

Food ADMINISTRATION, U. S.



File: Food Administration

~~378~~

124

378

[PUBLIC—No. 41—65TH CONGRESS.]

[H. R. 4961.]

An Act To provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That by reason of the existence of a state of war, it is essential to the national security and defense, for the successful prosecution of the war, and for the support and maintenance of the Army and Navy, to assure an adequate supply and equitable distribution, and to facilitate the movement, of foods, feeds, fuel including fuel oil and natural gas, and fertilizer and fertilizer ingredients, tools, utensils, implements, machinery, and equipment required for the actual production of foods, feeds, and fuel, hereafter in this Act called necessities; to prevent, locally or generally, scarcity, monopolization, hoarding, injurious speculation, manipulations, and private controls, affecting such supply, distribution, and movement; and to establish and maintain governmental control of such necessities during the war. For such purposes the instrumentalities, means, methods, powers, authorities, duties, obligations, and prohibitions hereinafter set forth are created, established, conferred, and prescribed. The President is authorized to make such regulations and to issue such orders as are essential effectively to carry out the provisions of this Act.

SEC. 2. That in carrying out the purposes of this Act the President is authorized to enter into any voluntary arrangements or agreements, to create and use any agency or agencies, to accept the services of any person without compensation, to cooperate with any agency or person, to utilize any department or agency of the Government, and to coordinate their activities so as to avoid any preventable loss or duplication of effort or funds.

SEC. 3. That no person acting either as a voluntary or paid agent or employee of the United States in any capacity, including an advisory capacity, shall solicit, induce, or attempt to induce any person or officer authorized to execute or to direct the execution of contracts on behalf of the United States to make any contract or give any order for the furnishing to the United States of work, labor, or services, or of materials, supplies, or other property of any kind or character, if such agent or employee has any pecuniary interest in such contract or order, or if he or any firm of which he is a member, or corporation, joint-stock company, or association of which he is an officer or stockholder, or in the pecuniary profits of which he is directly or indirectly interested, shall be a party thereto. Nor shall any agent or employee make, or permit any committee or other body of which he is a member to make, or participate in making, any recommendation concerning such contract or order to any council, board, or commission of the United States, or any member or subordinate thereof, without making to the best of his knowledge and belief a full and complete disclosure in writing to such council, board,



commission, or subordinate of any and every pecuniary interest which he may have in such contract or order and of his interest in any firm, corporation, company, or association being a party thereto. Nor shall he participate in the awarding of such contract or giving such order. Any willful violation of any of the provisions of this section shall be punishable by a fine of not more than \$10,000, or by imprisonment of not more than five years, or both: *Provided*, That the provisions of this section shall not change, alter or repeal section forty-one of chapter three hundred and twenty-one, Thirty-fifth Statutes at Large.

SEC. 4. That it is hereby made unlawful for any person willfully to destroy any necessities for the purpose of enhancing the price or restricting the supply thereof; knowingly to commit waste or willfully to permit preventable deterioration of any necessities in or in connection with their production, manufacture, or distribution; to hoard, as defined in section six of this Act, any necessities; to monopolize or attempt to monopolize, either locally or generally, any necessities; to engage in any discriminatory and unfair, or any deceptive or wasteful practice or device, or to make any unjust or unreasonable rate or charge, in handling or dealing in or with any necessities; to conspire, combine, agree, or arrange with any other person, (a) to limit the facilities for transporting, producing, harvesting, manufacturing, supplying, storing, or dealing in any necessities; (b) to restrict the supply of any necessities; (c) to restrict distribution of any necessities; (d) to prevent, limit, or lessen the manufacture or production of any necessities in order to enhance the price thereof, or (e) to exact excessive prices for any necessities; or to aid or abet the doing of any act made unlawful by this section.

SEC. 5. That, from time to time, whenever the President shall find it essential to license the importation, manufacture, storage, mining, or distribution of any necessities, in order to carry into effect any of the purposes of this Act, and shall publicly so announce, no person shall, after a date fixed in the announcement, engage in or carry on any such business specified in the announcement of importation, manufacture, storage, mining, or distribution of any necessities as set forth in such announcement, unless he shall secure and hold a license issued pursuant to this section. The President is authorized to issue such licenses and to prescribe regulations for the issuance of licenses and requirements for systems of accounts and auditing of accounts to be kept by licensees, submission of reports by them, with or without oath or affirmation, and the entry and inspection by the President's duly authorized agents of the places of business of licensees. Whenever the President shall find that any storage charge, commission, profit, or practice of any licensee is unjust, or unreasonable, or discriminatory and unfair, or wasteful, and shall order such licensee, within a reasonable time fixed in the order, to discontinue the same, unless such order, which shall recite the facts found, is revoked or suspended, such licensee shall, within the time prescribed in the order, discontinue such unjust, unreasonable, discriminatory and unfair storage charge, commission, profit, or practice. The President may, in lieu of any such unjust, unreasonable, discriminatory, and unfair storage charge, commission, profit, or practice, find what is a just, reasonable, nondiscriminatory and fair storage charge, commission, profit, or practice, and in any proceed-



ing brought in any court such order of the President shall be prima facie evidence. Any person who, without a license issued pursuant to this section, or whose license shall have been revoked, knowingly engages in or carries on any business for which a license is required under this section, or willfully fails or refuses to discontinue any unjust, unreasonable, discriminatory and unfair storage charge, commission, profit, or practice, in accordance with the requirement of an order issued under this section, or any regulation prescribed under this section, shall, upon conviction thereof, be punished by a fine not exceeding \$5,000, or by imprisonment for not more than two years, or both: *Provided*, That this section shall not apply to any farmer, gardener, cooperative association of farmers or gardeners, including live-stock farmers, or other persons with respect to the products of any farm, garden, or other land owned, leased, or cultivated by him, nor to any retailer with respect to the retail business actually conducted by him, nor to any common carrier, nor shall anything in this section be construed to authorize the fixing or imposition of a duty or tax upon any article imported into or exported from the United States or any State, Territory, or the District of Columbia: *Provided further*, That for the purposes of this Act a retailer shall be deemed to be a person, copartnership, firm, corporation, or association not engaging in the wholesale business whose gross sales do not exceed \$100,000 per annum.

SEC. 6. That any person who willfully hoards any necessities shall upon conviction thereof be fined not exceeding \$5,000 or be imprisoned for not more than two years, or both. Necessaries shall be deemed to be hoarded within the meaning of this Act when either (a) held, contracted for, or arranged for by any person in a quantity in excess of his reasonable requirements for use or consumption by himself and dependents for a reasonable time; (b) held, contracted for, or arranged for by any manufacturer, wholesaler, retailer, or other dealer in a quantity in excess of the reasonable requirements of his business for use or sale by him for a reasonable time, or reasonably required to furnish necessities produced in surplus quantities seasonally throughout the period of scant or no production; or (c) withheld, whether by possession or under any contract or arrangement, from the market by any person for the purpose of unreasonably increasing or diminishing the price: *Provided*, That this section shall not include or relate to transactions on any exchange, board of trade, or similar institution or place of business as described in section thirteen of this Act that may be permitted by the President under the authority conferred upon him by said section thirteen: *Provided, however*, That any accumulating or withholding by any farmer or gardener, cooperative association of farmers or gardeners, including live-stock farmers, or any other person, of the products of any farm, garden, or other land owned, leased, or cultivated by him shall not be deemed to be hoarding within the meaning of this Act.

