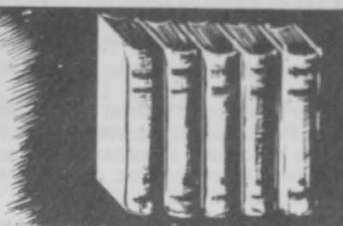




# FEDERAL ACTIONS



## Department of Agriculture

REGULATIONS GOVERNING ENTRY OF MOLLUSKS INTO UNITED STATES: Regulations governing the entry of mollusks into the United States were issued by the Secretary of Agriculture and published in the Federal Register of October 22, 1952. The regulations became effective on date of publication.

Entry into the United States of any mollusks from any foreign country or Guam is prohibited, except under permit issued by the Chief of Bureau or authorized official of the United States Public Health Service, and in compliance with such safeguards as may be prescribed in connection with the issuance of such permit.

The regulations as published in the Federal Register follow:

### PART 324—MOLLUSKS

#### REGULATIONS GOVERNING ENTRY

On July 25, 1952, there was published in the FEDERAL REGISTER (17 F. R. 6826) a notice of proposed rule making concerning the adoption of regulations, to appear as Part 324 of Chapter III, Title 7 of the Code of Federal Regulations. After due consideration of relevant matters presented, and pursuant to the authority vested in the Secretary of Agriculture by Public Law 152, 82d Congress (65 Stat. 335, 7 U. S. C. Sup. 441), approved September 22, 1951, to prevent the entry of certain mollusks into the United States, Chapter III of Title 7 of the Code of Federal Regulations is amended by adding thereto the following:

Sec.

- 324.1 Definitions.
- 324.2 Mollusk infestation in Guam.
- 324.3 Inspection.
- 324.4 Treatment.
- 324.5 Entry of mollusks; permits required.
- 324.6 Restrictions on issuance of permits.
- 324.7 Permit procedure.
- 324.8 Mollusks entered for scientific purposes.

**Authority:** §§ 324.1 to 324.8 issued under 65 Stat. 335, 7 U. S. C. Sup. 441.

§ 324.1 *Definitions.* Words used in the singular form in the regulations in this part shall be deemed to import the plural and vice versa, as the case may demand. For the purposes of this part, the following words shall be construed, respectively, to mean:

(a) *Chief of Bureau.* The Chief of the Bureau of Entomology and Plant Quarantine, or any officer or employee of the Bureau to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(b) *Bureau.* The Bureau of Entomology and Plant Quarantine, United States Department of Agriculture.

(c) *Inspector.* Any person authorized by the Secretary of Agriculture of the United States to enforce the provisions of the Plant Quarantine Act (7 U. S. C. 151 et seq.).

(d) *Person.* Any individual, corporation, company, association, firm, partnership, society, joint stock company, or other organized group of any of the foregoing.

(e) *Owner.* The owner or the person having responsible custody of a carrier or other regulated article subject to the regulations in this part.

(f) *Mollusk.* All living stages, including eggs, of the giant African snail or other species of terrestrial or fresh-water forms of the phylum Mollusca.

(g) *United States.* The 48 States, the District of Columbia, the Canal Zone, and the United States possessions, including but not limited to the Territory of Hawaii and other Territories of the United States, but excluding Guam.

(h) *Carrier.* Any vessel, vehicle, aircraft, or other kind of conveyance entering any part of the United States.

(i) *Regulated article.* Any produce, baggage, salvaged war material or other goods entering any part of the United States.

(j) *Permit.* An authorization allowing the entry into the United States of certain mollusks in accordance with the regulations in this part.

(k) *Treatment.* Fumigation or any other process designed to eliminate infestation by any mollusk prohibited entry under the regulations in this part.

§ 324.2 *Mollusk infestation in Guam.* The Secretary of Agriculture finds that Guam is infested with the giant African snail. Therefore, the entry of mollusks, carriers, and other regulated articles from Guam into any part of the United States is subject to the same conditions as are applicable to the entry thereof from foreign countries.

§ 324.3 *Inspection.* As a condition of entry into any part of the United States, all carriers and other regulated articles from any foreign country or Guam shall be subject to examination by an inspector for the purpose of determining whether they are infested with any mollusk prohibited entry under the regulations in this part.

