of domestic production of fresh and frozen fish, especially groundfish fillets, and the costs of foreign production of similar fish; and

(2) the effect on the domestic fishing industry of increasing imports of fresh and frozen fish, especially groundfish fillets, into the United States;

and with the advice of, and in coordination with, the Department of State, the Department of Agriculture, the United States Tariff Commission, the Bureau of Customs of the Department of the Treasury, and other appropriate executive departments and independent agencies of the Government to recommend means by which the United States fishing industry may survive and be saved harmless against the inroads of foreign-caught and foreign-processed fish; and that, because of the urgency of the situation, he be and hereby is requested to make his report and recommendation to the Senate within 30 days after the adoption of this resolution.

Fishing Vessels Marine Inspection by U. S. Coast Guard: H. R. 1762 (Nicholson) - A bill for the safety of life and property by making all commercial fishing vessels subject to the rules and regulations of the United States Coast Guard marine inspection; to the Committee on Merchant Marine and Fisheries.

Forced Labor Products Imports Prohibited: H. R. 327 (Reed) - A bill to amend the Tariff Act of 1930 to facilitate the enforcement of certain provisions thereof prohibiting importation of products of forced labor, and for other purposes; to the Committee on Ways and Means.

Foreign-Trade Agreements with Communist-Controlled Countries: H. Con. Res. 2 (Burnside) - Concurrent resolution expressing the sense of Congress that the President should rescind foreign-trade agreements with Communist-controlled countries; to the Committee on Ways and Means.

Also: H. Con. Res. 3 (Hand)...  
 H. Con. Res. 5 (Jenkins)...  
 H. Con. Res. 9 (Ramsay)...  
 H. Con. Res. 11 (Sadlak)...  
 H. Con. Res. 12 (Secret)...  
 H. Con. Res. 23 (Phillips)...

Hawaii Statehood: S. 49 (O'Mahoney, for himself and 20 other Senators) - A bill to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States; to the Committee on Interior and Insular Affairs.

Also: H. R. 49 (Curtis of Nebraska)... to the Committee on Public Lands.

H. R. 1646 (Yorty)...  
 H. R. 1862 (Angell)...

Import of Convict-Made Goods: H. Res. 34 (Ramsay) - Resolution creating a select committee to conduct an investigation and study of the importation of convict-made goods; to the Committee on Rules.

Also: H. Res. 35 (Ramsay) - Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 34; to the Committee on House Administration.

Marketing and Minimum Prices for Agricultural Products: H. R. 2047 (Gross) - A bill to regulate interstate and foreign commerce in agricultural products; to prevent unfair competition; to provide for the orderly marketing of such products; to promote the general welfare by assuring an abundant and permanent supply of such products by securing to the producers a minimum price of not less than cost of production, and for other purposes; to the Committee on Agriculture.

Marketing Facilities for Perishable Commodities: H. R. 26 (Brooks) - A bill to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities; to the Committee on Agriculture.

Also: H. R. 39 (Cooley)...  
 H. R. 1291 (Phillips)...

Merrimack River Survey: H. R. 206 (Lane) - A bill to provide for a comprehensive survey to promote the development of hydroelectric power, flood control, and other improvements on the Merrimack River; to the Committee on Public Works.

Merrimack Valley Authority: H. R. 205 (Lane) - A bill to establish a Merrimack Valley Authority to provide for unified water control and resource development on the Merrimack River and surrounding region in the interest of the control and prevention of floods, the promotion of navigation and reclamation of the public lands, the promotion of family type farming, the development of the recreational possibilities and the promotion of the general welfare of the area, the strengthening of the national defense, and for other purposes; to the Committee on Public Works.

Motor Vehicle Laws: H. J. Res. 54 (Taylor) - Joint resolution establishing a Federal Motor Vehicle Commission for the purpose of making uniform laws pertaining to operation, ownership, and control of motor vehicles; to the Committee on Interstate and Foreign Commerce.

Nautical Education: S. 474 (Brewster) - A bill to provide for nautical education in the Territories, to facilitate nautical education in the States and Terri-

ories, and for other purposes; to the Committee on Interstate and Foreign Commerce.

New England Rivers Survey: H. R. 349 (Rogers of Massachusetts) - A bill to provide for an examination and survey of the rivers of the New England States to further the program for the general generation of electric energy in such States; to the Committee on Public Works.

Nutrition Through Improved Food Supplies Distribution: S. 267 (Aiken) - A bill to safeguard the health efficiency, and morale of the American people; to provide for improved nutrition through a more effective distribution of food supplies through a food-allotment program; to assist in maintaining fair prices and incomes to farmers by providing adequate outlets for agricultural products; to prevent burdening and obstructing channels of interstate commerce; to promote the full use of agricultural resources; and for other purposes; to the Committee on Agriculture and Forestry.

Passamaquoddy Power Project: S. 72 (Smith of Maine) - A bill to establish the Passamaquoddy power project for the development and use of tidal energy in the waters of Passamaquoddy Bay for the production of electrical power; to the Committee on Public Works.

Passamaquoddy Power Project Plans Survey: S. J. Res. 18 (Smith of Maine) - Joint resolution authorizing the International Joint Commission to make a survey to determine the most economical and most feasible plan for the construction of the proposed Passamaquoddy tidal power project at Passamaquoddy Bay in the State of Maine and the Province of New Brunswick and authorizing the appropriation of not to exceed \$3,900,000 to defray the cost thereof, and for other purposes; to the Committee on Foreign Relations.

Also: H. J. Res. 118 (Fallow)... to the Committee on Foreign Affairs.