SEC. 7. That whenever any necessities shall be hoarded as defined in section six they shall be liable to be proceeded against in any district court of the United States within the district where the same are found and seized by a process of libel for condemnation, and if such necessities shall be adjudged to be hoarded they shall be disposed of by sale in such manner as to provide the most equitable distribution thereof as the court may direct, and the proceeds



thereof, less the legal costs and charges, shall be paid to the party entitled thereto. The proceedings of such libel cases shall conform as near as may be to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in any such case, and all such proceedings shall be at the suit of and in the name of the United States. It shall be the duty of the United States attorney for the proper district to institute and prosecute any such action upon presentation to him of satisfactory evidence to sustain the same.

SEC. 8. That any person who willfully destroys any necessities for the purpose of enhancing the price or restricting the supply thereof shall, upon conviction thereof, be fined not exceeding \$5,000 or imprisoned for not more than two years, or both.

SEC. 9. That any person who conspires, combines, agrees, or arranges with any other person (a) to limit the facilities for transporting, producing, manufacturing, supplying, storing, or dealing in any necessities; (b) to restrict the supply of any necessities; (c) to restrict the distribution of any necessities; (d) to prevent, limit, or lessen the manufacture or production of any necessities in order to enhance the price thereof shall, upon conviction thereof, be fined not exceeding \$10,000 or be imprisoned for not more than two years, or both.

SEC. 10. That the President is authorized, from time to time, to requisition foods, feeds, fuels, and other supplies necessary to the support of the Army or the maintenance of the Navy, or any other public use connected with the common defense, and to requisition, or otherwise provide, storage facilities for such supplies; and he shall ascertain and pay a just compensation therefor. If the compensation so determined be not satisfactory to the person entitled to receive the same, such person shall be paid seventy-five per centum of the amount so determined by the President, and shall be entitled to sue the United States to recover such further sum as, added to said seventy-five per centum will make up such amount as will be just compensation for such necessities or storage space, and jurisdiction is hereby conferred on the United States District Courts to hear and determine all such controversies: *Provided*, That nothing in this section, or in the section that follows, shall be construed to require any natural person to furnish to the Government any necessities held by him and reasonably required for consumption or use by himself and dependents, nor shall any person, firm, corporation, or association be required to furnish to the Government any seed necessary for the seeding of land owned, leased, or cultivated by them.

SEC. 11. That the President is authorized from time to time to purchase, to store, to provide storage facilities for, and to sell for cash at reasonable prices, wheat, flour, meal, beans, and potatoes: *Provided*, That if any minimum price shall have been theretofore fixed, pursuant to the provisions of section fourteen of this Act, then the price paid for any such articles so purchased shall not be less than such minimum price. Any moneys received by the United States from or in connection with the disposal by the United States of necessities under this section may, in the discretion of the President, be used as a revolving fund for further carrying out the purposes of this section. Any balance of such moneys not used as part of such



revolving fund shall be covered into the Treasury as miscellaneous receipts.

SEC. 12. That whenever the President shall find it necessary to secure an adequate supply of necessities for the support of the Army or the maintenance of the Navy, or for any other public use connected with the common defense, he is authorized to requisition and take over, for use or operation by the Government, any factory, packing house, oil pipe line, mine, or other plant, or any part thereof, in or through which any necessities are or may be manufactured, produced, prepared, or mined, and to operate the same. Whenever the President shall determine that the further use or operation by the Government of any such factory, mine, or plant, or part thereof, is not essential for the national security or defense, the same shall be restored to the person entitled to the possession thereof. The United States shall make just compensation, to be determined by the President, for the taking over, use, occupation, and operation by the Government of any such factory, mine, or plant, or part thereof. If the compensation so determined be unsatisfactory to the person entitled to receive the same, such person shall be paid seventy-five per centum of the amount so determined by the President, and shall be entitled to sue the United States to recover such further sum as, added to said seventy-five per centum, will make up such amount as will be just compensation, in the manner provided by section twenty-four, paragraph twenty, and section one hundred and forty-five of the Judicial Code. The President is authorized to prescribe such regulations as he may deem essential for carrying out the purposes of this section, including the operation of any such factory, mine, or plant, or part thereof, the purchase, sale, or other disposition of articles used, manufactured, produced, prepared, or mined therein, and the employment, control, and compensation of employees. Any moneys received by the United States from or in connection with the use or operation of any such factory, mine, or plant, or part thereof, may, in the discretion of the President, be used as a revolving fund for the purpose of the continued use or operation of any such factory, mine, or plant, or part thereof, and the accounts of each such factory, mine, plant, or part thereof, shall be kept separate and distinct. Any balance of such moneys not used as part of such revolving fund shall be paid into the Treasury as miscellaneous receipts.

SEC. 13. That whenever the President finds it essential in order to prevent undue enhancement, depression, or fluctuation of prices of, or in order to prevent injurious speculation in, or in order to prevent unjust market manipulation or unfair and misleading market quotations of the prices of necessities, hereafter in this section called evil practices, he is authorized to prescribe such regulations governing, or may either wholly or partly prohibit, operations, practices, and transactions at, on, in, or under the rules of any exchange, board of trade, or similar institution or place of business as he may find essential in order to prevent, correct, or remove such evil practices. Such regulations may require all persons coming within their provisions to keep such records and statements of account, and may require such persons to make such returns, verified under oath or otherwise, as will fully and correctly disclose all transactions at, in, or on, or under the rules of any such exchange, board of trade, or similar institution or place of



business, including the making, execution, settlement, and fulfillment thereof. He may also require all persons acting in the capacity of a clearing house, clearing association, or similar institution, for the purpose of clearing, settling, or adjusting transactions at, in, or on, or under the rules of any such exchange, board of trade, or similar institution or place of business, to keep such records and to make such returns as will fully and correctly disclose all facts in their possession relating to such transactions, and he may appoint agents to conduct the investigations necessary to enforce the provisions of this section and all rules and regulations made by him in pursuance thereof, and may fix and pay the compensation of such agents. Any person who willfully violates any regulation made pursuant to this section, or who knowingly engages in any operation, practice, or transaction prohibited pursuant to this section, or who willfully aids or abets any such violation or any such prohibited operation, practice, or transaction, shall, upon conviction thereof, be punished by a fine not exceeding \$10,000 or by imprisonment for not more than four years, or both.

SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards Act, approved August eleventh, nineteen hundred and sixteen. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment, and differences in price for the several standard grades in the principal primary markets of the United States, adopting number one northern spring or its equivalent at the principal interior primary markets as the basis. Thereupon, the Government of the United States hereby guarantees every producer of wheat produced within the United States, that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guarantee within the period, not exceeding eighteen months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty. The guaranteed prices for the several standard grades of wheat for the crop of nineteen hundred and eighteen, shall be based upon number one northern spring or its equivalent at not less than \$2 per bushel at the principal interior primary markets. This guaranty shall not be dependent upon the action of the President under the first part of this section, but is hereby made absolute and shall be binding until May first, nineteen hundred and nineteen. When the President finds that the importation into the United States of any wheat produced outside of the United States materially enhances or is likely materially to enhance the liabilities of the United



States under guaranties of prices therefor made pursuant to this section, and ascertains what rate of duty, added to the then existing rate of duty on wheat and to the value of wheat at the time of importation, would be sufficient to bring the price thereof at which imported up to the price fixed therefor pursuant to the foregoing provisions of this section, he shall proclaim such facts, and thereafter there shall be levied, collected, and paid upon wheat when imported in addition to the then existing rate of duty, the rate of duty so ascertained; but in no case shall any such rate of duty be fixed at an amount which will effect a reduction of the rate of duty upon wheat under any then existing tariff law of the United States. For the purpose of making any guaranteed price effective under this section, or whenever he deems it essential in order to protect the Government of the United States against material enhancement of its liabilities arising out of any guaranty under this section, the President is authorized also, in his discretion, to purchase any wheat for which a guaranteed price shall be fixed under this section, and to hold, transport, or store it, or to sell, dispose of, and deliver the same to any citizen of the United States or to any Government engaged in war with any country with which the Government of the United States is or may be at war or to use the same as supplies for any department or agency of the Government of the United States. Any moneys received by the United States from or in connection with the sale or disposal of wheat under this section may, in the discretion of the President, be used as a revolving fund for further carrying out the purposes of this section. Any balance of such moneys not used as part of such revolving fund shall be covered into the Treasury as miscellaneous receipts.

SEC. 15. That from and after thirty days from the date of the approval of this Act no foods, fruits, food materials, or feeds shall be used in the production of distilled spirits for beverage purposes: *Provided*, That under such rules, regulations, and bonds as the President may prescribe, such materials may be used in the production of distilled spirits exclusively for other than beverage purposes, or for the fortification of pure sweet wines as defined by the Act entitled "An Act to increase the revenue, and for other purposes," approved September eighth, nineteen hundred and sixteen. Nor shall there be imported into the United States any distilled spirits. Whenever the President shall find that limitation, regulation, or prohibition of the use of foods, fruits, food materials, or feeds in the production of malt or vinous liquors for beverage purposes, or that reduction of the alcoholic content of any such malt or vinous liquor, is essential, in order to assure an adequate and continuous supply of food, or that the national security and defense will be subserved thereby, he is authorized, from time to time, to prescribe and give public notice of the extent of the limitation, regulation, prohibition, or reduction so necessitated. Whenever such notice shall have been given and shall remain unrevoked no person shall, after a reasonable time prescribed in such notice, use any foods, fruits, food materials, or feeds in the production of malt or vinous liquors, or import any such liquors except under license issued by the President and in compliance with rules and regulations determined by him governing the production and importation of such liquors and the alcoholic content thereof. Any person who willfully violates the provisions



of this section, or who shall use any foods, fruits, food materials, or feeds in the production of malt or vinous liquors, or who shall import any such liquors, without first obtaining a license so to do when a license is required under this section, or who shall violate any rule or regulation made under this section, shall be punished by a fine not exceeding \$5,000, or by imprisonment for not more than two years, or both: *Provided further*, That nothing in this section shall be construed to authorize the licensing of the manufacture of vinous or malt liquors in any State, Territory, or the District of Columbia, or any civil subdivision thereof, where the manufacture of such vinous or malt liquor is prohibited.

SEC. 16. That the President is authorized and directed to commandeer any or all distilled spirits in bond or in stock at the date of the approval of this Act for redistillation, in so far as such redistillation may be necessary to meet the requirements of the Government in the manufacture of munitions and other military and hospital supplies, or in so far as such redistillation would dispense with the necessity of utilizing products and materials suitable for foods and feeds in the future manufacture of distilled spirits for the purposes herein enumerated. The President shall determine and pay a just compensation for the distilled spirits so commandeered; and if the compensation so determined be not satisfactory to the person entitled to receive the same, such person shall be paid seventy-five per centum of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum as, added to said seventy-five per centum, will make up such amount as will be just compensation for such spirits, in the manner provided by section twenty-four, paragraph twenty, and section one hundred and forty-five of the Judicial Code.

SEC. 17. That every person who willfully assaults, resists, impedes, or interferes with any officer, employee, or agent of the United States in the execution of any duty authorized to be performed by or pursuant to this Act shall upon conviction thereof be fined not exceeding \$1,000 or be imprisoned for not more than one year, or both.

SEC. 18. That the sum of \$2,500,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be available until June thirtieth, nineteen hundred and eighteen, for the payment of such rent, the expense, including postage, of such printing and publications, the purchase of such material and equipment, and the employment of such persons and means, in the city of Washington and elsewhere, as the President may deem essential.

SEC. 19. That for the purposes of this Act the sum of \$150,000,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be available during the time this Act is in effect: *Provided*, That no part of this appropriation shall be expended for the purposes described in the preceding section: *Provided further*, That itemized statements covering all purchases and disbursements under this and the preceding section shall be filed with the Secretary of the Senate and the Clerk of the House of Representatives on or before the twenty-fifth day of each month after the taking effect of this Act, covering the business of the preceding month, and said statements shall be subject to public inspection.

SEC. 20. That the employment of any person under the provisions of this Act shall not exempt any such person from military service



under the provisions of the selective draft law approved May eighteenth, nineteen hundred and seventeen.

SEC. 21. The President shall cause a detailed report to be made to the Congress on the first day of January each year of all proceedings had under this Act during the year preceding. Such report shall, in addition to other matters, contain an account of all persons appointed or employed, the salary or compensation paid or allowed each, the aggregate amount of the different kinds of property purchased or requisitioned, the use and disposition made of such property, and a statement of all receipts, payments, and expenditures, together with a statement showing the general character, and estimated value of all property then on hand, and the aggregate amount and character of all claims against the United States growing out of this Act.

SEC. 22. That if any clause, sentence, paragraph, or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof, directly involved in the controversy in which such judgment shall have been rendered.

SEC. 23. That words used in this Act shall be construed to import the plural or the singular, as the case demands. The word "person," wherever used in this Act, shall include individuals, partnerships, associations, and corporations. When construing and enforcing the provisions of this Act, the act, omission, or failure of any official, agent, or other person acting for or employed by any partnership, association, or corporation within the scope of his employment or office shall, in every case, also be deemed the act, omission, or failure of such partnership, association, or corporation as well as that of the person.

SEC. 24. That the provisions of this Act shall cease to be in effect when the existing state of war between the United States and Germany shall have terminated, and the fact and date of such termination shall be ascertained and proclaimed by the President; but the termination of this Act shall not affect any act done, or any right or obligation accruing or accrued, or any suit or proceeding had or commenced in any civil case before the said termination pursuant to this Act; but all rights and liabilities under this Act arising before its termination shall continue and may be enforced in the same manner as if the Act had not terminated. Any offense committed and all penalties, forfeitures, or liabilities incurred prior to such termination may be prosecuted or punished in the same manner and with the same effect as if this Act had not been terminated.

SEC. 25. That the President of the United States shall be, and he is hereby, authorized and empowered, whenever and wherever in his judgment necessary for the efficient prosecution of the war, to fix the price of coal and coke, wherever and whenever sold, either by producer or dealer, to establish rules for the regulation of and to regulate the method of production, sale, shipment, distribution, apportionment, or storage thereof among dealers and consumers, domestic or foreign: said authority and power may be exercised by him in each case through the agency of the Federal Trade Commission during the war or for such part of said time as in his judgment may be necessary.