§ 324.4 *Treatment.* (a) A carrier or other regulated article found upon examination to be infested with any mollusk prohibited entry under the regulations in this part shall be promptly removed from the United States or shall be promptly treated by the owner or his agent in a manner prescribed by the inspector and under his supervision. Pending such action, the carrier or other regulated article shall be immediately subject to such safeguards against escape of the mollusks as the inspector may prescribe.

(b) All costs or charges incident to the inspection, handling, cleaning, safeguarding, or treatment of an infested carrier or other regulated article, except for the services of the inspector during regularly assigned hours of duty and at the usual places of duty, shall be borne by the owner or his agent. Neither the Department of Agriculture nor the inspector will be responsible for any costs accruing for demurrage, shipping charges, wharfage, cartage, labor, chemicals, or the like incidental to such inspection, handling, cleaning, safeguarding, or treatment.

(c) If the treatment or safeguards prescribed by the inspector are not applied promptly by the owner or his agent, the inspector shall apply measures necessary to prevent the escape of the mollusks. The entire cost of such application shall be borne by the owner or his agent and shall constitute a debt payable to the Treasurer of the United States.

§ 324.5 *Entry of mollusks; permits required.* Entry into the United States of any mollusks from any foreign country or Guam is prohibited, except under permit issued by the Chief of Bureau or authorized official of the United States Public Health Service, and in compliance with such safeguards as may be prescribed in connection with the issuance of such permit.

§ 324.6 *Restrictions on issuance of permits.* Except as provided in § 324.8, permits will not be issued for the entry of the giant African snail, *Achatina fulica* (Bowdich), or any other species of *Achatina*; *Theba pisana* (Muller); any species of slug; or any other species of mollusks determined by the Chief of Bureau to be similar to the giant African snail in its destructiveness to plant life. Permits will also be refused for the entry of other species of mollusks unless such mollusks are entered under § 324.8 or it is determined by the Chief of Bureau that the particular shipment will be entered and subsequently handled under such safeguards as he deems necessary to prevent injury to the agriculture of the United States.

§ 324.7 *Permit procedure.* (a) Any person desiring to enter any mollusks into the United States for purposes other than medical research may submit to the Chief of Bureau an application for permit stating the name and address of the importer, the approximate quantity and species (scientific name) it is desired to enter, the country of origin, the port of entry, the purpose of the entry, and the

place where and conditions under which the mollusks will be handled. If available, an empty shell of the species to be entered should accompany the application, for purposes of identification. In considering such applications, the Chief of Bureau will confer with other interested agencies, which may include the Division of Mollusks, United States National Museum; United States Public Health Service, Federal Security Agency; and state plant pest officials, in determining the eligibility for entry of the species covered by the applications. Upon determination that a particular shipment to be entered for purposes other than medical research is eligible for entry under § 324.6 or § 324.8, a permit will be issued by the Chief of Bureau specifying the conditions of entry and the port of entry, except that if the species is subject to regulation by the United States Public Health Service, the application for permit will be referred to said agency for such action as it finds is warranted under its regulations.

(b) Permits for entry of mollusks for purposes of medical research will be issued by the United States Public Health Service in accordance with regulations issued by said Service. Applications for such permits should be made directly to the Surgeon General, United States Public Health Service, Washington 25, D. C.

§ 324.8 *Mollusks entered for scientific purposes.* Mollusks not otherwise eligible for entry under § 324.6 may be entered into the United States for purposes of medical research under permit issued by an authorized official of the

United States Public Health Service, or for other scientific purposes under permit issued by the Chief of Bureau, under such safeguards and restrictions as may be prescribed in connection with the issuance of such permit.

These regulations shall be effective October 22, 1952.

The purpose of these regulations is to prevent the importation into noninfested parts of the United States of terrestrial and fresh-water mollusks which would be injurious to agriculture. This objective will be accomplished by requiring permits for the entry of all terrestrial and fresh-water mollusks, and providing for the inspection, treatment, and safeguarding of carriers and other regulated articles coming from a foreign country or from Guam to any other part of the United States.

