NINTH ANNUAL REPORT OF THE UNITED STATES TARIFF COMMISSION



1925



December 10, 1925.—Referred to the Committee on Ways and Means and ordered to be printed, with accompanying papers and illustrations

GOVERNMENT PRINTING OFFICE WASHINGTON

1926

UNITED STATES TARIFF COMMISSION

Office: Seventh and E Streets N.W., Washington, D. C.

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HENRY H. GLASSIE.

A. H. BALDWIN.

EDGAR B. BROSSARD.

JOHN F. BETHUNE, Secretary.

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LETTER OF TRANSMITTAL

United States Tariff Commission, Washington, December 8, 1925.

My Dear Mr. Speaker: In compliance with the provisions of section 703 of the act of Congress approved September 8, 1916, "to increase the revenue, and for other purposes," there is transmitted herewith a copy of the Ninth Annual Report of the United States Tariff Commission. Very truly yours,

THOMAS O. MARVIN, Chairman.

Hon. Nicholas Longworth, Speaker of the House of Representatives, Washington, D. C

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NINTH ANNUAL REPORT OF THE UNITED STATES TARIFF COMMISSION

Washington, D. C., December 8, 1925.

To the Congress:

The United States Tariff Commission herewith submits its Ninth Annual Report, for the fiscal year 1924-25.

CHANGES IN PERSONNEL

The term of office of Commissioner Lewis expired September 7, 1924, at which time he was given a recess appointment which expired March 4, 1925. Commissioner Lewis has been a member of the commission since its organization in 1917. He brought to his services as commissioner a valuable previous experience in the Congress. His familiarity with transportation legislation was useful to the commission in inquiries involving that subject, particularly in the commission's important investigation of preferential transportation rates. Among other activities of the commission to which Commissioner Lewis gave particular attention was the supervision of the preparation of the Dictionary of Tariff Information, to which reference is made on page 5. For his services in connection with that publication, the commission on January 20, 1925, formally and unanimously expressed its appreciation to Commissioner Lewis.

On May 17, Commissioner Culbertson terminated his connection with the Tariff Commission to enter the country's foreign diplomatic service as United States Minister to Rumania, by appointment of President Coolidge. Commissioner Culbertson, like Commissioner Lewis, was one of the original six members of the commission, who undertook the organization of its work in March, 1917. When his original appointment as commissioner expired on September 7, 1920, President Wilson gave Commissioner Culbertson a recess appointment which expired on March 4, 1921. On March 11, 1921, President Harding reappointed Commissioner Culbertson, and in January, 1922, designated him vice chairman of the commission. He was subsequently redesignated vice chairman by President Coolidge and con-

tinued so to act until his resignation.

Throughout the period of his membership in the commission, Commissioner Culbertson devoted special attention to the work of the commission's foreign division, particularly in so far as that work related to international, economic, and commercial policies.

The resignation of Commissioner Burgess on June 1, 1925, terminated a service of four years. Mr. Burgess had served the Government in official positions before being appointed to the commission

by President Harding in June, 1921. In the Harrison administration, he was appointed American consul in Stokes-on-Trent, England, and had also served the Government in other capacities, gaining, in the meantime, experience in the business world. Among his later services to the Government were six confidential investigations into trade conditions in Europe and the Orient, undertaken for the Treasury Department. This official and business experience qualified Mr. Burgess to render valuable service to the commission.

On January 15, 1925, Commissioner Marvin was again appointed chairman and Commissioner Culbertson vice chairman for the

ensuing year.
Dr. Alfred P. Dennis, of Maryland, was nominated by the President March 6, 1925, and was confirmed by the Senate March 11, 1925, for the term ending September 7, 1936, made vacant by the expiration of Commissioner Lewis's recess appointment. He took office March 16, 1925. On July 22, 1925, Commissioner Dennis was designated vice chairman.

Mr. A. H. Baldwin, of New York, was given a recess appointment by the President on June 6, 1925, for the term ending September 7, 1928, made vacant by the resignation of Commissioner Burgess. He took office June 22, 1925.

Dr. Edgar B. Brossard, of Utah, was given a recess appointment by the President on July 9, 1925, for the term ending September 7, 1932, made vacant by the resignation of Commissioner Culbertson. He took office July 22, 1925.

I. THE ORGANIZATION OF THE TARIFF COMMISSION

The Tariff Commission was established by the provision of the revenue act of September 8, 1916 (Title VII, secs. 701 to 709) as an advisory body whose functions were primarily to gather and prepare for the use of the President and the Congress economic and industrial information with respect to the domestic and foreign commerce of the United States in its relation to the customs laws and usages not only of this country, but of other nations as well. These duties were extended and greatly enlarged by the special provisions of sections 315, 316, 317, and 318 of the tariff act of 1922.

(1) PRINCIPAL OFFICE

The act which created the commission (39 Stats. L., ch. 463, pp. 795 to 798) provides that the principal office of the commission shall be in the city of Washington. This office is now located in the Old Land Office Building at Seventh and Eighth, E and F Streets.

As provided in the organic act above referred to, the commission consists of six commissioners, a secretary, and a staff of technical experts, clerks, and other employees necessary to the performance of its duties. After the enactment of the special provisions relating to the commission in the tariff act of 1922 the increased work of the commission necessitated a substantial enlargement of personnel and increased appropriations.

The staff of the commission was reorganized to conform to the changed conditions. The administrative work of the commission is under the direction of the secretary. The technical staff as now organized consists of the division of economics, the office of the chief investigator, the legal division, the preferential tariffs division, the transportation division, the accounting division, the statistical division, and the several commodity divisions corresponding in general to the schedules of the tariff law. The operations of these divisions are coordinated through the advisory board, which consists of the chief of the economics division (chairman), the chief investigator, the chief of the legal division, and the chief of the commodity division concerned with the subject for the time being under consideration, and the economist assigned to the particular investigation.

(2) NEW YORK OFFICE

The chief functions of the New York office of the Tariff Commission are to tabulate and analyze foreign invoice data from customs records, and to obtain tariff information both from importers and producers of commodities in New York and vicinity.

In the tabulation of invoice data special attention is given to the description and grade of the imported product, the foreign factory price, transportation, insurance and other charges, and the landed price, duty paid, in the United States. When necessary, samples of imported commodities are secured for purposes of comparison both in respect to quality and price, with similar domestic articles.

Analyses were made in respect to about 100 articles, the most important of which were included in the following classes of commodities: Chemicals and medicines, scientific instruments and apparatus, band instruments, wool and mohair yarns, cotton cloth, raw wool,

tiles, and bentwood chairs.

Field investigations in New York and vicinity were made concerning paper clay, men's sewed straw hats, opal glass, and clinical thermometers.

In addition to tabulating information for use in connection with investigations and commodity surveys, the New York office is regularly in touch with manufacturers and importers within the metropolitan area regarding numerous minor subjects that are of interest to the commission's staff in the preparation of reports and in keeping up to date the information in the files with respect to the various commodities.

(3) EUROPEAN HEADQUARTERS

At the beginning of the fiscal year the commission maintained a regular office in Berlin, as headquarters for central Europe, and an agent in Paris for the work in Latin countries. The latter office was abolished when the agent in charge resigned in the fall of 1924. commission then took under consideration the advisability of concentrating the European work at one central headquarters, and of determining a location from which this work could be carried on in the most expeditious and economical manner. After consultation with its European agents, who were called to Washington for conference in the month of April of this year, it was decided to establish headquarters at Brussels, Belgium, and to increase the resident European force of the commission by the assignment of an economist and of one accountant to the European headquarters. tional office force makes possible the extension of the work in the field of economic research, and enables the commission to make minor cost investigations without the necessity of sending special

experts to Europe.

The investigations carried on in Europe during the fiscal year, with the assistance of the foreign staff, comprised the following subjects and countries:

Artificial silk (survey).—Germany, Holland, Belgium, France,

Switzerland, Italy, and Czechoslovakia.

Plate glass.—Belgium, France, Germany, and England.

Gold leaf.—Germany.

Laces.—France, Germany, Belgium, and England.

Butter.—Denmark.

Swiss cheese.—Switzerland and Italy.

Straw hats.—Italy and England.

Briarwood pipes.—France and England.

Oils.—England, Holland, Belgium, France, and Germany.

Tanned calf leather.—Germany, Czechoslovakia, Switzerland, Lux-

emburg, Belgium, France, Holland, and England.

Satisfactory information was obtained in all of these investigations, the methods employed to approach the foreign governments, manufacturers' associations, and individual manufacturers being those set

forth in the commission's eighth annual report, page 2.

The establishment of the European headquarters enables the commission to address telegraphic and other inquiries to agents familiar with the activities of the commission, and with the customs and languages of the principal European countries. It also effects a considerable saving in time and money as these agents make all the contacts with the foreign governments, associations, and individual manufacturers prior to the arrival of the crews of special experts sent to Europe to make major cost investigations. The European representatives of the commission at the Brussels office make general economic surveys of all industries, prepare data on the importance of the industry, wages, prices, and foreign trade of the commodity to be investigated, so that the experts can proceed without loss of time to establish the cost of production at the individual factories in the centers where the industry is located. The European force also supplies the commission with foreign trade papers and other principal data, calling attention to and making translation of articles which may be of immediate interest to the various commodity sections of the commission.

II. THE ECONOMICS DIVISION

The economics division during the past year has been strengthened in personnel and improved in organization. It comprises a general section of seven economists and two assistant economists, and sections assigned to the performance of particular duties, such as (a) the editing of manuscripts and publications of the commission, (b) the preparation of charts and graphs to accompany reports on commodity investigations and to facilitate analysis of cost data, and (c) the translation from foreign languages of material useful in the different aspects of the work of the commission. In connection with the last mentioned activity there has been prepared during the last year a bibliography of practically all foreign periodical publications, private or official, containing economic and statistical information

which are to be found in the various Government departments in Washington. Translations into French and German, respectively of the "Laws Relating to the United States Tariff Commission" have

been prepared and published in pamphlet form.

The Dictionary of Tariff Information, prepared under the direction of the economics division, was published in January, 1925. A description of this undertaking was given in the eighth annual report. The work has been received with favor by members of the Congress and various administrative officers of the Government, as

well as by other public men and by educators.

The economists of the division have during the past year cooperated with the commodity experts in all matters coming before the advisory board, of which the chief of the economics division is chairman. The division participated in the consideration of subjects mentioned in applications under section 315 of the present tariff act, in planning the investigations when ordered, and in preparing drafts of final reports embodying the results of investigations. The economists of the division have acted also in an advisory capacity in making the investigations, both in the preparation of schedules for field work and in the conduct of such work. So far as practicable it has been the consistent policy to assign an economist to assist from the beginning in each investigation under section 315. The scope of the duties of the division is thus indicated by the detailed accounts, given elsewhere in this report, of the work of the commission under section 315.

With respect to subjects falling under section 318 of the tariff act, and subjects of miscellaneous nature, the economists of this division have cooperated with the commodity experts and have also acted, upon request, in an independent capacity. Its members have, for example, critically read tariff information surveys, reviewed commodity reports, and prepared a number of memoranda connected with various aspects of the work of the commission. Several important investigations under section 318 and the general powers of the commission are now under way, in which members of the economics division are participating. The chief accomplishment in this field during the past year is the completion of the reports covering the investigation of the costs of production of sugar beets, an account of which is given elsewhere.

III. THE ADVISORY BOARD

The conduct of the commission's investigations contemplates the collaboration of technical, economic, accounting, and legal experts. To this end, as well as to insure the thorough testing, analysis, and examination of the data, the commission has established an advisory board, composed of the chief of the economics division, the chief investigator, the chief of the legal division, the chief of the commodity division in whose field the investigation or problem falls, and the economist assigned to the particular investigation. The chief of the economics division is chairman of the advisory board.