That if, in the opinion of the President, any such producer or dealer fails or neglects to conform to such prices or regulations, or



to conduct his business efficiently under the regulations and control of the President as aforesaid, or conducts it in a manner prejudicial to the public interest, then the President is hereby authorized and empowered in every such case to requisition and take over the plant, business, and all appurtenances thereof belonging to such producer or dealer as a going concern, and to operate or cause the same to be operated in such manner and through such agency as he may direct during the period of the war or for such part of said time as in his judgment may be necessary.

That any producer or dealer whose plant, business, and appurtenances shall have been requisitioned or taken over by the President shall be paid a just compensation for the use thereof during the period that the same may be requisitioned or taken over as aforesaid, which compensation the President shall fix or cause to be fixed by the Federal Trade Commission.

That if the prices so fixed, or if, in the case of the taking over or requisitioning of the mines or business of any such producer or dealer the compensation therefor as determined by the provisions of this Act be not satisfactory to the person or persons entitled to receive the same, such person shall be paid seventy-five per centum of the amount so determined, and shall be entitled to sue the United States to recover such further sum as, added to said seventy-five per centum, will make up such amount as will be just compensation in the manner provided by section twenty-four, paragraph twenty, and section one hundred and forty-five of the Judicial Code.

While operating or causing to be operated any such plants or business, the President is authorized to prescribe such regulations as he may deem essential for the employment, control, and compensation of the employees necessary to conduct the same.

Or if the President of the United States shall be of the opinion that he can thereby better provide for the common defense, and whenever, in his judgment, it shall be necessary for the efficient prosecution of the war, then he is hereby authorized and empowered to require any or all producers of coal and coke, either in any special area or in any special coal fields, or in the entire United States, to sell their products only to the United States through an agency to be designated by the President, such agency to regulate the resale of such coal and coke, and the prices thereof, and to establish rules for the regulation of and to regulate the methods of production, shipment, distribution, apportionment, or storage thereof among dealers and consumers, domestic or foreign, and to make payment of the purchase price thereof to the producers thereof, or to the person or persons legally entitled to said payment.

That within fifteen days after notice from the agency so designated to any producer of coal and coke that his, or its, output is to be so purchased by the United States as hereinbefore described, such producer shall cease shipments of said product upon his own account and shall transmit to such agency all orders received and unfilled or partially unfilled, showing the exact extent to which shipments have been made thereon, and thereafter all shipments shall be made only on authority of the agency designated by the President, and thereafter no such producer shall sell any of said products except to the United States through such agency, and the said agency alone is



hereby authorized and empowered to purchase during the continuance of the requirement the output of such producers.

That the prices to be paid for such products so purchased shall be based upon a fair and just profit over and above the cost of production, including proper maintenance and depletion charges, the reasonableness of such profits and cost of production to be determined by the Federal Trade Commission, and if the prices fixed by the said commission of any such product purchased by the United States as hereinbefore described be unsatisfactory to the person or persons entitled to the same, such person or persons shall be paid seventy-five per centum of the amount so determined, and shall be entitled to sue the United States to recover such further sum as, added to said seventy-five per centum, will make up such amount as will be just compensation in the manner provided by section twenty-four, paragraph twenty, and section one hundred and forty-five of the Judicial Code.

All such products so sold to the United States shall be sold by the United States at such uniform prices, quality considered, as may be practicable and as may be determined by said agency to be just and fair.

Any moneys received by the United States for the sale of any such coal and coke may, in the discretion of the President, be used as a revolving fund for further carrying out the purposes of this section. Any moneys not so used shall be covered into the Treasury as miscellaneous receipts.

That when directed by the President, the Federal Trade Commission is hereby required to proceed to make full inquiry, giving such notice as it may deem practicable, into the cost of producing under reasonably efficient management at the various places of production the following commodities, to wit, coal and coke.

The books, correspondence, records, and papers in any way referring to transactions of any kind relating to the mining, production, sale, or distribution of all mine operators or other persons whose coal and coke have or may become subject to this section, and the books, correspondence, records, and papers of any person applying for the purchase of coal and coke from the United States shall at all times be subject to inspection by the said agency, and such person or persons shall promptly furnish said agency any data or information relating to the business of such person or persons which said agency may call for, and said agency is hereby authorized to procure the information in reference to the business of such coal-mine operators and producers of coke and customers therefor in the manner provided for in sections six and nine of the Act of Congress approved September twenty-sixth, nineteen hundred and fourteen, entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," and said agency is hereby authorized and empowered to exercise all the powers granted to the Federal Trade Commission by said Act for the carrying out of the purposes of this section.

Having completed its inquiry respecting any commodity in any locality, it shall, if the President has decided to fix the prices at which any such commodity shall be sold by producers and dealers generally, fix and publish maximum prices for both producers of and dealers in any such commodity, which maximum prices shall be observed



by all producers and dealers until further action thereon is taken by the commission.

In fixing maximum prices for producers the commission shall allow the cost of production, including the expense of operation, maintenance, depreciation, and depletion, and shall add thereto a just and reasonable profit.

In fixing such prices for dealers, the commission shall allow the cost to the dealer and shall add thereto a just and reasonable sum for his profit in the transaction.

The maximum prices so fixed and published shall not be construed as invalidating any contract in which prices are fixed, made in good faith, prior to the establishment and publication of maximum prices by the commission.

Whoever shall, with knowledge that the prices of any such commodity have been fixed as herein provided, ask, demand, or receive a higher price, or whoever shall, with knowledge that the regulations have been prescribed as herein provided, violate or refuse to conform to any of the same, shall, upon conviction, be punished by fine of not more than \$5,000, or by imprisonment for not more than two years, or both. Each independent transaction shall constitute a separate offense.

Nothing in this section shall be construed as restricting or modifying in any manner the right the Government of the United States may have in its own behalf or in behalf of any other Government at war with Germany to purchase, requisition, or take over any such commodities for the equipment, maintenance, or support of armed forces at any price or upon any terms that may be agreed upon or otherwise lawfully determined.

SEC. 26. That any person carrying on or employed in commerce among the several States, or with foreign nations, or with or in the Territories or other possessions of the United States in any article suitable for human food, fuel, or other necessities of life, who, either in his individual capacity or as an officer, agent, or employee of a corporation or member of a partnership carrying on or employed in such trade, shall store, acquire, or hold, or who shall destroy or make away with any such article for the purpose of limiting the supply thereof to the public or affecting the market price thereof in such commerce, whether temporarily or otherwise, shall be deemed guilty of a felony and, upon conviction thereof, shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than two years, or both: *Provided*, That any storing or holding by any farmer, gardner, or other person of the products of any farm, garden, or other land cultivated by him shall not be deemed to be a storing or holding within the meaning of this Act: *Provided further*, That farmers and fruit growers, cooperative and other exchanges, or societies of a similar character shall not be included within the provisions of this section: *Provided further*, That this section shall not be construed to prohibit the holding or accumulating of any such article by any such person in a quantity not in excess of the reasonable requirements of his business for a reasonable time or in a quantity reasonably required to furnish said articles produced in surplus quantities seasonally throughout the period of scant or no production. Nothing contained in this section shall be construed to repeal the Act entitled



"An Act to protect trade and commerce against unlawful restraints and monopolies," approved July second, eighteen hundred and ninety, commonly known as the Sherman Antitrust Act.

