

CHAP. 217.—An Act Establishing standard grades of naval stores, preventing deception in transactions in naval stores, regulating traffic therein, and for other purposes.

March 3, 1923
[S. 1076.]
[Public, No. 473.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for convenience of reference, this Act may be designated and cited as "The Naval Stores Act."

Naval Stores Act.

SEC. 2. That, when used in this Act—

Definitions.

(a) "Naval stores" means spirits of turpentine and rosin.

Naval stores.

(b) "Spirits of turpentine" includes gum spirits of turpentine and wood turpentine.

Turpentines.

(c) "Gum spirits of turpentine" means spirits of turpentine made from gum (oleoresin) from a living tree.

(d) "Wood turpentine" includes steam distilled wood turpentine and destructively distilled wood turpentine.

(e) "Steam distilled wood turpentine" means wood turpentine distilled with steam from the oleoresin within or extracted from the wood.

(f) "Destructively distilled wood turpentine" means wood turpentine obtained in the destructive distillation of the wood.

Rosins.

(g) "Rosin" includes gum rosin and wood rosin.

(h) "Gum rosin" means rosin remaining after the distillation of gum spirits of turpentine.

(i) "Wood rosin" means rosin remaining after the distillation of steam distilled wood turpentine.

Package.

(j) "Package" means any container of naval stores, and includes barrel, tank, tank car, or other receptacle.

Person.

(k) "Person" includes partnerships, associations, and corporations, as well as individuals.

Commerce.

(l) The term "commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

SEC. 3. That for the purposes of this Act the kinds of spirits of turpentine defined in subdivisions (c), (e), and (f) of section 2 hereof and the rosin types heretofore prepared and recommended under existing laws, by or under authority of the Secretary of Agriculture, are hereby made the standards for naval stores until otherwise prescribed as hereinafter provided. The Secretary of Agriculture is authorized to establish and promulgate standards for naval stores for which no standards are herein provided, after at least three months' notice of the proposed standard shall have been given to the trade, so far as practicable, and due hearings or reasonable opportunities to be heard shall have been afforded those favoring or opposing the same. No such standard shall become effective until after three months from the date of the promulgation thereof. Any standard made by this Act or established and promulgated by the Secretary of Agriculture in accordance therewith may be modified by said Secretary whenever, for reasons and causes deemed by him sufficient, the interests of the trade shall so require, after at least six months' notice of the proposed modifications shall have been given to the trade, so far as practicable, and due hearings or reasonable opportunities to be heard shall have been afforded those favoring or opposing the same; and no such modification so made shall become effective until after six months from the date when made.

Standard naval stores.
Turpentines and rosins declared as.

Establishment of new standards.

Notice, hearings, etc.

Modifications permitted.
Procedure, etc.

Effective after six months.

Rosin.
Grades of, designated.

The various grades of rosin, from highest to lowest, shall be designated, unless and until changed, as hereinbefore provided, by the following letters, respectively: X, WW, WG, N, M, K, I, H,

G, F, E, D, and B, together with the designation "gum rosin" or "wood rosin," as the case may be.

Naval stores to be graded and described by official standards.

The standards herein made and authorized to be made shall be known as the "Official Naval Stores Standards of the United States," and may be referred to by the abbreviated expression "United States Standards," and shall be the standards by which all naval stores in commerce shall be graded and described.

Duplicates of official standards to applicants.

SEC. 4. That the Secretary of Agriculture shall provide, if practicable, any interested person with duplicates of the official naval stores standards of the United States upon request accompanied by tender of satisfactory security for the return thereof, under such regulations as he may prescribe. The Secretary of Agriculture shall examine, if practicable, upon request of any interested person, any naval stores and shall analyze, classify, or grade the same on tender of the cost thereof as required by him, under such regulations as he may prescribe. He shall furnish a certificate showing the analysis, classification, or grade of such naval stores, which certificate shall be prima facie evidence of the analysis, classification, or grade of such naval stores and of the contents of any package from which the same may have been taken, as well as of the correctness of such analysis, classification, or grade and shall be admissible as such in any court.

Examinations on request.

Certificate of analysis, grade, etc., to be furnished.

Prima facie evidence thereof.

Prohibited acts.

SEC. 5. That the following acts are hereby declared injurious to commerce in naval stores and are hereby prohibited and made unlawful:

Sales, except under official standards.

(a) The sale in commerce of any naval stores, or of anything offered as such, except under or by reference to United States standards.