Before the commission institutes an investigation for the purposes of section 315, it is customary for a preliminary study to be made by the experts of the commodity division under which the subject matter of the application falls. In this study the experts of the commodity

division have the assistance of an economist, and the results of the study are embodied in what is known as a preliminary report. summarizes, as far as practicable, all relevant material, not only that which is available in printed form-statistics, hearings before the committees of Congress, former surveys of the Tariff Commission, and the like—but also the manuscript material collected by the Tariff Commission in the course of its inquiries, surveys, and investi-The matter then passes to the advisory board which, after thorough examination, transmits to the commission, along with the original commodity division report, an advisory board report summarizing the problems involved, focusing attention upon its major aspects and setting forth, in the event of any difference of opinion, the views of the individual members of the board. commission, with these written reports before it and whatever other assistance it may request of the expert members of its staff, determines what course appears to be warranted by the data and information so Depending upon the nature of the subject matter and the indications of the data thus made available, the course decided upon may take one of the following forms:

(1) To file the data obtained for future reference and use of the

Congress;

(2) To initiate an investigation under section 318 of the tariff act of 1922, or under the general powers of the commission, with a view to publishing a report on the subject for the information of the Congress;

(3) To initiate an investigation for the purposes of section 315 of

the tariff act of 1922; or

(4) To initiate an investigation for the purposes of section 316 of the tariff act of 1922.

A complete plan for the conduct of the investigation is then prepared by the commodity division under the direction of the chief investigator and, upon revision and approval by the advisory board, is submitted to the commission for action. Cost schedules to be used in collecting the cost data and other information are prepared by the accounting division in conjunction with the commodity division and, when reviewed by an economist and approved by the advisory board, are submitted to the commission for consideration.

The crew assigned to the particular investigation then undertakes the field work under the direction of the chief investigator. Each crew consists of technical and accounting experts, and, when practicable, an economist. In this way the cost and other data necessary for a satisfactory completion of each investigation are secured. Before the field work is actually undertaken conferences are held with representatives of the industry in the United States and abroad with a view to securing cooperation and explaining the character of the information desired and the procedure to be followed. In the more important investigations in which a number of crews are employed, all the crew leaders work together for sufficient time in the field to secure uniformity of procedure in the conduct of the field work. Schedules recording the cost data obtained from the records of the various producers and verified by the commission's representatives are forwarded to Washington, where they are carefully reviewed.

Upon the completion of the tabulation and analysis of the cost data and other information, a preliminary statement of information is

prepared by the commodity division in cooperation with the economist assigned to the investigation and, upon approval by the advisory board, is submitted to the commission for final revision and approval. This preliminary statement of information sets forth, for the use of interested parties at the public hearing, the full facts developed in the investigation. After the conclusion of argument, whether oral or in the form of printed briefs or both, all evidential matter is reviewed and a final report is prepared.

IV. THE DIVISION OF PREFERENTIAL TARIFFS AND COM-MERCIAL TREATIES

Section 704 of the act (1916) creating the Tariff Commission provides that-

The commission shall have power to investigate the tariff relations between the United States and foreign countries, commercial treaties, preferential provisions, and economic alliances.

The division of preferential tariffs and commercial treaties has been mainly occupied during the last year with investigations relative to sections 316 and 317 of the tariff act of 1922, but certain other studies are in progress. The more important relate to the effects of the reciprocity treaty of 1902 with Cuba, and to the effects of the tariff relations between the United States and the Philippine Islands. The division prepares or contributes to all reports, other than investigations under section 315 of the tariff act, which touch upon the relations between the United States and foreign countries. It has assisted, for example, in the preparation of memoranda on the international convention on customs formalities, on the assessment of duties in Morocco, on possible negotiations under paragraph 1700 of the tariff act, and on tariff classifications and trade contingents or quotas.

(1) PROCEEDINGS UNDER SECTION 316

Section 316 of the tariff act of 1922 follows in general the suggestions made to the Congress in the report entitled "Dumping and unfair foreign competition in the United States," submitted by the Tariff It declares unlawful unfair methods of com-Commission in 1919. petition and unfair acts in the importation of articles into the United States or in their sale, the effect or tendency of which is to destroy or substantially to injure an industry efficiently and economically operated in the United States; the act further provides that, in order to assist the President in making any decisions under this section, the Tariff Commission is authorized to investigate any alleged violation The commission has on complaint under oath or upon its initiative. received a number of communications concerning alleged unfair competition and 13 applications, complaints under oath in accordance with the statute. In regard to these applications, 3 investigations have been ordered, 3 cases are pending (receiving consideration or preliminary examination), 1 has been withdrawn, another has been referred to the Treasury Department for inquiry under the antidumping law, and in 5 the preliminary examination resulted in no investigation being ordered. The investigations undertaken are as follows:

Brierwood pipes.—On August 11, 1923, the commission instituted

an investigation of alleged unfair practices and unfair acts in the

importation of brierwood pipes and in the sale of such imported pipes at prices less than their cost of production in the country of origin. A public hearing was held in the office of the commission in Washington on September 24, 1923. The hearing was postponed successively to October 17, October 31, and November 8, 1923, on which date it was concluded. The interested parties filed briefs, but before the matter was determined, the applicants made known to the commission their desire to have their application treated as submitted under the provisions of section 315. The commission thereupon proceeded in the investigation instituted for the purposes of section 315 and instructed its representatives in Europe to obtain cost data and other information requisite in an investigation of that character. (See page 72.)

Revolvers.—Since the publication of the eighth annual report of the commission the investigation instituted by the commission to assist the President in making a decision upon alleged unfair competition, and unfair acts in the importation and sale of revolvers simulating revolvers manufactured by Smith & Wesson (Inc.), has been brought to a

conclusion.

As stated in the last annual report, this investigation was instituted on June 3, 1924, and the President, on the same day, issued a temporary restraining order under subdivision (f) of section 316. A public hearing was held at the offices of the commission in Washington on July 21, 1924, and successively continued to September 29, September 30, and October 1, 1924, after which printed briefs were filed on behalf of interested parties.

On July 14, 1925, the findings of the commission were made and filed and copies thereof were served by registered mail upon parties of record, including the Spanish manufacturers of the articles complained of. The time allowed by section 316 for taking an appeal to the Court of Customs Appeals upon a question or questions of law

expired without an appeal having been taken.

Thereupon, on November 7, 1925, the commission transmitted to the President the final findings, together with a transcript of the testimony in the investigation which, with the findings and recommendations of the commission, constitute the official record of the investigation. The opinion of the commission, its findings of fact, and its recommendations to the President will be found in the appendix at pp. 90, 109.

Sanitary napkins.—On October 14, 1924, the commission instituted an investigation of alleged unfair practices and unfair acts in the importation and sale of sanitary napkins packed and labeled so as to confuse or mislead the public into purchasing such imported articles as and for the domestic product marketed under the trademark "Kotex." A public hearing was held at the offices of the

commission in Washington on November 18, 1924.

Section 316 was devised to meet cases of unfair competition in the importation and sale of goods. The word "the" was inadvertently inserted in a clause near the end of subdivision (c), reading as follows:

That the commission may modify its findings as to the facts or make new findings by reason of additional evidence which, if supported by the evidence, shall be conclusive as to the facts except that within such time and in such manner an appeal may be taken as aforesaid upon a question or questions of law only.

It is believed that certain other phraseology in subdivision (e) may interfere with the application of the section. The practices complained of may be those of foreign manufacturers rather than of importers, whose action in buying abroad can not be deemed unfair. The language of the latter part of subdivision (e) limits the extreme penalty of exclusion to "articles * * * imported by any person violating the provisions of this act." A narrow construction of this phraseology might restrict the scope of the statute and in some cases nullify its intent. Similarly, the statute would be made somewhat more explicit if the words "exporter" and "sell for export" were inserted in subdivision (a) and if line 6 of subdivision (e) were changed to read, "articles exported, sold for export, or imported * * *."

(2) PROCEEDINGS UNDER SECTION 317

Section 317 is framed in accordance with the suggestions of the Tariff Commission contained in its report of 1919, entitled "Reciprocity and commercial treaties." In general, this section follows the precedent established by the maximum and minimum provisions of the act of 1909, which, to quote the conference committee, "had for its purpose the obtaining of equality of treatment for American overseas commerce." Section 317, however, is flexible, while the provi ions of the act of 1909 were inflexible and, as experience showed, comparatively ineffective, because they could not be adapted to the circumstances of each case.

Section 317, as finally enacted, provides, in effect, that the President shall endeavor to secure the removal of all discriminations which foreign countries may inflict upon the commerce of the United States. The second paragraph of section 317 may be viewed as implying that there may be cases (sanitary regulations may afford instances) in which a discrimination between American and certain other products is reasonable, but the section further provides that every country which "discriminates in fact * * * in such manner as to place the commerce of the United States at a disadvantage compared with the commerce of any foreign country" is liable to discrimination against its commerce by the United States. The law itself thus defines discrimination and makes it clear that the point to be regarded is the effect upon American commerce and not the motive or intent of the foreign country in adopting its legislation or in adjusting its rates.

Section 317 covers discriminations of all varieties, whether in customs duties or other charges, or in classifications, prohibitions, restrictions, or regulations of any kind. The Tariff Commission is to keep itself informed of all discriminations against the commerce of the United States and to make recommendations concerning the action to be taken. If, then, the foreign country does not cease its discrimination when the matter is brought to its attention, the President may impose upon its products new or additional duties of not more than 50 per cent ad valorem; and if the foreign country still persists in its discriminations total prohibition may be inforced.

In order to determine whether discriminations against American commerce exist and to obtain data in regard to their practical effect, questionnaires were sent to more than a thousand leading manufac-

turers and exporters in all lines of trade, asking them to report upon the existence and effects of discrimination against American products in their line of business. Information was also obtained through personal interviews with exporters.

Section 317, subdivision (e) provides for countervailing duties to offset industrial advantages obtained in foreign countries through differential export duties in third countries, including colonies of

the said foreign countries.

For example, for some time the Indian Government maintained upon raw hides and skins a differential export duty which allowed British tanners to obtain their raw material more cheaply than the American tanner could obtain the same materials, to the extent of 10 per cent of the dutiable value in India. This situation, and the proper measures to offset it, were under consideration by the commission at the time when the differential duty was repealed.

Since July 1, 1924, the commission has submitted 8 reports dealing with alleged discriminations in 25 countries and colonies. In addition, it has responded to several special requests of the Secretary of State for information bearing upon our tariff relations with other

countries.

The commission feels that it must again raise the question as to the adequacy of the present law to provide sufficient safeguards for domestic industries against attacks or threats of attack by other countries by way of export duties, restrictions, or embargoes upon raw materials. Section 317 provides for a countervailing duty to offset export duties, but the situation may be such that the remedy provided is inadequate.

Section 317 covers export duties, restrictions, or embargoes only when they have differential features. Some of our largest industries, notably rubber and tin, are entirely dependent on imported raw materials; others, such as the leather and paper industries, would be

seriously crippled by the cutting off of foreign supplies.

(3) SURVEYS IN PROGRESS

The division has under way analyses of the effects of the reciprocity treaty of 1902 between the United States and Cuba, of the effects of the tariff relations between the United States and the Philippine Islands, and of the effects of the Canadian preferential tariff upon the exports of the United States and of Great Britain to Canada.

The analysis of the Cuban reciprocity treaty covers the full period during which the treaty has been in effect. It shows the extent of the trade which on each side benefits by the special treaty rates, the extent of the concessions on each side converted to average ad valorem equivalents, the revenue sacrificed by each Government, the increase of the trade, comparing it with the increase of trade in other directions and pointing out other important influences which have stimulated it, and the extent to which the treaty enabled producers to sell in the favored market at higher prices per unit.