SEC. 27. That the President is authorized to procure, or aid in procuring, such stocks of nitrate of soda as he may determine to be necessary, and find available, for increasing agricultural production during the calendar years nineteen hundred and seventeen and eighteen, and to dispose of the same for cash at cost, including all expenses connected therewith. For carrying out the purposes of this section, there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, available immediately and until expended, the sum of \$10,000,000, or so much thereof as may be necessary, and the President is authorized to make such regulations, and to use such means and agencies of the Government, as, in his discretion, he may deem best. The proceeds arising from the disposition of the nitrate of soda shall go into the Treasury as miscellaneous receipts.

Approved, August 10, 1917.



*Miss Mary Van Kleeck* *Miss Jones*  
*378*

DEC 23 1918

*+2*  
*375*

UNITED STATES FOOD ADMINISTRATION

WASHINGTON, D. C.

December 21, 1918.

IN YOUR REPLY REFER TO

33-H/wdm

Miss Mary Van Kleeck,  
Director, Woman in Industry Service,  
U.S. Department of Labor,  
Washington, D. C.

Dear Miss Van Kleeck:-

I have your letter of December 20th enclosing a copy of the standards governing the employment of women in industry which I am glad to see you intend to urge upon employers as well as upon the Federal and State Governments in peace as well as in war.

I have no list to furnish you of employers or others to whom copies should be sent. The Food Administration's lists of firms are hardly arranged in a way which would enable these lists to be furnished, since, as you know, we have no direct government contracts. It might be possible to have copies sent to the canning industries if you desire to take the matter up with Mr. John R. Minn, head of the Canning Division. As you know I am severing my connection with the Food Administration.

Sincerely yours,

U.S. FOOD ADMINISTRATION

By - *M. B. Hammond*

Representative on War Labor Policies Board.



378  
~~378~~  
+21

December 14, 1918.

Mr. George E. Haskell,  
U. S. Food Administration,  
19th and B Sts.,  
Washington, D. C.

My dear Mr. Haskell:

The Woman In Industry Service is making a collection of photographs showing women engaged in various industrial processes, for the purpose of forming a permanent historical collection of the various types of work in which women were engaged during the war.

We should like very much to get some photographs of women employed in the dairying industry, showing them at work in the various processes. We are also interested in welfare work done by the various companies, such as lunch rooms, dormitories, rest rooms, and recreation work. If you have such photographs, or can tell us where we can procure them, we should appreciate it, and if you could give us some information or printed data on the subject of the wage scale, shop committees, etc., we should like to have that also.

We should also like to have a complete collection of photographs showing women in agricultural work, and will appreciate any further assistance you can give us in that direction.

Sincerely yours,

Helena V. Williams,  
Woman In Industry Service.

HVW:MD



Washington, D. C.

for RELEASE

DEC 19 1917

EDITORS: This timely story is sent  
in exclusive text to farm journals  
and is released upon receipt.  
.....

WOMEN AS CREAM TESTERS

As a means of increasing the Nation's supply of labor George E. Haskell, dairy specialist of the Food Administration staff, has suggested the more general employment of women as cream testers.

There are at least 10,000 cream receiving stations in the United States, according to Mr. Haskell, at which cream is purchased, sampled, tested and then shipped to churning centers for manufacture into butter. Women have to some extent assisted their husbands as cream station operators and in states requiring such operators to be licensed, a small percentage of women have successfully passed the technical tests and been granted licenses. When convenient platforms are arranged for loading and unloading cans of cream with a minimum of lifting, the work is not physically difficult.

"Women are well qualified for the painstaking work of sampling and testing", declares Mr. Haskell, "and only a short training is necessary to make them proficient. The substitution of women as cream station operators, especially in the smaller stations, seems in harmony with the Nation's need, as it will release several thousand men for farming and war industries."

-----0-----



378  
121

UNITED STATES FOOD ADMINISTRATION

WASHINGTON, D. C.  
December 21, 1918

IN YOUR REPLY REFER TO

35-H13-1/WL.

Helena V. Williams,  
U. S. Department in Labor,  
Woman in Industry Service,  
Washington, D. C.

Dear Madam:

Your favor of December 13th, addressed to Mr.  
Geo. E. Haskell, requesting photographs of women in agri-  
cultural work has been referred to this Division for  
attention.

We are enclosing herewith 5 photographs taken in  
France and England, which we trust will be of value to you.  
Unfortunately we have no information specifically relating  
to women in the dairy industry. It is possible that the  
U. S. Department of Agriculture may be able to assist you  
in this matter and we suggest that you address them.

Very truly yours,

UNITED STATES FOOD ADMINISTRATION

By

Geo. H. Coppin Jr.  
Agricultural Relations ✓

Enclosures:  
5 photographs.



378  
121

December 27, 1918.

Mr. Geo. H. Coffin, Jr.,  
U. S. Food Administration,  
Washington, D. C.

My dear Mr. Coffin:

Thank you for your letter of December 21st enclosing five very interesting photographs of women agricultural workers of France and England.

The Woman in Industry Service desires to use these photographs from time to time in exhibits showing the various processes in which women were engaged during the war as well as the conditions under which they worked; and to illustrate magazine and newspaper articles on this subject. The names of firms will not be mentioned in any case.

If we do not hear from you further, we will assume that we may use the pictures sent to us for this purpose.

I am also communicating with the Department of Agriculture regarding photographs of women engaged in the dairying industry, as you suggested.

Yours sincerely,

Helena V. Williams,  
Woman in Industry Service.

HWV:MD



378 378  
tot

NOT TRANSFERABLE

No. G.....

# UNITED STATES OF AMERICA

OFFICE OF  
UNITED STATES FOOD ADMINISTRATOR

## LICENSE

LICENSE IS HEREBY GRANTED TO

.....  
of .....  
to engage in and carry on business in foods and feeds in accordance with the proclamations of the President and the regulations prescribed by him, relating to such business, under an Act of Congress entitled "An Act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, or any amendments thereof.

This license is subject at any time to revocation, in whole or in part, or for a limited or unlimited period, for violation by the licensee, or by any officer, agent or employee of the licensee, of any of the provisions of said Act or any amendment thereof, or of said regulations now or hereafter in force.

The licensee is required, whenever called upon by the United States Food Administrator, or his representative, to furnish information and to make reports concerning his business in such detail as shall be prescribed, and shall keep such records of his business as shall facilitate the verification of information contained in said reports; and all property, books, records and accounts of the licensee are at all times subject to the inspection of the United States Food Administrator or his duly accredited agent or representative.

This license is based upon the statements in licensee's application, on file with the United States Food Administration, Washington, D. C. All changes, such as change in firm or corporate name, new place of business, or changes in or additions to activities, must be reported immediately.

Dated.....

*Herbert Hoover*

United States Food Administrator

Form Bb-0540

378  
375

UNITED STATES FOOD ADMINISTRATION  
WASHINGTON, D. C.  
LICENSE DIVISION

(Leave blank.)

(Leave blank.)