Prompt action is necessary with respect to these regulations in order to prevent the entry into the United States of injurious terrestrial and fresh-water mollusks. Therefore, good cause is found, in accordance with section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) for making the foregoing amendments effective less than 30 days after their publication in the FEDERAL REGISTER.

Done at Washington, D. C., this 16th day of October 1952.

[SEAL] C. J. McCORMICK,  
Acting Secretary of Agriculture.



## Department of Commerce BUREAU OF THE CENSUS

COUNTRY OF ORIGIN FOR CERTAIN SHRIMP IMPORTS CORRECTED: The U. S. Bureau of the Census has found that the imports of fresh and frozen shrimp (Schedule A commodity number 0087 200, "Shrimps and prawns") reported by them during January through April 1952 as originating in the Canal Zone actually originated in the Republic of Panama. The Canal Zone was merely a transshipment point for these shrimp which were caught in Panamanian waters and frozen in Panama.

The following table summarizes the corrections which were found to be necessary in the January through April 1952 statistics for imports of shrimp from the Canal Zone:

Country of Origin	As published		As revised	
	Quantity	Value	Quantity	Value
	lbs.	US\$	lbs.	US\$
Canal Zone .....	446,434	250,889	-	-
Republic of Panama .....	687,989	376,246	1,134,423	627,135
Total, all countries <sup>1/</sup> .....	11,710,632	5,702,712	11,710,632	5,702,712

<sup>1/</sup> INCLUDES CANNED AND DRIED SHRIMP.

The importers whose entries caused these errors have been requested by the Department of Commerce to use more care in specifying country of origin for future imports of shrimp.

Though similar corrections should probably be made in the data for 1951 and prior years, no attempt will be made to revise these data in view of the large amount of work necessary to verify all the transactions. Furthermore, imports of shrimp reported as originating in the Canal Zone have been but a small percentage of total imports. (During 1951, imports from the Canal Zone amounted to 657,350 pounds out of a total of 41,823,913 pounds.)

EDITORS' NOTE: FROM INFORMATION AVAILABLE, IT SEEMS THAT THE BULK OF THE SHRIMP FROM THE CANAL ZONE ACTUALLY ORIGINATED IN PANAMA.



## Department of Defense

FISH FILLETS NOT SUBJECT TO GOVERNMENT RENEGOTIATION ACT: Firms selling fresh and frozen fillets to the Armed Forces and other Government agencies are not subject to the Renegotiation Act. The General Counsel of the Renegotiation Board has ruled in answer to an inquiry:

".....The provisions of Section 106 (a) (2) of the Act exempt the sale of fish in its raw or natural state or beyond that up to the point where it is first customarily sold. Under the authority of Section 106 (d) (2) of the Act the Board, in addition, has exempted perishable subsistence supplies which include filleted fresh fish and frozen fish....."



## Economic Stabilization Agency OFFICE OF PRICE STABILIZATION

CERTAIN FISHERY PRODUCTS SPECIALTIES DECONTROLLED: Certain canned fishery products specialties on October 1 were decontrolled by OPS. General Overriding Regulation 7, Revision 1, Amendment 10, decontrolled certain food and restaurant commodities, including the following sea-food products: All canned whole clams (formerly only canned whole Maine clams were decontrolled); canned smoked oysters; canned deviled crab meat; canned lobster a la Newburg; canned shrimp a la Newburg; canned shad; canned turtle or terrapin; canned anchovy roll fillets; canned turtle soup (wine flavored); and fish or sea-food soup (except clam chowder). In addition, all types of frozen soups and antipasto (including those made with fish or shellfish ingredients) were decontrolled.

All canned fish or sea-food soups and canned turtle soup were again among the specialties listed as decontrolled on November 18 by Amendment 11 to Revision 1 of GOR 7. The previous listing in Amendment 10 had specified that canned clam chowder was not decontrolled, but Amendment 11 decontrols "fish or sea food" soups with no qualification, which includes canned clam chowder.

For details see: Amdt. 10 (dated Oct. 1, 1952) and Amdt. 11 (dated Nov. 18, 1952) to Revision 1 of General Overriding Regulation 7.