The study of American trade with the Philippines, not so far advanced, will show the financial aspects of the tariff relationship, the prominence of Government supplies in the development of the trade,

¹ The 25 countries and colonies include 15 colonies of the British West Indian group covered by one report.

and in general will follow the lines of analysis of the situation arising

from the Cuban treaty.

The analysis of the trade of the United States and of Great Britain with Canada is believed to be the first attempt at a thorough study of this subject. Many studies have gone as far as an examination of the general trend of the trade before and after the establishment of imperial preference but none has undertaken to follow a large number of individual articles throughout the period or to determine exactly which tariff differentials have been effective in turning the trade from the United States to Great Britain. The problem is complicated by changes of tariff classifications, by the rapid expansion of American export trade in all directions during the period, and by the development of Canadian industries.

V. THE ACCOUNTING DIVISION

On January 1, 1925, the special experts of the commission who were versed in accountancy were organized into the accounting division under the supervision of an experienced accountant. Practically all of the cost accounting work of the commission is carried on by regularly employed accounting experts, but in a few cases cost accountants, having specialized experience in an industry which is the subject of investigation, have been employed.

The chief functions of the accounting division are first, to conduct cost investigations in the field in cooperation with the commodity experts and the economists of the commission, and second, to tabulate

and analyze the cost data when the field work is completed.

The initial stage of any investigation is the preparation of the cost schedule which may be outlined as follows: When an investigation is ordered involving cost work, the accounting division, in cooperation with the commodity experts, prepares a tentative cost schedule to be used as a basis of obtaining the cost data from foreign and domestic manufacturers. This tentative schedule is then sent, or taken in person, by agents of the commission, to one or more domestic producers of the commodity under investigation, for the purpose of obtaining criticism and additional information that may be necessary to its completion.

After the tentative schedule has been tried by actual experience in the field, it is revised and often completely redrafted before it is finally approved by the commission as a practical method of obtaining

the cost data desired.

The cost schedule, as finally approved by the commission, may be

used in three ways.

First, it may be mailed to producing companies with the request that they fill it out and return it to the commission under oath as to the accuracy of the information reported.

Second, it may be used as a guide, so to speak, in reporting cost data, with a request that if the company's own cost records are in sufficient detail as to give all information requested on the schedule, a report under oath on the company's own cost forms will be accepted in lieu of the schedule.

The third and most important use of the schedule is by the commission's agents in the field in obtaining the desired information directly from the company's records. This method is the one now almost invariably used in the commission's investigations.

The chief work of the division is checking cost data previously reported on schedules or other cost forms, and obtaining information directly from the books of the producing companies. Detail audit of cost records is not attempted, but the constituents of the major items of expense are analyzed in order to insure the substantial accuracy of the cost data reported. Other important questions to be considered in comparing costs from various sources are the treatment of such items as managerial salaries, depreciation of plant and equipment, and interest on the investment in the business. These items are carefully scrutinized in order to insure a uniform basis of calculating unit costs in the United States and foreign countries.

The office work of the division is largely the tabulation and analysis of the cost data received. In many investigations hundreds of schedules are used in calculating relatively few final unit cost figures for the industry as a whole. These tabulations are undertaken with the advice and cooperation of the commodity divisions concerned and the assigned economist, in order that the segregation of cost items shall conform to the technique and practices of the industries being

investigated.

Cost data in Europe are obtained under the same general conditions as in the United States. The agents of the commission from Washington work in close cooperation with the agents of the commission permanently stationed in Europe. Summaries of the cost work abroad have been made elsewhere in this report in connection with the activities of the commodity divisions of the commission.

VI. STATISTICAL DIVISION

Since it is the function of the statistical division to cooperate with other divisions, the year's work reflects in some measure that of the commission as a whole.

The division has prepared statistical material for the use of those conducting investigations under section 315 of the tariff act of 1922, covering domestic and foreign trade, costs, and prices. It has given clerical help in the analysis of farm costs of butter and cheese, and has rendered assistance in the following undertakings: the revision of surveys of tariff information; the completion of the annual dye census; the mechanical preparation of material for publication; calculations connected with surveys in process of preparation in the foreign and preferential tariffs division; complying with outside requests for statistical information such as the commission is accustomed to supply; and in the classification and arrangement of accumulated material in the commission's library.

VII. THE TRANSPORTATION DIVISION

Freight and express transportation.—During the last year the division supplied the commission's staff with many thousands of freight and express rates for use in ascertaining the cost of transporting numerous commodities by land and water. This rate information necessitated the scrutiny of hundreds of publications issued by the inland and ocean carriers, and included not only the rates applicable to the line-haul service, but also the charge for any special service or privilege, such as for loading, unloading, handling, switching,

wharfage, lighterage, drayage, storage, refrigeration, marine insur-

ance, transit privileges, etc.

Passenger transportation.—All the official travel of the commission's staff was handled by the division. Itineraries were prepared from Washington and for use by the traveler while in the field. and steamship accommodations were engaged and tickets secured. By studying the various routes and fares, both travel time and expense were saved, especially in investigations. Tourist or round trip transportation thus purchased has not only been at a lower cost than "one-way" tickets, but has carried unlimited "stop-over" privileges at all points en route. Without such tickets it would have been necessary for employees to purchase tickets from place to place with possible inconvenience, loss of time, and at greater cost. The saving made in this class of transportation alone was considerable. ocean travel was necessary preference was given American flag ships when available and tickets were secured at the office of the United States Shipping Board, Washington. However, it was found necessary to use foreign boats on a few occasions.

A record of the time of departure from Washington and arrival at destination and the route of each traveler is kept for reference and a report thereon made to the chief of the financial section.

attempt has as yet been made to verify all passenger fares.

('laims for unused tickets.—On several occasions it was found necessary to transfer the traveling employee from one field to another or to have him report back to Washington, with the result that part of a through or round-trip ticket would remain unused. In such instances claims for redemption of the unused tickets were filed with the carrier.

Freight tariff files.—During the year the division has added to its files many new important freight and passenger tariffs of rates issued by the various carriers. The files now contain some 2,000 of these tariffs, all of which were furnished without cost. Many of those issued by the water carriers are of a confidential nature and the commission files are perhaps the only ones in Washington containing certain of these publications. It is the purpose of the division to maintain a complete file of ocean rates and of all passenger fares. Owing to the very great number of railroad freight tariffs, only tariffs naming the rates to and from important ports and markets will be Other rates will be obtained from the files of the Interstate Commerce Commission as in the past.

The commission subscribes to several periodicals which provide important information regarding transportation and shipping. publications have been of great help in the preparation of statistical and other data for the commission. The division also has in its files numerous other publications, such as time tables, ship sailings, maps, hotel guides, travel literature, mileage tables, etc., all of which are

very useful in furnishing information to the staff.

VIII. PUBLIC HEARINGS

The statute provides that in investigations to assist the President in ascertaining differences in costs of production under section 315 the Tariff Commission shall give interested parties a reasonable opportunity to be present, to produce evidence, and to be heard, and to that end shall give a reasonable public notice of its hearings. Section 316 provides that the commission shall afford such hearing, with opportunity to offer evidence, oral or written, as it may deem sufficient for a full presentation of the facts involved in such investi-The conduct of such hearings, therefore, is an essential part

of the work devolving upon the commission.

In addition to the final public hearing contemplated by these sections, the commission has found it advisable in some instances to hold a preliminary hearing at the beginning of the investigation. The purpose of such hearing is to assist the commission in defining more precisely the subject matter of the investigation, to ascertain as far as practicable the scope of the field work required, and to permit an expression of opinion by interested parties as to the best methods of obtaining full information upon the subject matter under investigation. In the straw hat investigation, referred to on p. 73 infra, a preliminary hearing was held for the purpose, among others, of obtaining information as to particular types and grades of straw hats which should be the subject of detailed cost study, and which at the same time would be representative of the sewed straw-hat industry as a whole. In the investigation of vegetable oils, referred to on p. 26 infra, a preliminary hearing was held, partly for the purpose of defining the subject matter of the investigation with respect not only to oils of vegetable origin, but also to competing animal fats such as lard, tallow, and fish oils.

With the exception of such preliminary hearings, the public hearing, in each investigation, is preceded by at least 30 days' public It is the practice to set a day for such hearing after the field notice. work has been completed and a preliminary statement of information has been prepared, summarizing the data obtained up to that point,

for the use of interested parties.

The chief purpose of a public hearing is to subject the cost and other data collected by the commission to the fullest scrutiny. Interested parties are free, not only to produce affirmative evidence of their own, but to discuss all cost factors in the light of their own experience; to suggest any further sources of information and in general to place the commission on its guard against data which, in the view of interested parties, are considered inadequate or which fail to take in all aspects of the inquiry. To this end, it is the practice to incorporate in the preliminary statement of information a list of the more important problems suggested by the data secured.

Testimony at the public hearing is taken under oath and a complete stenographic record is made of the entire proceeding. Interested parties are not only given an opportunity to be heard orally immediately upon the conclusion of the evidence or at a later date, but are also accorded, unless the privilege be waived, an opportunity

to discuss the matter in writing.

Ordinarily the public hearings are held at the commission's offices in Washington, but in some cases they are held near the center of production for the industry which is the subject of investigation. the investigations of logs of fir, spruce, cedar, and western hemlock and of halibut (pp. 41, 56 infra), the hearings were held at Seattle with a view to the accommodation of the interested parties.

Hearings in investigations under section 316 have, by reason of the nature of the subject matter, a quasi judicial character. Although the statute leaves it to the commission to afford such hearing as it may deem sufficient for a full presentation of the facts involved, it has been the practice of the commission to accord a full public hearing in every such investigation. The testimony in every such investigation is reduced to writing and a transcript thereof, with the findings and recommendations of the commission, constitute the official record of the proceedings. If the findings show a violation of section 316, a copy of the findings is promptly mailed to the importer or consignee of the articles in question who may take an appeal upon questions of law to the United States Court of Customs Appeals. If no appeal is taken within the time prescribed by law or if the findings of the commission are affirmed, the final findings are transmitted with the record to the President. By way of illustration of procedure in these matters, a copy of the findings and recommendations thus transmitted to the President in the case of the alleged unfair importation and sale of Spanish revolvers will be found in the appendix.

A tabulation is presented below of the hearings held by the commission since the beginning of the fiscal year 1925, showing in each instance the date of the hearing and the number of pages of the

stenographic transcript.

Hearings before the United States Tariff Commission since July, 1924

Subject	Date of hearing	Pages of steno- graphic minutes
FOR PURPOSES OF SEC. 315 Butter	1925 Apr. 21, 22 May 4, 14, 15, 16	353 449
Gold leaf. Logs of fir, spruce, cedar, and western hemlock. Halibut.	Aug. 4, 5, 6, 7	968 522
Bobwhite quail Cast polished plate glass and mirror plates	Sept. 10 Nov. 23, 24, 30, Dec. 1	220 776
FOR PURPOSES OF SEC. 316 RevolversKotex	1924 July 21, Sept. 29, 30, Oct. 1 Nov. 18	660 147

It should be noted in connection with this tabulation that the public hearings of the commission, as made evident by the detailed description of the commission's work in other sections of this report,

are an incidental feature of the investigations.

The matter given in evidence at the public hearing in an investigation rarely, if ever, includes individual costs of production. Cost figures obtained by the commission's agents from the books of individual producers can not, of course, be publicly disclosed at such hearing because of the prohibition of section 708 of the revenue act of 1916 which, in accordance with the uniform practice since its enactment, is construed as protecting individual costs of production. For analogous reasons producers rarely, if ever, give their individual costs in evidence at such hearings. The tentative generalized results, however, of the data, as pointed out above, are made known to all interested parties and serve as a basis of discussion.