Date \_\_\_\_\_

Place all your present Food Administration license  
numbers with their serial letters here:

\_\_\_\_\_  
\_\_\_\_\_

## APPLICATION FOR LICENSE

EXCEPT FOR BAKERS AND FISHERMEN

FOLLOW INSTRUCTIONS EXACTLY

Please use typewriter

1. Name under which business is conducted \_\_\_\_\_
2. \_\_\_\_\_  
(State whether applicant is an individual, corporation, partnership, or association. If a corporation, state under what laws organized.)
3. Address \_\_\_\_\_  
(Number and street.) (City or town.)  
\_\_\_\_\_  
(County.) (State.)
4. Name of owner if applicant is an individual \_\_\_\_\_
5. Gross sales for calendar year 1917, approximately \$ \_\_\_\_\_

*Hereby applies for license as manufacturer or distributor (or both) of foods and feeds as indicated on the following pages.*

NOTE.—Distributors should check on page 2, manufacturers on pages 3 and 4. If you are both manufacturer and distributor check under both classifications. Do not check as distributor if you sell only goods of your own manufacture.

(BE SURE TO SIGN YOUR APPLICATION ON PAGE 6)

(1-764)



## DISTRIBUTORS.

Includes importers, exporters, and all domestic distributors. Check as many groups as necessary to cover **ALL** your business as a **DISTRIBUTOR** of food or feed commodities. Do not check **HERE** if you are simply selling goods of your own manufacture.

**GROUP I. GENERAL FOOD COMMODITIES.**—If you deal in ANY of the commodities in this group, check here ----- ☐

|               |                   |                     |                  |
|---------------|-------------------|---------------------|------------------|
| Wheat flour.  | Hominy.           | Powdered milk.      | Canned salmon.   |
| Rye flour.    | Cornstarch.       | Canned beef.        | Canned sardines. |
| Corn flour.   | Corn syrup.       | Canned pork.        | Dried prunes.    |
| Barley flour. | Glucose.          | Canned mutton.      | Dried peaches.   |
| Rice flour.   | Cerealene flakes. | Canned peas.        | Dried apples.    |
| Mixed flour.  | Cleaned rice.     | Canned dried beans. | Dried raisins.   |
| Oatmeal.      | Dried beans.      | Canned tomatoes.    | Sugar.           |
| Rolled oats.  | Dried peas.       | Canned corn.        | Syrups.          |
| Corn meal.    | Condensed milk.   | Canned hominy.      | Molasses.        |
| Corn grits.   | Evaporated milk.  |                     |                  |

**GROUP II. FRESH FRUITS AND VEGETABLES.**—If you deal in fresh fruits or vegetables, check here ----- ☐

**GROUP III. CAR-LOT SHIPPERS OF POTATOES.**—If you are a shipper of potatoes in car lots from points of production, check here. ☐

**GROUP IV. DAIRY PRODUCTS.**—Check each of the following commodities in which you deal:

Butter ----- ☐ Cheese ----- ☐ Fluid milk ----- ☐

**GROUP V. POULTRY AND EGGS.**—Check each of the following commodities in which you deal:

Poultry ----- ☐ Eggs ----- ☐

**GROUP VI. FATS AND OILS.**—If you deal in vegetable or animal fats or oils, check here ----- ☐

**GROUP VII. COTTON SEED, PEANUTS, PALM KERNELS, COPRA.**—Check each of the following commodities which you store or in which you deal:

|   |   |
|---|---|
| Cotton seed ----- <input type="checkbox"/>            | Palm kernels ----- <input type="checkbox"/> |
| Farmers' stock peanuts ----- <input type="checkbox"/> | Copra ----- <input type="checkbox"/>        |

**GROUP VIII. GRAINS (WHEAT, RYE, CORN, OATS, BARLEY.)**—If you are a dealer or elevator operator, or both, check accordingly.

NOTE.—If you deal in grain as a feed dealer only do not check here but in Group IX.

Grain dealer ----- ☐ Elevator or warehouse operator ----- ☐

**GROUP IX. FEEDS AND FEEDING STUFFS.**—If you store or deal in feeds or feeding stuffs, check here ----- ☐

**GROUP X. BEANS (Elevator Operators).**—If you operate an elevator or warehouse for the handling of beans, check here ----- ☐

**GROUP XI. FRESH AND FROZEN FISH.**—If you deal in fresh or frozen fish, check here ----- ☐

**GROUP XII. MEATS.**—If you deal in fresh or cured beef, pork, or mutton, check here ----- ☐

**GROUP XIII. ROUGH RICE.**—If you store or deal in rough rice, check here ----- ☐

**GROUP XIV. GREEN COFFEE.**—If you are an importer, jobber, broker, or roaster of green coffee, check here ----- ☐

**GROUP XV. MALT.**—If you store malt or are a dealer in malt, check here ----- ☐

**GROUP XVI. SEEDS.**—If you are dealing as a seedsman in any of the licensed food commodities, check here ----- ☐

**GROUP XVII. COLD-STORAGE WAREHOUSEMEN.**

Public ----- ☐ Private ----- ☐ Combined public and private ----- ☐



# MANUFACTURERS.

(INCLUDING MILLERS, MIXERS, AND PACKERS.)

NOTE.—Check as many squares as necessary to cover ALL your business as a MANUFACTURER of food or feed commodities.

## GROUP I. MILLERS OF FLOUR AND OTHER FOOD PRODUCTS.

Do you conduct an independent jobbing department for the marketing of any part of your product? \_\_\_\_\_  
(Answer "Yes" or "No.")

|   |   |   |
|---|---|---|
| Wheat flour miller _____ <input type="checkbox"/> | Rice flour miller _____ <input type="checkbox"/>                          | Cornmeal (food) miller _____ <input type="checkbox"/>         |
| Rye flour miller _____ <input type="checkbox"/>   | Corn flour miller _____ <input type="checkbox"/>                          | Grits and hominy (food) miller _____ <input type="checkbox"/> |
| Barley miller _____ <input type="checkbox"/>      | Oatmeal, rolled oats, or oat flour miller. _____ <input type="checkbox"/> | Rice miller _____ <input type="checkbox"/>                    |

## GROUP II. FEED MILLERS AND MANUFACTURERS OF FEEDS AND FEEDING STUFFS.

NOTE.—If you manufacture feed only as a by-product of the milling of food products, DO NOT CHECK IN THIS GROUP.

|   |  |
|---|--|
| Feed grinder or miller _____ <input type="checkbox"/> | Manufacturer or mixer of commercial feeds _____ <input type="checkbox"/> |
|---|--|

## GROUP III. MANUFACTURERS OF WHEAT OR RYE BREAKFAST CEREALS; ALIMENTARY PASTES.

|  |   |
|--|---|
| Alimentary paste manufacturer _____ <input type="checkbox"/> | Wheat or rye breakfast cereal manufacturer _____ <input type="checkbox"/> |
|--|---|

## GROUP IV. SELF-RISING OR PANCAKE FLOUR MANUFACTURER \_\_\_\_\_ ☐

## GROUP V. CANNERS.

|   |  |  |
|---|--|--|
| Corn canner _____ <input type="checkbox"/>    | Dried-bean canner _____ <input type="checkbox"/> | Salmon canner _____ <input type="checkbox"/> |
| Pea canner _____ <input type="checkbox"/>     | Hominy canner _____ <input type="checkbox"/>     | Tuna canner _____ <input type="checkbox"/>   |
| *Tomato canner _____ <input type="checkbox"/> | Sardine canner _____ <input type="checkbox"/>    |  |

\*Includes tomato pulp, paste, and puree.