H. J. Res. 120 (Hale)...

Price and Wage Controls and Effective Dates: H. J. Res. 33 (Larcade) - Joint resolution to amend section 402 of the Defense Production Act so as to require that if price or wage controls are exercised under that section they be exercised for prices and wages generally and ceilings be set at the levels prevailing from May 24, 1950, to June 24, 1950; to the Committee on Banking and Currency.

Price Control Act of 1942 Amendment: H. R. 221 (Larcade) - A bill to amend the Emergency Price Control Act of 1942, as amended, relating to actions for civil liabilities for violation of the Emergency Price Control Act; to the Committee on Banking and Currency.

Recreational Facilities in Reservoir Areas: S. 40 (McCarran) - A bill to authorize the Secretary of the Interior to establish recreational facilities in reservoir areas of reclamation projects; to the Committee on Interior and Insular Affairs.

Reduction of Tariff Rates Executive Agreements: H. R. 86 (Hand) - A bill to require approval by Congress of executive agreements with respect to the reduction of tariff rates before the same become effective; to the Committee on Ways and Means.

Retail Meat Price Control: H. Res. 50 (Edwin Arthur Hall) - Resolution calling for retail price control of meat; to the Committee on Banking and Currency.

Rockfish Sales in D. C.: S. 41 (McCarran) - A bill prohibiting the sale in the District of Columbia of rockfish weighing more than 15 pounds; to the Committee on the District of Columbia.

Roll-Back of Retail Prices to July 1939: H. Res. 101 (Edwin Arthur Hall) - Resolution calling for a general roll-back of retail prices to the July 1939 level; to the Committee on Banking and Currency.

School Lunch Act Amendment: H. R. 1732 (Farrington) - A bill to amend the National School Lunch Act with respect to the apportionment of funds to Hawaii and Alaska; to the Committee on Education and Labor.

Tidelands Jurisdiction: H. R. 58 (Doyle) - A bill to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and to the natural resources within such lands and waters, to provide for the use and control of said lands and resources, and to provide for the use, control, exploration, development, and conservation of certain resources of the Continental Shelf lying outside of State boundaries; to the Committee on Judiciary.

Also: H. R. 1089 (Walter)...  
H. R. 1230 (Willis)...

Tidelands Jurisdiction: H. R. 266 (Poulson) - A bill to confirm and establish the titles 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: H. R. 415 (Werdell)...  
H. R. 1022 (Hale)...  
H. R. 1310 (Scudder)...  
H. R. 1364 (McDonough)...  
H. R. 1523 (Boggs of Louisiana)...  
H. R. 1934 (Bramblett)...

Trade Agreements Extension: H. R. 1612 (Doughton) - A bill 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; to the Committee on Ways and Means.

Transportation on Canadian Vessels in Alaska and to United States: H. R. 157 (Bartlett) - A bill to provide transportation on Canadian vessels between Skagway, Alaska, and other points in Alaska, between Haines, Alaska, and other points in Alaska, and between Hyder, Alaska, and other points in Alaska or the continental United States, either directly or via a foreign port, or for any part of the Transportation; to the Committee on Merchant Marine and Fisheries.

Transportation Tax Exemption for Fishing Vessels: H. R. 84 (Hand) - A bill to provide that the tax on the transportation of persons shall not apply to transportation on boats for fishing purposes; to the Committee on Ways and Means.

Also: H. R. 387 (Sasscer)...

Valley Authority Confirmation by State Vote: H. R. 1344 (McDonough) - A bill to prohibit the establishment of a valley authority in any State that would be substantially affected thereby until the people of the affected areas of such State have voted affirmatively for such valley authority; to the Committee on Public Works.

Water Pollution Control Act Amendment: H. R. 249 (Murphy) - A bill to amend the Water Pollution Control Act to increase the amount authorized to be appropriated for making loans to States, municipalities, and interstate agencies for the construction of treatment works and for the preparation of engineering reports, plans, and specifications in connection therewith; to the Committee on Public Works.

Watersheds Program Amendment: H. R. 927 (Lanham) - A bill to amend the programs on the watersheds authorized in section 13 of the Flood Control Act of December 22, 1944; to the Committee on Public Works.

Yakima River Flood Control: H. R. 200 (Judd) - A bill authorizing flood-control works on the Yakima River and tributaries; to the Committee on Public Works.

#### CONGRESSIONAL HEARINGS:

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

1951 Extension of the Reciprocal Trade Agreements Act (Hearing before the Committee on Ways and Means, House of Representatives, Eighty-Second Congress, First Session, on H. R. 1612, A bill 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; January 22, 24, 25, and 26, 1951), 631 p., illus., printed. This report contains all the statements and data submitted to the Committee on the Reciprocal Trade Agreements. 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):

Investigation of the Use of Chemicals in Food Products, House Report No. 3254 (January 3, 1951, 81st Congress, 2nd Sessions), 11 p., printed, pursuant to H. Res. 323 (81st Cong., 1st sess.), authorizing select committee to conduct an investigation on the use of chemicals, compounds, and synthetics in the production, processing, preparation, and packaging of food products to determine the effect of these upon the health and welfare of the Nation and upon the stability and well-being of the agricultural economy; use of pesticides and insecticides with respect to food and food products; and the use of chemicals, compounds, and synthetics in the manufacture of fertilizer. Discusses the scope and nature of the problem; hazards to the public health resulting from the use of pesticides; public-health problems arising from the use of chemicals in the processing, preservation, and production of foods; chemical fertilizers and the public health; and inadequacy of present legislation. In its conclusions the committee states that "The evidence so far presented indicates that existing Federal laws dealing with the use of chemicals in food are not adequate to protect the public against the addition of unsafe chemicals."