Aided by the information and views brought forward at the hearing, the commission is under the necessity of examining, with the assistance of its expert staff, all data and information secured in

the course of the investigation, including the evidence presented at the hearing as well as the mass of cost data gathered in the field. This work, in addition to that involved in determining whether the preliminary studies warrant institution of a formal investigation and the scrutiny and analysis of the tentative figures incorporated in the preliminary statements of information, consumes an amount of time and labor greatly in excess of that required for the conduct of the public hearing.

IX. ADMINISTRATIVE PROBLEMS

The device of a flexible tariff is new to American political experience. It is designed for the ad interim correction of specific tariff inequalities between general congressional revisions of the tariff. It represents an effort to fashion a governmental tool to perform a particular piece of work. Workable governmental instrumentalities are developed by trial and experience just as the mechanical perfections of our day are evolved out of crude and clumsy beginnings.

The law seeks to provide a mathematical formula for the equalization of costs of production in accordance with the provision of section 315. If, for example, the existing duty on a particular commodity does not equalize, as between the foreign and domestic manufacturer, production costs ascertained as provided in the statute, it is the function of the Tariff Commission to make investigations to assist the President to find a rate which will tend to correct the inequality.

The experience of the commission in its investigations under section 315 suggests that certain matters in connection with the application of the statute should be called to the attention of the Congress. In its Eighth Annual Report, pages 8–9, the Tariff Commission has already drawn attention to the effect upon its activities of certain limitations imposed by the phraseology of existing law.

(a) As pointed out in that report, the specific duty can not in any event be increased or decreased more than 50 per cent, no matter what may be the cost difference shown by investigation. In the case of an ad valorem duty, on the contrary, when a 50 per cent increase fails to equalize such cost differences, resort may be had to assessment upon the American selling price. In this case, to be sure, the rate of duty may not be increased, but it is obvious that under certain conditions the duty upon the different and presumptively higher basis of assessment may be greater than the existing duty by more than 50 per cent. This may be the case although the statute has a distinct provision that "the total increase or decrease must not exceed 50 per centum of the rates specified" by Congress either in the present act or in any amendatory act. It may also be noted that in the case of ad valorem duties, as in the case of specific duties, the ascertained differences in costs of production can not under the limitations of the statute always be equalized, whether such equalization calls for an increase or a decrease.

The obstacles in the way of an equal application of the principle of cost equalization may be illustrated by reference to an investigation in which some classes of the same articles were subjected by the same paragraph of the tariff act to specific and by others to ad valorem duties. In such a case it is quite obvious that an identical cost difference might result in the imposition of quite different duties.

In this connection the commission calls to the attention of the Congress an apparently inharmonious phrasing of section 315 whereby changes in duty proclaimed under subdivision (a) take effect thirty days after the date of proclamation, whereas changes in rates of duty proclaimed under subdivision (b) which, as already pointed out, may be greater in extent than those under subdivision (a), take effect fifteen days after date of the proclamation.

(b) As also pointed out in the Eighth Annual Report, section 315, if strictly construed, would apparently preclude the commission from conducting investigations of comparative costs of production in instances in which important commodities have no counterpart either wholly or on a commercial scale in domestic production or

manufacture.

(c) Other questions raised relate to differences in the interpretation of the various provisions of subdivision (c) on section 315, as a whole. Without specifying such differences, it may be noted that, beginning with the commission's first report to the President under the provisions of section 315—that on wheat and wheat products—and continuing ever since, divergent views of construction of the section have been expressed by different commissioners.

It may well be that the Congress will desire to direct more specifically the course it wishes adopted in executing the various pro-

visions of section 315.

(d) Another point deserving congressional attention is the question, now before the courts, whether a producer's individual costs of production are protected from disclosure by section 708 of the revenue act of 1916. Notwithstanding intimations to the contrary in a recent decision of the Court of Appeals of the District of Columbia, the commission is unanimously of opinion that individual production costs are essentially trade secrets and within the intent and purpose of that section. The commission is convinced that its work purpose of that section. can not be done unless it is able to adhere to the construction of these terms uniformly acted upon. The Tariff Commission has no power to require the disclosure of costs of production outside the territorial limits of the United States. In order to ascertain the difference between foreign and domestic costs, as the statute requires, the commission must ascertain foreign as well as domestic costs. Foreign costs can not be directly obtained except upon an assurance that the individual costs of the foreign producers will be held in strict confidence. If the view expressed in the opinion above-mentioned, namely, that "trade secrets," as used in section 708, are restricted to unpatented or secret plans, appliances, formulæ, or processes, is sound, the commission, which from its organization to the present moment has acted on the contrary construction in obtaining costs of production both at home and abroad, may possibly be required by legal process to disclose such costs to interested parties notwithstanding the clear understanding on which they were secured. the commission feels that its own view of this question will be ultimately affirmed, it seems advisable to have the question settled promptly by declaratory act placing individual costs of production definitely within or definitely without the category of trade secrets, the disclosure of which Congress has forbidden under severe penalties.

(e) It is quite possible, of course, that in some instances the commission may be unable to obtain foreign costs directly from the books

of the producers even under a guaranty that the individual figures will not be disclosed. How, then, does the matter stand? Clearly. the operation of the statute can not be frustrated by the refusal of interested parties to furnish the information required for its applica-The general view in the commission, therefore, has been that where foreign costs can not be directly ascertained other relevant and material evidence, having substantial probative value, may be resorted to for the purpose of arriving at costs of production. Acting upon this view, the commission in certain instances has used invoice prices of imports as reasonable evidence of at least the foreign mar-Where the difference thus indicated appears to be greater than the maximum increase possible under the statute, the commission has reported the facts as indicating that the cost difference necessary for the application of section 315 is sufficiently shown by a comparison of the invoice prices of the foreign article with the ascertained costs of production of the domestic article. In such cases it becomes immaterial how far the foreign cost may be actually lower than the foreign invoice price. Question has been raised whether this method can be employed when the apparent difference between foreign invoice prices and domestic cost is less than the maximum increase possible under the statute. In that event, cost being commonly less than price, it would be necessary to ascertain how much less the foreign cost is than the foreign invoice price in order to admit of a complete application of the statute. To do this, the commission must have authority to proceed, by means of proper deductions and allowances, from foreign invoice price toward the ascertainment of the foreign production cost. This authority, regarded by some of the commission as inherent in the performance of its statutory functions, having been drawn in question, it would seem advisable that the matter should be definitely settled by declaratory legislation.

X. COMMISSION'S FIELD WORK ABROAD

During the year, following reports which were more or less widely disseminated in the press of a supposedly high critical attitude on the part of foreign officials and industrials toward the activities of American agents operating under the flexible tariff law, the commission authorized two of its members to proceed abroad on administrative business of the commission. Only one such member-Commissioner Glassie—was in a position to undertake the journey. One of the objects sought was to ascertain to what extent, if at all, the reported attitude existed and, wherever necessary, to seek to bring about a better understanding concerning the flexible tariff provisions and the agencies and methods employed by the Tariff Commission in their administration. Commissioner Glassie proceeded to France, Germany, Holland, Sweden, and Italy where, with the assistance and cooperation of our diplomatic and consular officers, he had conferences with the appropriate officials of the several foreign offices and ministries concerned with economic affairs. sion feels that as a result of Commissioner Glassie's discussion with foreign officials long-standing misapprehensions as to the work of the commission's cost agents abroad have been cleared up.

The commission desires in connection with Commissioner Glassie's foreign trip to express its appreciation of the interest shown by the

officials of the several foreign governments in the work of the commission as well as the fair and candid spirit manifested in their discussion of the methods which the commission must employ in obtaining information as to foreign costs of production in order to report the data required for the application of the flexible tariff. It must also gratefully acknowledge not merely the courtesy but the valuable assistance received from the diplomatic representatives of the United States in its effort to bring about a better understanding of its work in the foreign field.

The commission believes that reports of the attitude of foreign producers and officials were greatly exaggerated; and that wherever an adverse attitude could be said to exist at all, it was the natural consequence of misunderstanding regarding the operation of the flexible provisions, and the purpose and nature of the inquiries, which the

commission's agents are required to conduct abroad.

Not in Europe only, but also in the United States, misunderstanding has arisen through failure to distinguish between the investigations of a general economic character conducted by the Tariff Commission and certain special inquiries, made by other governmental agencies whose activities, because they touch upon the same subject matter, are wrongly supposed to be identical in purpose and method. Wherever this confusion existed, it had accentuated the instinctive disinclination of manufacturers and other producers to open their private books of account to the representatives of a foreign government. It may therefore be well for the commission to explain once more for the guidance of interested parties the organization, functions, objects, and methods of the Tariff Commission.

The Tariff Commission is an independent, non-political body instituted by Congress for the purpose of investigation, and it is not connected with the actual imposition, levying, or collection of customs duties. As provided in the laws relating to the Tariff Commission, it is dealing in its work abroad, as at home, with the economic bases of the tariff, and its effects upon industry, labor, and commerce. Its prime function is to secure information to be placed directly at

the disposition of the Congress and of the President.

With respect to the flexible tariff provisions, it may be pointed out that the commission is the established agency for the study of tariff matters intrusted with the duty of conducting the inquiries made necessary for the exercise of the power conferred upon the President to adjust duties in such manner as to equalize costs of production, and that these new investigations are carried on with the aid of the

same technical staff employed in all other investigations.

With respect to the apprehension that the individual costs of particular producers might somehow be used to their detriment, by disclosure to competitors or otherwise, it may be said that the costs of production with which the Tariff Commission is concerned as a measure of customs duties, are not the costs of production of any given producer, whether domestic or foreign, but the general level of production costs in the United States and the general level of production costs in the principal competing country. Only for the purposes of this general economic study are individual costs taken into consideration as primary data. Such individual cost figures are merged in the mass, and all detailed information concerning them rests under the seal of confidence in the archives of the commission.

Section 707 provides for cooperation between the commission and other governmental departments. Apparently it has been feared in some quarters that this contemplates some form of communication to the Treasury of the cost data secured from foreign manufacturers. A correct interpretation of the provision and the way in which it has

been acted upon leaves no room for anxiety on this score.

The commission reiterates that no individual cost data secured in any investigation are ever communicated to the employees or officers of the customs. Confusion has existed on this point inasmuch as the agents of the Treasury have also to deal with costs of production; but the object of the investigation and the methods employed are entirely different. The purpose of the agents of the Treasury is to inquire directly into personal infractions of the customs laws and regulations, usually taking the form of undervaluations. The representatives of the Tariff Commission, who are for the most part economists and technicians, are seeking information concerning conditions of production in order that the duties may be neither higher nor lower than required by the principle of cost equalization. The real question, therefore, resolves itself into this:

Shall the duties be determined in accordance with a supposed cost difference not based upon an exact and complete documentation or shall they be determined by precise figures? The commission is under a duty to procure to the best of its ability the data required for the application of the principle of cost equalization. It must either

act upon complete or incomplete information.

Any idea that pressure of any kind should be applied by a foreign government to their nationals with a view to furnishing the needed information is necessarily excluded. What is sought is merely that the Tariff Commission should have the privilege of pursuing its researches and inquiries among the industrials of the country who, being duly apprised of the nature and purpose of the inquiry, are willing to supply the information and that to this end the commission should have the good will and cooperation of the foreign government. What the commission aims to secure in particular is that, when its representatives, being duly presented through diplomatic channels to the foreign governments, undertake cost inquiries, the foreign government should explain to the parties in question the nature, purposes and methods of the commission in order that no possible misunderstanding may arise on these points.