## GROUP VI. MANUFACTURERS OF TOMATO PRODUCTS.

|  |  |
|--|--|
| Manufacturer of tomato catsup _____ <input type="checkbox"/> | Manufacturer of other tomato products _____ <input type="checkbox"/> |
|--|--|

## GROUP VII. MILK MANUFACTURERS.

|   |  |  |
|---|--|--|
| Condensed milk _____ <input type="checkbox"/> | Evaporated milk _____ <input type="checkbox"/> | Powdered milk _____ <input type="checkbox"/> |
|---|--|--|

## GROUP VIII. DRIED-FRUIT PACKERS.

|   |  |
|---|--|
| Dried prunes _____ <input type="checkbox"/> | Dried peaches _____ <input type="checkbox"/> |
| Dried apples _____ <input type="checkbox"/> | Dried raisins _____ <input type="checkbox"/> |

## GROUP IX. PACKER OF CURED SALMON \_\_\_\_\_ ☐

## GROUP X. FRESH-FRUIT PACKER \_\_\_\_\_ ☐

## GROUP XI. PACKER OF FRESH, CANNED, OR CURED BEEF, PORK, OR MUTTON—LARD MANUFACTURERS \_\_\_\_\_ ☐

## GROUP XII. MANUFACTURERS OF SUGAR, SYRUPS, MOLASSES.

|  |  |   |
|--|--|---|
| Cane-sugar manufacturer _____ <input type="checkbox"/> | Beet-sugar manufacturer _____ <input type="checkbox"/> | Syrup manufacturer _____ <input type="checkbox"/> |
| Cane-sugar refiner _____ <input type="checkbox"/>      | Molasses manufacturer _____ <input type="checkbox"/>   | Syrup mixer _____ <input type="checkbox"/>        |



# MANUFACTURERS—Continued

- GROUP XIII. MANUFACTURER OF CORNSTARCH, CORN OIL, OR GLUCOSE ..... ☐
- GROUP XIV. CRUSHER OF OLEAGINOUS MATERIALS ..... ☐
- GROUP XV. MANUFACTURERS OF COOKING FATS AND OLEOMARGARINE—REFINERS OF VEGETABLE AND ANIMAL FATS AND OILS.
- Manufacturer of lard substitutes or cooking fats .... ☐ Refiner of vegetable or animal fats and oils..... ☐
- Manufacturer of oleomargarine or other butter substitutes. .... ☐
- GROUP XVI. COTTON GINNER ..... ☐
- GROUP XVII. BUTTER AND CHEESE MANUFACTURERS.
- Butter manufacturer..... ☐ Cheese manufacturer..... ☐
- GROUP XVIII. MALTSTER ..... ☐
- GROUP XIX. BEER MANUFACTURER..... ☐
- GROUP XX. PEANUT SHELLER OR CLEANER..... ☐
- GROUP XXI. FROZEN, DRIED, AND DESICCATED EGGS.
- Freezer of Eggs ..... ☐ Manufacturer of dried or desiccated eggs ..... ☐
- GROUP XXII. CEREAL FLAKES MANUFACTURER..... ☐



- (1) If a corporation, give names and addresses of corporate officers and their official titles.
- (2) If a partnership, give names and addresses of the members of the partnership.
- (3) If an association, give names and addresses of officers or managing agents.

Name \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Address .....

On this page describe *separately* (use a separate section each time) all the places where you carry on business.

If the spaces provided for the listing of your places of business are insufficient, give the additional information on plain white paper, sign and return attached to this application.

## A.

1. Location -----  
(Number and street.) (Town.) (County.) (State.)
2. Describe plant -----  
(“Office,” “Mill,” “Elevator,” “Cold-storage Warehouse,” etc.)
3. Length of time in business at this point ----- years, ----- months
4. Storage capacity (bushels) -----  
(Applies only to grain elevators or warehouses.)
5. Rated capacity (bbls. per 24 hours) -----  
(Applies only to flour and meal mills.)

## B.

1. Location -----  
(Number and street.) (Town.) (County.) (State.)
2. Describe plant -----  
(“Office,” “Mill,” “Elevator,” “Cold-storage Warehouse,” etc.)
3. Length of time in business at this point ----- years, ----- months.
4. Storage capacity (bushels) -----  
(Applies only to grain elevators or warehouses.)
5. Rated capacity (bbls. per 24 hours) -----  
(Applies only to flour and meal mills.)

## C.

1. Location -----  
(Number and street.) (Town.) (County.) (State.)
2. Describe plant -----  
(“Office,” “Mill,” “Elevator,” “Cold-storage Warehouse,” etc.)
3. Length of time in business at this point ----- years, ----- months.
4. Storage capacity (bushels) -----  
(Applies only to grain elevators or warehouses.)
5. Rated capacity (bbls. per 24 hours) -----  
(Applies only to flour and meal mills.)

The statements and representations regarding the business of the applicant, as set forth in this application, are, to the best knowledge and belief of the applicant, true and correct.

(Do not use typewriter for signature)

Sign here -----

By -----

Look over your application carefully before you return it

BE SURE IT IS COMPLETE



# PERSONS, FIRMS, CORPORATIONS, AND ASSOCIATIONS SUBJECT TO LICENSE.

July 27, 1918.

The President has from time to time issued proclamations requiring different classes of food manufacturers and handlers to take out licenses.

A copy of the proclamation referring to any particular business will be furnished on request. Operation without a license or after a license is revoked subjects the offender to a fine not exceeding \$5,000, or to imprisonment not exceeding two years, or both.

All persons, firms, corporations and associations are subject to license who are—

(1) Engaged in the business of operating cold-storage warehouses (a cold-storage warehouse being defined as any place artificially or mechanically cooled to or below a temperature of 45° above zero Fahrenheit in which food commodities are placed and held for 30 days or more).

NOTE.—A person renting a room or rooms in a cold-storage warehouse is subject to license as a cold-storage warehouseman if the lessor has no control over the goods stored therein.

## Staple Commodities—Importers, Manufacturers, Distributors.

(2) Engaged in the business of importing, manufacturing (including milling, mixing, or packing), or distributing:

Wheat.  
Rye.  
Barley.  
Rice (including brewer's rice and rice screenings).  
Corn (including snap corn; excluding pop corn).  
Oats.  
Wheat flour (including graham flour, whole wheat flour, gluten flour).  
Rye flour.  
Corn flour.  
Barley flour.  
Rice flour.  
Mixed flours that consist chiefly of one or more licensed flours, namely, wheat, rye, barley, corn, or rice flour.  
Oatmeal, rolled oats, and oat flour.  
Corn grits, corn meal, and cerealene flakes.  
Hominy (including canned hominy).  
Starch from corn, corn syrup or glucose, corn oil, corn sugar, grape sugar.  
Dried beans (including dried lima beans, soya beans, pinto beans, velvet beans; excluding castor beans).  
Pea seed or dried peas.  
Cotton seed.  
Cottonseed oil, cottonseed cake, cottonseed meal, cottonseed hulls.  
Peanut oil, peanuts, peanut meal. (For the present manufacturers and distributors of salted peanuts, roasted peanuts, or blanched peanuts, and manufacturers and distributors of confectionery containing peanuts, will not be required to obtain licenses.)  
Oleomargarine, lard, lard substitutes, oleo oil, or cooking fats (including butterine, cocoanut oil butter, nut oil for cooking, edible tallow).