Sales under false representation of standard.

(b) The sale of any naval stores under or by reference to United States standards which is other than what it is represented to be.

Use of words "turpentine" or "rosin" for sale of other than standard naval stores.

(c) The use in commerce of the word "turpentine" or the word "rosin," singly or with any other word or words, or of any compound, derivative, or imitation of either such word, or of any misleading word, or of any word, combination of words, letter or combination of letters, provided herein or by the Secretary of Agriculture to be used to designate naval stores of any kind or grade, in selling, offering for sale, advertising, or shipping anything other than naval stores of the United States standards.

False practices, etc., in sales.

(d) The use in commerce of any false, misleading, or deceitful means or practice in the sale of naval stores or of anything offered as such.

Punishment for willful violations.

SEC. 6. That any person willfully violating any provision of section 5 of this Act shall on conviction, be punished for each offense by a fine not exceeding \$5,000 or by imprisonment for not exceeding one year, or both.

Purchases of samples in open market for analysis, etc.

SEC. 7. That the Secretary of Agriculture is hereby authorized to purchase from time to time in open market samples of spirits of turpentine and of anything offered for sale as such for the purpose of analysis, classification, or grading and of detecting any violation of this Act. He shall report to the Department of Justice for appropriate action any violation of this Act coming to his knowledge. He is also authorized to publish from time to time results of any analysis, classification, or grading of spirits of turpentine and of anything offered for sale as such made by him under any provision of this Act.

Report of violations, analysis, etc.

Administration and enforcement expenses authorized.

SEC. 8. That there are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary for the administration and enforcement of this Act, and within the limits of such sums the Secretary of Agriculture is authorized to employ such persons and means and make such ex-

penditures for printing, telegrams, telephones, books of reference, periodicals, furniture, stationery, office equipment, travel and supplies, and all other expenses as shall be necessary in the District of Columbia and elsewhere.

SEC. 9. That if any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 10. That this Act shall become effective at the expiration of ninety days next after the date of its approval.

Approved, March 3, 1923.

Invalidity of any provision, etc., not to affect remainder of Act.

Effective in 90 days.

CHAP. 218.—An Act To allow the printing and publishing of illustrations of foreign postage and revenue stamps from defaced plates.

March 3, 1923.

[S. 2703.]

[Public, No. 479.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in sections 161, 172, and 220 of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (Thirty-fifth Statutes at Large, at pages 1118, 1121, and 1132), shall be construed to forbid or prevent the printing or publishing of illustrations in black and white of foreign postage or revenue stamps from plates so defaced as to indicate that the illustrations are not adapted or intended for use as stamps, or to prevent or forbid the making of necessary plates therefor for use in philatelic or historical articles, books, journals, or albums, or the circulars of legitimate publishers or dealers in such stamps, books, journals, or albums. Nothing in said sections shall be construed to forbid or prevent similar illustrations, in black and white only, in philatelic or historical articles, books, journals, albums, or the circulars of legitimate publishers or dealers in such stamps, books, journals, albums, or circulars, of such portion of the border of a stamp of the United States as may be necessary to show minor differences in the stamp so illustrated, but all such illustrations shall be at least four times as large as the portion of the original United States stamp so illustrated.

Postage and revenue stamps.

Printing in black and white of foreign, from defaced plates no violation of Criminal Code.

Vol. 35, pp. 1118, 1121, 1132.

Making plates for albums, etc.

Borders of United States stamps for illustrations, etc.

Increased size required.

Approved, March 3, 1923.

CHAP. 219.—An Act To amend section 1 of the Act entitled "An Act providing for the location and purchase of public lands for reservoir sites," approved January 13, 1897, as amended.

March 3, 1923.

[S. 3123.]

[Public, No. 480.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act providing for the location and purchase of public lands for reservoir sites," approved January 13, 1897, as amended, is amended by inserting at the end thereof the following new sentence:

"The Secretary of the Interior, in his discretion, under such rules, regulations, and conditions as he may prescribe, upon application by such person, company, or corporation, may grant permission to fence such reservoirs in order to protect live stock, to conserve water, and to preserve its quality and conditions: *Provided,* That such reservoir shall be open to the free use of any person desiring to water animals of any kind; but any fence erected under the authority hereof shall be immediately removed on the order of the Secretary."

Public lands. Reservoir sites for live stock. Vol. 29, p. 484, amended.

Fences permitted under regulations, etc.

Proviso. Free use for watering animals.

Approved, March 3, 1923.