XI. LEGAL DIVISION

LITIGATION UNDER SECTION 315

Since the eighth annual report of the commission further proceedings have been instituted by importers for judicial determination of questions arising in connection with the administration of section 315 of Title III of the tariff act of 1922. These proceedings now relate to five commodities, sodium nitrite, wheat, wheat flour, barium dioxide, and oxalic acid, which are the subject matter of proclamations issued by the President in conformity with that section and act.

Sodium nitrite.—The Court of Appeals of the District of Columbia affirmed the judgment of the Supreme Court denying the petition of the Norwegian Nitrogen Products Co., an importing company, exclu-

sive sales agent for a Norwegian manufacturer, for a writ of mandamus to compel the Tariff Commission to divulge data withheld from the public as trade secrets or processes the disclosure of which is forbidden under penalty of fine or imprisonment or both, by section 708 of the revenue act of 1916. The Court of Appeals decided that mandamus to the Tariff Commission to hear the appellant as prescribed by law would afford no relief, inasmuch as the President had acted and the writ could not affect the rate proclaimed by him. The sole purpose of the hearing by the Tariff Commission, the court declared, was to assist the President in determining whether or not he would change the statutory rate on the report of the commission. The commission has now no power, the court further said, to reopen the matter until the President again requires the assistance of the commission, as prescribed by section 315 (c), and there is therefore no subject matter upon which the writ of mandamus could effectively operate. (United States ex rel. Norwegian Nitrogen Products Co. v. United States Tariff Commission, 6 F. (2d) 491, 496.)

The opinion nevertheless discussed the status of production costs in connection with section 708, expressed the view that trade secrets are restricted to unpatented, secret, commercially valuable plans, appliances, formulae, or processes, which are used for the making, preparing, compounding, treating, or processing of articles or materials which are trade commodities. This expression of the court, excluding costs of production, is clearly an obiter dictum and therefore not an essential part of the decision itself. Publicity given to this feature of the court's discussion has, however, hampered the work of the commission in investigations for the purposes of section 315, expecially abroad where manufacturers mistakenly considered it a gov-

erning part of the decision.

The case was taken by the Norwegian Nitrogen Products Co. to

the Supreme Court of the United States upon a writ of error.

Section 315 provides for the ascertainment of foreign costs of production as well as of domestic costs of production. Judicial process may be invoked to compel domestic manufacturers to disclose production costs. The disclosure of foreign costs, however, can not be coerced. They can only be obtained, as modern business is conducted, under the protection of such guarantees of secrecy as are afforded by section 708. Without such guarantees not only would the commission find it more difficult and perhaps impossible to obtain foreign costs but it could not expect cooperation on the part of American manufacturers to the extent which has heretofore simplified and expedited the work of investigation in the United States.

PROTESTS AGAINST THE CONSTITUTIONALITY OF CHANGES UNDER SECTION 315

Protests against the assessment of the rate of duty of 4½ cents per pound proclaimed by the President on May 6, 1924, upon sodium nitrite are still pending before the Board of General Appraisers. The first of these protests alleges that the merchandise is entitled to entry at the rate of 3 cents per pound under paragraph 83 of the tariff act of 1922 and that the collector's action "in assessing any other or higher rate of duty is illegal and without due warrant of law." In addition to making that claim, a protest, filed September 9, 1925, reviews the above litigation and alleges in effect that the report of

the commission to the President was premature and deprived the Norwegian Nitrogen Products Co. of the hearing to which it was entitled by section 315 (c), and furthermore alleges that section 315 is "unconstitutional and void by reason of the fact that therein and thereby the Congress of the United States had endeavored to delegate to the President of the United States the constitutional power to lay and collect a tax, contrary to the terms and provisions of Article-VIII Section I Subdivision I of the Constitution of the United States."

Wheat.—Protests have been filed against the assessment of 42 cents a bushel in accordance with the President's proclamation dated March 7, 1924, upon wheat. It is claimed that "Section 315 is contrary to Article I, Sections 1 and 7, of the Constitution of the United States and therefore, void." It is further alleged that "the rate of the increased duties is not provided in a valid revenue bill originating in the House of Representatives, and the legislative power can not be delegated to any other department of the Government.

Wheat flour.—Protests against the assessment of \$1.04 per 100 pounds upon wheat flour in accordance with the President's proclamation of March 7, 1924, claim that the increased rate of duty is "not provided for in the tariff act of 1922, or any other act of Congress."

Barium dioxide.—The protest claim is that the President's proclamation of May 19, 1924, is "unconstitutional and void * * * because it is done under and by virtue of an illegal delegation to the executive department of the power to legislate, which power, by the Federal Constitution is solely committed to Congress."

Oxalic acid.—The claim of unconstitutionality here is that the increased rate of duty proclaimed by the President December 29, 1924, constitutes "the taking of the property of the citizen without due process of law in that it constitutes an unlawful delegation of the taxing power."

HEARINGS BY BOARD OF GENERAL APPRAISERS

Two protests upon sodium nitrite are docketed for hearing at Boston in the December term; another protest on sodium nitrite is docketed for the New York December term. The protest upon barium dioxide was submitted upon a stipulation of facts. The other protests are docketed for the January or the February term in New York.

Tariff Changes under Section 315

On April 11, 1925, the President, after investigation by the Tariff Commission, issued a proclamation increasing the duty on potassium chlorate from 1½ to 2¼ cents per pound, effective 30 days thereafter.

On October 3, 1925, the President, after investigation by the Tariff Commission, issued a proclamation decreasing the duty on live bob-white quail valued at \$5 or less from 50 cents to 25 cents each, effective 30 days thereafter.

OTHER ACTION UPON REPORTS

On June 15, 1925, the President issued a statement concerning the investigation of the costs of production of sugar, upon which the

commission had previously reported. A copy of that statement will

be found in the appendix, p. 116.

On October 3, 1925, the President issued a statement with respect to the investigation of the costs of production of cotton warp-knit fabric gloves, upon which the commission had previously reported. A copy of that statement will be found in the appendix, p. 118.

XII. SURVEYS, REPORTS, AND INVESTIGATIONS

SCHEDULE 1.—CHEMICALS, OILS, AND PAINTS

(a) SURVEYS AND REPORTS

The chemical division continued its revision of the tariff information surveys prepared for the use of the Congress during the framing of the tariff act of 1922 and wrote a number of new surveys dealing with chemicals mentioned specifically for the first time in that act. Revised surveys include those on barium chemicals; manganese compounds; carbon tetrachloride, chloroform, and other chlorine derivatives; phosphorus and phosphoric acid; rubber; soap and glycerin; and nitrogenous fertilizer materials. New surveys include those on hydrogenated, vulcanized, and chemically treated oils; galalith; vulcanized fiber; phenol and cresylic acid; hexamethylenetetramine; and acetylene, ethylene, and propylene derivatives.

These surveys are in manuscript form only and are therefore not available for distribution, but they may be inspected in the offices of

the commission.

CENSUS OF DYES AND OTHER SYNTHETIC ORGANIC CHEMICALS, 1924—SUMMARY OF REPORT

The Ninth Annual Census of Dyes and Other Synthetic Organic Chemicals, published by the Tariff Commission in September, 1925, contains detailed statistics on the domestic production in 1924 of (1) coke and coal-tar crudes; (2) intermediates; (3) finished products—dyes, color lakes, photographic chemicals, medicinals, perfumes, and flavors; synthetic phenolic resins and synthetic tanning materials; and (4) synthetic organic chemicals not derived from coal tar. It also includes detailed statistics of dye imports in 1924 and an analysis of the effect of the reduction in duty, a discussion of the international trade in dyes with data for the principal producing and consuming countries, a survey of the measures adopted by foreign countries for the control of dye imports, and the rates of duty imposed by 26 countries.

Domestic production.—The production of coal-tar dyes in 1924, as reported by 78 firms, was nearly 9,000,000 pounds, or 27 per cent less than 88 firms reported in the peak year of 1923. The principal reason for the decline in output is the reduced activity of the textile industry. Sales in 1924 totaled 65,000,000 pounds, at an average price of 54 cents per pound, or about 1 cent per pound less than in 1923. In 1924, 60 dyes were produced that had not been made before on a commercial scale in the United States. The domestic industry supplied about 95 per cent of the apparent consumption (based on quantity), leaving an exportable surplus of, 16,000,000 pounds, largely indigo and sulphur black.

In 1924 the output of other finished coal-tar products (color lakes, photographic chemicals, medicinals, perfumes and flavors, synthetic phenolic resins, and synthetic tanning materials) declined 10 to 30 per cent, as compared with that in 1923.

Effect of reduction in rate of duty on imports.—The tariff act of 1922 reduced the rate of duty on coal-tar dyes and other finished products from 60 to 45 per cent ad valorem, effective September 22, 1924, and on intermediates from 55 to 40 per cent. The specific duty of 7

cents per pound was not changed.

A rapid increase in the monthly imports after the reduction in duty indicates increased competition from foreign-made dyes. The imported dyes are almost entirely of German and Swiss manufacture and consist largely of the higher priced products. The average monthly importation from October, 1924, to October, 1925, inclusive, was 442,804 pounds, or 147 per cent over the monthly average during the nine months preceding the reduction in duty; that is, the monthly average of imports since the reduction in the duty was 247 per cent of the monthly average for the first nine months of 1924.

The total imports of coal-tar dyes in 1924 were 3,000,000 pounds, invoiced at \$2,908,778, a slight decrease from 1923. During the first 10 months of 1925, however, imports increased, reaching a total of 4,300,000 pounds, valued at \$4,074,179—an increase by quantity of

40 per cent over imports for the entire year 1924.

Exports.—Exports of coal-tar dyes in 1924 declined 12 per cent in quantity from 1923, but remained practically the same in value. The total exports, amounting to nearly 16,000,000 pounds, with a value of \$5,636,241, consisted largely of indigo and sulphur black. The larger part of the exports went to the markets of the Far East.

International dye trade.—The development of the foreign dye trade centers around Germany's efforts to recover her former markets in nonproducing countries and to gain a foothold in the markets of the United States, England, France, Italy, and Japan—countries which were formerly her customers but which, as a result of conditions created by the war, are now her competitors. The expansion of production since the war has increased the world's capacity to about 600,000,000 pounds, or nearly double the pre-war output. This competitive expansion is reflected in Germany's export trade by a decline from 1913 to 1924 of about 75 per cent in quantity and 40 per cent in value. It is reported that to meet this competition the leading German interests are planning a reorganization of the entire German industry, by reducing the costs of administration, research, and production, and by putting forth united sales efforts in the more important foreign markets.

Synthetic organic chemicals not derived from coal tar.—In 1924 the production of synthetic organic chemicals totaled 116,000,000 pounds. The remarkable expansion in this field of organic chemistry is evident when this quantity is compared with the production of 21,500,000 pounds in 1921. Among the important chemicals produced on a large scale in 1924 are the solvents ethyl acetate, butyl acetate, amyl acetate, and butanol. These solvents are used in large quantities in the manufacture of nitrocellulose lacquers for the automobile industry and in finishing wood and metals. Tetra ethyl lead, a comparatively new product, is used in gasoline to reduce the knock of automobile engines. Various synthetics are also used as flavors, perfumes, medicinals, and in many other products of com-

mercial importance.

(b) Cooperation With Other Government Departments

Department of Commerce.—The commission, in cooperation with the Department of Commerce, has continued the arrangement started in January, 1923, of compiling and publishing a monthly list of imports for consumption, through the port of New York, of dyes and other coal-tar chemicals named in paragraphs 27 and 28 of the tariff act of 1922.

Beginning with August, 1925, these monthly lists were extended to include other chemicals not of coal-tar origin, viz, acids and acid anhydrides, chemical compounds n. s. p. f., drugs and medicinal chemicals in capsules, pills, and similar medicinal forms, and perfume materials. The lists are published the first week following the month covered by the statistics. They have been used by domestic manufacturers in determining their production programs, and have also been an aid to consumers of the products.