Milk, butter, or cheese (including buttermilk, whey butter and cottage cheese).  
Condensed, evaporated, or powdered milk (excluding malted milk).  
Fresh, canned, or cured beef, pork, or mutton (including veal, lamb, ham, canned corn beef, chipped beef, dried beef, sliced bacon, whether in containers or not; excluding the distribution of beef juice, bologna, canned chili meat, corn beef hash, deviled ham, luncheon tongue, mince meat, potted meats, sausage, scrapple, tripe, veal loaf).  
Poultry or eggs, fresh or frozen (including dried egg albumen or dried yolk, and canned eggs).  
Fresh or frozen fish.  
Fresh fruits or vegetables (including Irish or sweet potatoes, lemons, oranges, berries).  
Canned peas.  
Canned dried beans (including canned pork and beans and chili con carne with beans).  
Canned tomatoes (including tomato paste, pulp, or puree).  
Canned corn (including canned hulled corn and canned hominy).  
Canned salmon or sardines (domestic or foreign).  
Dried prunes, apples, peaches.  
Dried raisins (excluding dried black grapes and currants).  
Soya bean oil, soya bean meal, palm oil, palm kernels, palm kernel oil, copra, and copra oil.  
Sugar, syrups, or molasses (including raw, refined, clarified, plantation washed, and open-kettle sugar; sugar of milk; sorghum syrup; and excluding beverage or medicinal syrups and rock candy syrup).  
Malt.

## Staple Commodities—Storing.

(3) Engaged in the business of storing:

Wheat.  
Rye.  
Corn.  
Oats.  
Barley.

Beans.  
Rice.  
Cotton seed.  
Cottonseed cake.  
Cottonseed meal.

Cottonseed hulls.  
Peanut meal.  
Malt. (Brewers of malt liquor who do not malt their own grain do not require a license for storing malt.)

NOTE.—Those dealing in any of the commodities mentioned in section (2) or section (3) on an exchange or board of trade or similar institution as defined by section 13 of the act of Aug. 10, 1917, are not subject to license to the extent of their dealings on such exchange or board of trade.



## Feeds.

(4) Engaged in the business of—

(a) Importing, storing, distributing, or manufacturing (including mixing and processing of all kinds) any commercial mixed feeds (including dairy feeds, horse, and mule feeds, stock feeds, hog feeds, and poultry feeds).

(b) Manufacturing feeds from any of the following commodities or importing, storing, or distributing any of the following commodities as feeds or feed ingredients:

|   |                   |                           |
|---|-------------------|---------------------------|
| Buckwheat.                              | Millet.           | Peas.                     |
| Kafir.                                  | Spelt.            | Milo.                     |
| Feterita.                               | Cane seed.        | Lentils.                  |
| Malt sprouts.                           | Baled hay.        | Tankage.                  |
| Broom corn.                             | Linseed-oil cake. | Sunflower seed.           |
| Baled straw.                            | Linseed-oil meal. | Dried distillers' grains. |
| Grain and seed screenings.              | Cottonseed cake.  | Dried brewers' grains.    |
| Animal or fish products or by-products. | Cottonseed meal.  | Dried yeast grains.       |
| Emmer.                                  | Cottonseed hulls. | Baled alfalfa.            |
|   | Beans.            |                           |

(c) Importing, manufacturing, storing, or distributing as feed any product or by-product of any of the following commodities:

|               |                            |              |
|---------------|----------------------------|--------------|
| Shelled corn. | Sorghum grains.            | Copra.       |
| Ear corn.     | Rice.                      | Palm nut.    |
| Barley.       | Grain and seed screenings. | Palm kernel. |
| Oats.         | Soya beans.                | Sugar beets. |
| Wheat.        | Velvet beans.              | Alfalfa.     |
| Rye.          | Hay.                       | Straw.       |
| Sugar cane.   | Peas.                      |              |
| Buckwheat.    | Peanuts.                   |              |

## Salt-water Fishermen.

(5) Engaged as salt-water fishermen, whether fishing independently or on shares, at any period of the year in the commercial distribution, including catching and selling, of any and all varieties of salt-water fish, including menhaden, and of shellfish and crustaceans.

NOTE.—A license is required to catch crawfish, crabs, scallops, clams, mussels, oysters, shrimps, and lobsters, but is not required to catch turtles, terrapin or whales. Salmon fishermen are required to operate under license.

## Bakers.

(6) Engaged in the manufacture for sale of cake, crackers, biscuits, pastry or bread in any form, or other bakery products, whose consumption of flour, meals, and substitutes in the aggregate is 3 barrels or more per month on an average throughout the year.

## Miscellaneous Food Commodities—Manufacturers.

(7) Engaged in the business of manufacturing (including packing):

|   |   |
|---|---|
| Alimentary paste.   | Near beer.  |
| Breakfast cereals and other products derived from wheat or rye. | Mild-cured, hard-cured, salted, dried, smoked, pickled or otherwise preserved salmon. |
| Tomato soup, tomato catsup, or other tomato products.           | Canned tuna.  |

## Green Coffee—Importers and Distributors.

(8) Engaged in the business of importing or distributing green coffee.

NOTE.—The following classes were subjected to license:

Persons, etc., importing green coffee, whether or not they roast it before disposing of it.

Wholesalers, jobbers, roasters, and all others who buy or otherwise deal in green coffee, whether or not they roast it before disposing of it.

Retailers who buy or otherwise deal in green coffee, whether or not they roast it before disposing of it, whose total gross sales of all food or feed commodities exceed \$100,000 a year.

Brokers.

In other words, all persons, firms, corporations and associations who import, and all others (except retailers whose gross sales of food or feed commodities do not exceed \$100,000 a year), who buy or otherwise deal in or handle green coffee, are required to obtain a license.

## Special Exceptions.

The following persons, firms, corporations, and associations are excepted from having licenses:

(a) Those doing a strictly retail business whose gross annual sales of all food commodities do not exceed \$100,000 are not subject to license on their retail activities.

NOTE.—A retailer (i. e., a person whose business is selling food commodities to individual consumers) is not required to obtain a license in order to make sales to hotels, restaurants, boarding houses, hospitals, schools, and other large consumers of similar character, unless his total gross sales of food and feed commodities to both individual consumers and hotels, restaurants, etc., exceed \$100,000 a year.

(b) Common carriers as to the operations necessary to the business of common carriers.

(c) Farmers, gardeners, co-operative associations of farmers or gardeners, including live-stock farmers, and other persons, with respect to the products of any farm, garden, or other land owned, leased, or cultivated by them.

(d) Canners of peas, dried beans, corn, tomatoes, salmon, or sardines whose gross production does not exceed 500 cases per annum, and all home canners and bona fide boys' and girls' canning clubs recognized by the Departments of Agriculture of the several States in the United States.

(e) Manufacturers of maple syrup, maple sugar, or maple compounds.

(f) Ginners, buyers, agents, dealers, or other handlers of cotton seed who do not handle more than 20 tons of cotton seed between September 1 and August 31 in any given year.

NOTE.—Cotton seed that a person receives as rent or otherwise from a tenant must be included in determining whether such person is subject to license by reason of his dealing in or handling more than 20 tons of cotton seed a year.

(g) Persons slaughtering, packing, and distributing fresh, canned or cured beef, pork or mutton, whose gross sales of such commodities do not exceed \$100,000 per annum.



1941