(c) Investigations for the Purposes of Section 315 of the Tariff Act of 1922

APPLICATIONS RECEIVED

Since December 20, 1924, the commission has received applications for investigations looking toward changes in the rates of duty on 12 chemicals, as follows:

Paragraph No.	Commodity	Paragraph No.	Commodity
1	Tartaric acid. Methanol (wood alcohol). Sodium silicofluoride. Cream of tartar. Barium carbonate. Ethyl benzol.	36 42 44 48 87 91	Licorice root. Edible gelatin. Printing and lithographic inks. Licorice extract. Strontium nitrate. Titanium potassium oxalate.

PRELIMINARY STUDIES

In order to assist the commission in determining whether investigations should be instituted for the purposes of section 315, preliminary studies have been prepared summarizing available information on production, consumption, imports, exports, prices, and tariff problems on the commodities in the above list.

During the fiscal year 1925 the commission instituted cost of production investigations on (1) methanol (methyl or wood alcohol), (2) sodium silicofluoride, and (3) glue and edible gelatin.

REPORTS TO THE PRESIDENT

Potassium chlorate.—On April 2, 1925, the commission submitted to the President its report covering the investigation of potassium chlorate. This report may be summarized as follows: Germany is the principal competing country. The present duty of 1.5 cents per pound does not equalize the difference in cost of production in the United States and said competing country, nor would the maximum

rate permissible under section 315, namely, $2\frac{1}{4}$ cents per pound, equalize the difference. This difference is not affected by either the inclusion or the exclusion of transportation charges in the production costs of the two countries. Within the limits of section 315, the rate of duty necessary to equalize the cost of production in the United States and Germany is 2.25 cents per pound.

On April 11, the President proclaimed a change in rate from 1½ cents to 2¼ cents per pound, the increased duty to become effective

30 days after the date of the proclamation.

Oxalic acid.—On December 19, 1924, the commission forwarded to the President its report on oxalic acid. A summary of this report is as follows: Germany is the principal competing country. The existing rate of duty, 4 cents per pound, does not equalize the difference in cost of production in the United States and said competing country, nor would an increase of 50 per cent, the maximum permissible under section 315, equalize the difference. This difference exists whether production costs in the two countries are taken to include or exclude transportation charges. Within the limits of section 315, the rate of duty necessary to equalize the cost of production in the United States and Germany is 6 cents per pound.

On December 29 the President issued a proclamation increasing the rate of duty from 4 cents to 6 cents per pound, the increase to

become effective 30 days after the date of proclamation.

Linseed oil.—During the year the commission also completed its report in the investigation of linseed oil.

INVESTIGATIONS IN PROGRESS

Vegetable oils.—The domestic and foreign field work was completed in December, 1924, with respect to vegetable oils. The cost data obtained were tabulated, and the other information analyzed during the first half of 1925. A summary of the data obtained in this investigation is embodied in a preliminary statement of information to be issued later. A public hearing will be held in the offices of the commission in Washington after reasonable public notice.

A few points in connection with the investigation may be tenta-

tively summarized as follows:

Cottonseed oil: The United States is the largest producer of cottonseed oil. Great Britain and China are the two most important foreign producing countries. The cottonseed crushed in Great Britain is practically all imported from Egypt and India; that crushed in China

is grown locally.

The domestic costs obtained are for crushing between 50 and 55 per cent of the total quantity of cottonseed crushed in this country, during the two crushing seasons, 1922–23 and 1923–24. Costs obtained in Great Britain are for 1923 and the first six months of 1924 for about 60 per cent of all seed imported. Costs obtained in China are for the fiscal year 1923–24 for the crushing of 114,636 short tons of cottonseed. No accurate information is available as to what percentage this is of the total seed crushed in China.

Coconut oil: During the war, mills for crushing imported copra were established in the United States, principally along the Atlantic and Pacific coasts. Practically all the mills on the Atlantic seaboard have ceased operations since the war, and the industry is now con-

fined to the Pacific coast, and to one crusher in the Middle West. Most of the copra crushed in the United States is imported from the Philippine Islands. Outside of the United States the most important foreign crushers are British India, Ceylon, Holland, and the Philippine Islands.

The larger portion of all coconut oil imported into the United States enters duty free, for it originates in the Philippine Islands, from which products shipped to the United States are exempt from duty. Since the World War the islands have become an important exporter of coconut oil.

In the United States production costs for more than 75 per cent of the copra crushed were obtained for 1923 and for the first six months of 1924. In Holland costs were obtained for the same period for about 50 per cent of the net imports of copra in that country. British India has only one large copra crushing company, and costs for that and estimates of the costs in the small native mills were obtained by the commission. In Ceylon the two or three large crushing companies were unwilling to divulge their costs to the representatives of the commission. In the Philippine Islands costs were obtained for practically the entire crush of copra.

Peanut oil: The peanuts grown in the United States were sold almost exclusively to the edible nut merchants, confectioners, and peanut-butter manufacturers. Only the cull nuts, nuts salvaged from shelling factories and damaged "farmers" stocks are used for crushing. In 1923 less than 3 per cent of the total supply (domestic and

imported) was crushed for oil.

The principal crushers are in China and France. Peanuts crushed in China are practically all grown in that country, but those crushed in France are imported from French Senegal and from India. Those from Senegal, commonly known as "Rufisque," are imported in the shell, and are shelled, cleaned, and crushed in France for the production of cold-pressed virgin oil, a high-grade edible oil, used chiefly as a salad oil. The nuts imported from India, known as "Coromandel," are shelled before importation, and do not yield oil as good in quality as the Rufisque.

Costs data for crushing peanuts in the United States in 1922–23 were obtained from five companies, crushing about 29 per cent, and in 1923–24 from four companies crushing about 49 per cent of the total crush. In China costs of crushing 28,000 short tons of peanuts were obtained from four mills for the crushing year 1923–24. In France, costs of crushing 90,000 short tons were obtained from

seven mills in 1923.

Soy-bean oil: Soy beans are grown in the United States largely as a forage crop for hogs or along with corn, for stock feed. Practically all the soy beans harvested are sold as seed for the ensuing crop, only about 1½ per cent of the beans harvested during the last three years having been crushed for oil and cake. Most of the beans crushed have been distress lots or damaged beans purchased below the prevailing price for seed.

The only important foreign source of soy beans for oil is Manchuria, where a large part of the beans grown are crushed in the oil centers of Dairen, Harbin, Newchwang, and Antung. Some of the beans, however, are exported and crushed in Japan and in Europe.

For five of the eight domestic companies crushing soy beans in the last two years, the cost-of-crushing data appear to be too fragmentary to be used in making cost comparisons. In the United States cost data were obtained from three companies crushing 45 per cent of the total crush. In Manchuria, costs of production were obtained in the four principal crushing centers for 28 per cent of beans crushed in 1922–23 and for 36 per cent in 1923–24. In Japan, production costs were obtained from four crushers, producing about

90 per cent of the total output of soy-bean oil in Japan.

Methanol.—On July 24, 1925, the commission instituted an investigation of methanol for the purposes of section 315. Domestic field work began early in August and ended in the middle of October. Costs were obtained for 49 domestic plants, representing about 90 per cent of the entire industry, based on the quantity of wood carbonized. These costs are now being tabulated and analyzed. A detailed study has been made of imports of methanol to determine their average landed price.

A tentative summary of the information so far obtained follows:

The present duty on methanol is 12 cents per gallon. Important uses of this product are in the manufacture of formaldyhyde—a raw material for phenolic resins (Bakelite) and rubber accelerators. Other uses which it serves are in the manufacture of intermediates for coaltar dyes, as a solvent in the celluloid industry, and for denaturing

ethyl or grain alcohol for industrial purposes.

Methanol has long been produced in the United States on a large scale as a joint product in the destructive distillation of hardwood. In addition to methanol, the main products are the residue—charcoal—and acetate of lime. The industry in recent years has met competition from acetate of lime through acetone and acetic acid which are made from it. Acetone has been supplied in quantity as a by-product of butyl alcohol by fermentation processes conducted on a large scale by an Indiana manufacturer. This competition has greatly depressed the price of acetone in recent years. Synthetic acetic acid developed on a large scale in Canada and in Europe during and since the war has curtailed domestic exports of acetate of lime.

In April, 1924, production of methanol by a synthetic process was announced by the Badische Anilin und Soda Fabrik of Germany. Early in 1925 the first shipments of synthetic product arrived in the United States. Imports during the first nine months of 1925 amounted to 372,754 gallons (about 7 per cent of the domestic production), valued at \$170,343, or about 45 cents per gallon c. i. f.

New York, duty not paid.

Sodium silicofluoride.—On July 24, 1925, an investigation was instituted for the purposes of section 315 in respect to sodium silicofluoride. Costs of production obtained by the commission cover 11 plants for the year 1924 and 8 plants for the first 6 months of 1925, the entire number of plants operating during these periods. These costs are being tabulated and analyzed. A detailed study of the price of the imported product during the same periods has been made.

A tentative summary of the information so far obtained follows: This product, dutiable under the general provisions in paragraph 5, of the act of 1922, at 25 per cent ad valorem, is obtained by the treatment of waste gases at fertilizer plants producing acid phosphate. Its largest use is in the manufacture of enameled ware and

vitrified glassware, about 2,000 short tons being required annually for these products. From 1,000 to 1,300 short tons are used annu-

ally as an acid rinse in laundries.

The total domestic consumption amounts to between six and onehalf to seven million pounds. Domestic production in 1923 was approximately 5,000,000 pounds valued at a little more than \$300,000, and in 1924 approximately 3,000,000 pounds, valued at \$200,000. Imports in 1924, as compiled from invoices by the Tariff Commission, amounted to 1,425,000 pounds, or about 28 per cent of the

domestic production in 1923. Imports have come chiefly from Denmark, Holland, and to a less extent from Germany.

Glue.—Prior to instituting the investigation of glue, the commission made a preliminary study of kinds of glue imported, in order to determine the particular grades with which domestic glue competes. The glue imported into the United States from England represented about 50 per cent of the total imports of glue into the United States, and it appears to be practically all extracted bone glue. Imports coming from Chile are also extracted bone glue; those from Italy are mostly hide glue; and those from Germany, Rumania, Sweden, Belgium, and France are partly bone glue and partly low grades of hide glue.

In 1924 the domestic production of all kinds of animal glue amounted to about 100,000,000 pounds, and imports to over 7,000,000 pounds, or about 7.5 per cent of domestic production. In 1923 imports of extracted bone glue from England amounted to 23 per cent of the domestic output of extracted bone glue, and in 1924 to

35 per cent.

On July 24, 1925, the commission instituted an investigation for the purposes of section 315 in respect to bone and hide glue. The commission has obtained domestic production costs from four manufacturers of extracted bone glue and from 18 manufacturers of hide glue for 1924 and the first six months of 1925. These include practically all manufacturers. A detailed study of the landed price of imported glue is being made and samples of representative grades of imported glue are being collected with a view to determining the quality and prices of these glues as compared with similar domestic

Edible gelatin.—On July 24, 1925, the commission instituted an investigation for the purposes of section 315 in respect to edible Cost of production data have been obtained from all of the 11 domestic manufacturers of edible gelatin for the year 1924 and the first six months of 1925. A detailed study of imports is being made and samples of representative grades imported are being collected with a view to determining their quality by analysis.

A summary of the information obtained in the investigation may

be summarized as follows:

The value of edible gelatin depends primarily on the jelly strength which is determined with a fair degree of accuracy by physical and chemical tests. Under the pure food and drugs act domestic and imported gelatin sold for edible purposes must conform to regulations of the Bureau of Chemistry.

The total annual domestic consumption of edible gelatin is between sixteen and seventeen and one-half million pounds. Its largest single use is in the manufacture of ice cream, which requires between five and six million pounds annually. In 1924 imports amounted to 3,000,000 pounds or about 25 per cent of domestic production of 14,000,000 pounds.

(d) Effect of Changes in Duty on Imports and Prices

Barium dioxide.—On May 19, 1924, the President proclaimed an increase in the duty on barium dioxide from 4 to 6 cents per pound, effective June 18, 1924.

Imports of barium dioxide increased just before the change in the rate of duty and decreased slightly immediately thereafter. In the 12 months preceding the change 1,777,598 pounds were imported, as compared with 1,580,154 pounds in the 12 months following the change—a decrease of 197,444 pounds.

The change in duty was based on a comparison of domestic costs with those in Germany, which was found to be the "principal competing country," exporting more to the United States than any other foreign country in 1922 and 1923. In 1924, imports from Great Britain slightly exceeded those from Germany. In 1925 imports from Germany again exceeded those from Great Britain.

The following tables show by months and by countries imports for consumption of barium dioxide since the passage of the tariff act of 1922:

Barium dioxide—imports for consumption, 1922-1925 [Rate of duty, act of 1922, 4 cents per pound]

	1	1922			1923			1924			1925	
Month	Quan- tity	Value	Unit value	Quan- tity	Value	Unit value	Quan- tity	Value	Unit value		Value	Unit value
January	Lbs.	Dolls.	Dolls.	Lbs. 177, 149						90, 362		
February March April				98, 617 194, 387 2 97, 9 02	16, 371	. 084	169, 400	12, 577	. 074	179, 065 267, 304 145, 100	14, 304	. 054
May				231, 422 55, 906	20, 385 5, 930	. 088 . 106	323, 139		. 084	99, 613 100, 093 77, 730	4, 998 5, 025	. 050
July				88, 206 153, 754 162, 950	13, 185	. 086	273, 486	14, 900	. 054	77, 703 99, 403	4, 169	. 054
October November December	408, 038 44, 293 261, 720	1,053	. 024	284, 871 65, 729				10,661	. 068			
Total	2714, 051			1, 810, 593	<u> </u>		1, 720, 705	<u>'</u>				

¹ By President's proclamation, 6 cents per pound, effective June 18, 1924.
² 3 months.

Barium dioxide—Imports for consumption by countries, 1922-1925

G torus	Octobe	r-Dece 1922	mber,		1923			1924		January-Septemb 1925				
Country	Pounds	Value	Unit value	Pounds	Value	Unit value		Value	Unit value	Pounds	Value	Unit value		
England Germany France Netherlands	54, 827 439, 014 174, 071	38, 805	. 088	1, 308, 869	104, 448	. 080	663, 108		. 055	934, 033	49, 321			
Warehouse	46, 139 714, 051			21, 080 1, 810, 593			31, 728 1, 720, 705			1, 136, 373	(1)	(1)		

¹ Not shown separately.

The price of imported and domestic barium dioxide did not change with the increase in the duty. At the time of the increase the imported product was quoted at 141/2 to 15 cents per pound and the domestic at 17 to 18 cents. These prices continued until the third quarter of 1925, when both domestic and imported decreased to 13-13½ cents per pound. The invoice price of the imported declined from 8.4 cents per pound in 1923 to 7 cents in 1924 and 5.6 cents in the first nine months of 1925.

The following table shows the prices of domestic and imported barium dioxide in the spot New York market.

Price 1 per pound of barium dioxide, 86-88 per cent, New York spot market, 1923-1925

Month	19	23	19	24	19	925
	Domestic	Imported	Domestic	Imported	Domestic	Imported
January. February. March. April. May June. July. August. September. October. November.	\$0. 18 . 18 . 17 . 17 . 17 . 17 . 17 . 17 . 17 . 17	\$0. 14 . 14 . 14 . 14 . 14 . 14 . 14 . 14	\$0. 17 . 17 . 16 . 17 . 17 . 17 . 17 . 17 . 17 . 17 . 17	\$0. 13\frac{1}{2} . 13\frac{1}{2} . 15 . 14\frac{1}{2} . 16 2 . 15 . 15 . 15 . 15 . 15 . 15 . 15	. 17 . 16 . 16	\$0. 15 . 15 . 15 . 13 . 13 . 13 . 13 . 13 . 13

¹ The low quotation on the date nearest the first of each month, from Drug and Chemical Markets, New York.
² Increase in the rate of duty effective June 18, 1924.

Diethylbarbituric acid (barbital or veronal).—On November 14, 1924, the President issued a proclamation changing the basis of assessment of the duty on diethylbarbituric acid from 25 per cent ad valorem on the foreign market value to 25 per cent ad valorem on the "American selling price" as defined in subdivision (f) of section 402 of the tariff act of 1922.

Incomplete import statistics for this product render it impossible to determine the effect of the change in duty on foreign shipments to this country. For example, while published statistics show imports of only 1,221 pounds in 1924, a detailed study of the invoices for that year shows additional imports to the extent of 15,614 pounds, valued at \$44,529, or \$2.85 per pound.

The price of imported barbital in 10-pound lots increased after the change in the rate of duty. In November it was quoted at \$3.30 to \$3.40 per pound and in December (after the increase) at \$4.50 to \$5 per pound. In 1925, however, the price decreased to \$4 to \$4.15 per pound. Domestic barbital in 25-pound lots and 1-pound bottles, on the other hand, decreased from \$10 to \$12 per pound preceding the tariff change to \$8 to \$10 on the month following the change and thereafter to \$8 to \$9 per pound.

The following table shows the prices of domestic and imported

barbital in the spot New York market.

Prices 1 per pound of diethylbarbituric acid, New York spot market, 1924-1925

No. 4h	19	24	1925		
Month	Domestic	Imported	Domestic	Imported	
January February March April May June July August September October	8. 00 8. 50 10. 00 10. 00 10. 00 10. 00	\$4. 10 3. 75 3. 75 3. 75 3. 50 3. 50	\$8.00 8.00 8.00 8.00 8.00 8.00 8.00 8.00	\$4. 25 4. 00 4. 10 4. 00 4. 00 4. 00 4. 00 4. 00	
October November December	10. 00 10. 00 \$ 8. 00	3. 50 3. 30 2 4. 50	8. 00 8. 00	4. 00 4. 20	

The low quotation on the date nearest the first of each month, from Drug and Chemical Markets, New York.
 Increase in the rate of duty effective Nov. 29, 1924.

Oxalic acid.—On December 29, 1924, the President issued a proclamation (effective January 28, 1925) increasing the duty on oxalic

acid from 4 to 6 cents per pound.

In January, 1925, immediately preceding the increase in the rate of duty, there was a large increase in imports and a marked decrease in the month immediately following the change. Comparing the eight months preceding the change in rate to the eight months following it, imports decreased from 2,900,000 to 1,200,000 pounds, or 1,700,000 pounds.

The following table shows monthly imports of oxalic acid for consumption since the passage of the tariff act of 1922:

Oxalic acid—Imports for consumption, 1922-1925

[Rate of duty, act of 1922, 4 cents per pound]

		1922			1923			1924				
Month	Quan- tity	Value	Unit value	Quan- tity	Value	Unit value	Quan- tity	Value	Unit value	Quan- tity	Val- ue	Unit value
January	Lbs.	Dolls.	Dolls.	482, 98	38, 771				0.073	881, 314		0.048
February				161, 79 261, 39	20, 173	. 077	451, 477 197, 520	13, 184	. 067	72 , 131	3, 242	.045
April May June				126, 513 391, 720 145, 85	31, 384	. 080	176, 462 124, 918 201, 343	7,608	.061	30, 623	1, 334	. 044
July August				172, 92 160, 40	12, 892	. 075	171, 958	9,892		113, 198	4,875	. 043
September. October	326, 083	24, 898	0. 076	157, 39	15,826	.101	216, 591 287, 755	11,016	.051	214, 239		
November. December	455, 002 479, 223								. 048 . 049			
Total	² 1, 260, 308	² 102, 895	. 082	2, 620, 50	206, 100	. 079	3, 135, 664	177, 641	. 057			

¹ By President's proclamation, 6 cents per pound, effective Jan. 28, 1925.

3 months.

The domestic market price of both the domestic and imported oxalic acid has risen since the increase in the rate of duty. Except in January, 1925, the quotations preceding the change ranged from 9½ to 10½ cents per pound, and following the increase in duty

from 10½ to 11 cents per pound. The invoice price of imported oxalic acid has shown a steady decline from 7.9 cents per pound in 1923 to 5.7 cents in 1924, and to 4.6 cents in the first nine months of 1925.

The following table shows the quoted price on domestic and imported oxalic acid.

Prices 1	per	pound of	oxalic	acid.	New	York snot	market.	1924-1925
- 10000	ρv_i	powiew of		$u \circ u \cdot u$.	1100	1 0110 3 000	mounter.	1004 1000

Manah	19	24	1925		
Month	Domestic	Imported	Domestic	Imported	
January February March April May June July August September October November	. 10 . 10¼ . 10¼ . 10 . 09¾		1.11 .10½ .10¾ .10¾ .10¾ .10¾ .10¾ .10¾ .10¾	103/ . 103/ . 103/ . 108/ . 108/ . 11 . 11 . 11	

¹ The low quotation on the date nearest the first of each month, from Drug and Chemical Markets, New York.

Increase in the rate of duty effective Jan. 28, 1925.

Potassium chlorate.—On April 11, 1925, the President proclaimed a change of rate in the duty on potassium chlorate from 1½ cents to 2¼ cents per pound, effective May 11, 1925.

Imports of potassium chlorate and perchlorate (of minor import-

ance compared with chlorate) increased before the change and decreased immediately thereafter. In the four months preceding May, 1925, when the increase in duty became effective, 5,248,651 pounds were imported, and in the four months following May only 527,415 pounds were imported. The following table shows monthly imports since the passage of the tariff act of 1922.

Potassium chlorate and perchlorate—Imports for consumption, 1922-1925 [Rate of duty, act of 1922, 11/2 cents per pound]

		1922			1923			1924			1925	
Month	Quantity	Value	Unit value		Value	Unit value	Quan- tity	Value	Unit value		Value	Unit value
Jan	Lbs.	Dolls.	Dolls.	Lbs. 640, 372			Lbs. 171, 426		0.040	716, 237	Dolls. 32, 936	
Feb Mar Apr				1, 099, 106 953, 625 1, 398, 661	46, 338	. 049	968, 307 610, 621 563, 326	42, 586 27, 890 21, 728	. 046	1, 333, 667 1, 706, 081 1, 492, 666	67,887	.040
May June				1, 772, 995 942, 326	72, 967 40, 110	. 043	855, 028 260, 003	37, 289 12, 567 25, 309	.048	89, 244	1 25, 361 6, 307	.043
July Aug Sept				1, 217, 184 1, 043, 312 829, 383	43,079	. 041	678, 635 507, 389 758, 265	20, 191	.040	180, 461 100, 910	10, 267	. 057
Nov	715, 001 1, 494, 487 360, 298	30, 645 65, 715 15, 828	.044	1, 261, 257	52, 265	.041	619, 780 851, 089	35, 669	. 042			
Dec Total_	2 2, 569, 786			1, 045, 422 13, 498, 145			676, 831 7, 520, 700					

¹ By President's proclamation, 21/4 cents per pound, effective May 11, 1925, on potassium chlorate only.

75165-26†---4

The price of imported potassium chlorate has advanced since the increase in the rate of duty, but that of the domestic product has remained the same. The following table shows the price of imported and domestic potassium chlorate in the powder form:

Price 1 per pound of potassium chlorate, powdered, New York spot market, 1924-1925

u	19	24	1925		
Month	Domestic	Imported	Domestic	Imported	
January February March April May June July August September October November December	. 08½ . 08½ . 08½ . 08½ . 08½ . 08½ . 08½ . 08½ . 08½	$\begin{array}{c} .07!\overline{4} \\ .07 \\ .07 \\ .07 \\ .0634 \\ .0634 \\ .07 \\ .0634 \\ .07 \\ .0634 \\ .0612 \\ .0612 \\ .0612 \end{array}$. 08½ . 08½ . 08½ . 08½ . 08½ . 08½ . 08½ . 08½ . 08½ . 08½	. 063/4 . 07 . 08 2 . 09 . 08/4 . 09 . 08/4 . 08/4	

¹ The low quotation on the date nearest the first of each month, from Drug and Chemical Market, New York.

York.
² Increase in the rate of duty effective May 11, 1925.

Sodium nitrite.—On May 6, 1924, the President issued a proclamation increasing the duty on sodium nitrite from 3 cents to 4½

cents per pound, effective June 4, 1924.

Imports of sodium nitrite increased before the change in duty became effective. In the 12 months prior to the change in duty imports amounted to 5,000,000 pounds, or nearly 90 per cent of the annual domestic consumption, as compared with 2,000,000 pounds in the 12 months following the change—a decrease of 3,000,000 pounds. The following table shows monthly imports of sodium nitrite since the passage of the tariff act of 1922:

Sodium nitrite—Imports for consumption, 1922-1925
[Rate of duty, act of 1922, 3 cents per pound]

		1	1922				1923	3				1	1924			1925		
Month	Quar tity		Value	Unit value	Que tit		Va	lue	Unit value		uar tity		Value	Unit value	Quan- tity	Value	Unit value	
January	Lbs.		Dolls.	Dolls.		s. , 787		lls. 974	Dolls. 0. 044		Lbs 318,		Dolls.	Dolls 0. 04	. Lbs.	Dolls. 5, 686		
February March					845	, 197 , 677 , 38 2	38,	208 505 359	. 046		337, 758,	441 433 932	29, 81	039	257, 908 369, 544 9, 636	17, 236	. 047	
April May June					851	, 258 , 850	36, 6,	199 996	.043	11,	623,	640	24, 619 139, 87	.039	9 441 521	88	. 200	
July August September					391	, 583 , 841 , 499	17,	454 924 039	. 046			358 222 400		.04	2 11, 196			
October November	277, 836,		12, 596 30, 417		78	, 537 , 583 , 983	3,	324 316	.042	[403 600	9, 449 1, 27	044	0	1, 211		
Total	346, 21, 460.				4, 685	, 933 . 527		731		<u> — </u>	270, 578.		10, 57		-			

<sup>By President's proclamation, 4½ cents per pound, effective June 4, 1924.
3 months.</sup>

Imported sodium nitrite increased in price after the change in the rate of duty, but the domestic product was only slightly affected. The following table shows the monthly prices of imported and domestic sodium nitrite:

Prices 1 per pound of sodium nitrite, 96-98 per ce	ent. New York spot market, 1923-1925
--	--------------------------------------

Monah	19	23	19	24	1925		
Month	Domestic	Imported	Domestic	Imported	Domestic	Imported	
January February March April May June July August September October November December	. 10 . 10 . 10 . 0814 . 0714	\$0. 08 . 08½ . 08¼ . 08¼ . 08 . 07¾ . 07½ . 07½ . 07½ . 07½	. 0814 . 0814 . 0814 . 2 081/2 . 081/2 . 081/4 . 081/4 . 09	. 08% . 09 . 09 . 091/4	. 0858 . 0858 . 0858 . 0858 . 0858 . 0858 . 08512 . 09	. 0913 . 0913 . 0914 . 0914 . 0914 . 0914	

¹ The low quotation on the date nearest the first of each month, from Oil, Paint and Drug Reporter, New York.

² Increase in the rate of duty effective June 4, 1924.

SCHEDULE 2.—EARTHS, EARTHENWARE, AND GLASSWARE

(a) GENERAL STATEMENT

The ceramics division deals with all commodities included in Schedule 2 of the tariff act of 1922, with the exception of carbon compounds and certain mineral substances not directly related to the pottery and glass industry. In addition it deals with certain commodities specified in the sundries schedule and in the free list.

Considerable work has been done during the year on the compilation of a statistical card index of ceramic commodities classified according to the tariff act of 1922. It includes a complete analysis of imports for consumption, by countries, of the 220 items in the schedule. Less detailed information on domestic production, exports of the more important products, and monthly prices of the leading commodities are kept up to date.

(b) Surveys and Reports

No surveys have been published during the year with respect to commodities for which the division is responsible. Special studies have been made and information collected from manufacturers, importers, and dealers, on a number of important commodities in this schedule, including Portland cement, gypsum, china clay, granite, plate glass, marble, and pottery. The data collected have been assembled in survey form with a view to later publication.

(c) Investigations and Reports for the Purposes of Section 315 of the Tariff Act of 1922

APPLICATIONS RECEIVED IN 1925

Three applications were filed with the commission during 1925 requesting investigations looking toward increases in the rates of

duty on commodities in the ceramics schedule, namely, china clay, clinical thermometers, and earthenware tiles.

PRELIMINARY STUDIES

Preliminary studies with a view to enabling the commission to determine whether an investigation should be instituted have been made on a number of commodities, three of which (china clay, clinical thermometers, and earthenware tile) have been the subject matter of applications received during 1925, and one (marble) during 1924. Reports have been prepared on these subjects summarizing available information on production, consumption, imports, exports, prices, and the tariff problems. Special inquiries have been made with respect to some of these commodities as follows:

China clay.—By means of questionnaires sent to leading domestic producers and consumers of china clay, data were collected in order to ascertain the extent to which English china clay is used, and its

quality as compared with that of the domestic clay.

Clinical thermometers.—By means of interviews and questionnaires, data were obtained in respect to the relative costs of domestic and foreign thermometers, and the degree of standardization required in the various States.

Earthenware tiles.—In the course of the preliminary inquiry relative to the application on this subject, an analysis of invoices at the customhouse in New York was made; importers and domestic producers were interviewed and considerable information was obtained in regard to competitive conditions.

INVESTIGATIONS IN PROGRESS

Earthenware and chinaware.—In the latter part of 1924 a preliminary study was made of pottery concerning which an application had been previously received from certain German manufacturers of chinaware. Effort was made to ascertain the character of the competition between domestic and foreign wares. An analysis was made of imports of earthen and china wares from various competing countries, prices were tabulated, and representative samples obtained with a view to comparing foreign and domestic products. A report was prepared summarizing all available information to assist the commission in determining whether an investigation should be instituted for the purposes of section 315.

On March 19, 1925, the commission instituted an investigation in respect of table, toilet, and kitchen utensils made of earthenware and chinaware. To its regular staff of experts the commission added a number of specialists. Before beginning the field work the commission's representative assigned to the investigation selected typical samples of the grades and patterns of every class of ware. Tentative schedules which had been prepared for gathering the cost and other relevant data were tested during May and June of 1925 in two im-

portant potteries in the United States.

Field work was carried on in Europe by a crew consisting of a commodity expert, an economist, and accountants, assisted by the commission's agents resident abroad. Conferences were held with European manufacturers and cost data were obtained fron the lead-

ing manufacturers of chinaware in Germany and Czechoslovakia, and of earthenware in England and Holland.

The foreign field work was completed in October, 1925, and domes-

tic work will be completed early in 1926.

Granite.—In the fall of 1924 a preliminary study was made of granite which was the subject matter of an application received by the commission for an investigation looking toward an increase in the rates of duty on rough and finished granite. A considerable amount of preliminary field work was done in the granite-producing centers of the United States. Analysis was made of imports with a view to determining, among other things, what special grades of foreign and domestic granites compete. Prices of comparable grades, of both domestic and foreign origin, were tabulated and samples of the various stones were obtained. A preliminary report summarizing available data as to production, consumption, imports, exports, prices, and tariff problems was prepared, in order to assist the commission in determining whether an investigation should be instituted for the purposes of section 315.

On July 24, 1925, the commission instituted an investigation of the costs of production of rough and finished granite. Field work was immediately undertaken in the Minneapolis and Wisconsin areas. Domestic field work was completed later in the New England granite The commission's experts in Europe at the time, together with its representatives resident in Europe, conducted the field work in Sweden, Finland, Germany, and Scotland. The cost data obtained

in the field are now in the process of tabulation.

Plate glass and mirror plate.—The preliminary statement with respect to cost and other data obtained in the investigation of plate glass and mirror plate was revised and submitted to the commission. In this investigation representatives of the commission spent five months of 1923 in the United States and in Belgium, Germany, and England. Recent data concerning current prices and production have been added to this statement. A public hearing with respect to this subject was held on November 23, 24, 30, and on December 1, 1925.

(d) Applications for the Purposes of Section 316 of the Tariff ACT OF 1922

Portland cement.—On May 22, 1924, an application was received by the commission looking toward a possible investigation under section 316 of the tariff act of 1922. At the same time the interested parties applied to the Treasury Department for action under the antidumping statutes.

In the early part of 1925 the ceramics division prepared for the use of the foreign relations division of the commission a memorandum outlining competitive conditions in this industry and all pertinent

Following the application to the Treasury Department mentioned above a hearing was held at the Treasury Department on June 6, 1924, at which representatives of the Portland cement manufacturers and inporters were present and presented briefs. On October 1, 1925, the Treasury Department informed the Tariff Commission "that after careful consideration of all the evidence presented by

and on behalf of the parties in interest, the department has reached the conclusion that the issuance of a finding of dumping is not justified and has declined an issuance of such a finding." In these circumstances the matter was not pursued further.

SCHEDULE 3.—METALS AND MANUFACTURES OF METAL

(a) GENERAL STATEMENT

The metals division deals with the articles included in Schedule 3 of the tariff act of 1922, certain metal manufactures specified in the sundries schedule, and most of the important minerals in Schedule 2, except those integrally connected with the pottery and glass industries.

Investigations for the purposes of section 315 have been completed on gold leaf, print rollers, and taximeters. Investigations with respect to pig iron and caustic and crude magnesite are now nearing completion. In addition, preliminary studies and reports have been made concerning subjects mentioned in a number of applications for investigations looking toward changes in existing rates of duty.

investigations looking toward changes in existing rates of duty.

Time not required for investigations under the provisions of section 315 was devoted to the preparation of commodity surveys and to the

collection of material for further work of the same nature.

(b) SURVEYS AND REPORTS

New surveys.—Nine surveys of specific commodities were prepared during the year on the following subjects: Woven wire cloth, flexible metal tubing, horseshoes, saddle and harness hardware, jeweler's saws, clockwork mechanisms, meters, tin and aluminum foils, and small metal cutting tools.

Revision of published surveys.—During the year 60 commodity surveys previously published as tariff information surveys have been revised by the incorporation of certain information. The statistical tables and text of about 50 other surveys have been brought up to

date, and are ready for publication on short notice.

Among the surveys in course of revision special mention should be made of those relating to machinery, iron and steel products, and certain of the nonferrous metals. Considerable field work has been done and an analysis made of imports of all textile machinery entered at the ports of Boston and New York. Coincidently with this work information was obtained with respect to other items of the machinery schedule.

(c) Investigations Under the General Powers of the Commission

Scientific and professional instruments.—An investigation under the general powers of the commission is in progress covering the entire group of industries engaged in the manufacture of scientific, professional, and other instruments of precision, and laboratory supplies. This investigation embraces not only instruments of precision used in scientific research for educational purposes and for the technical control of industries, but also such products as chemical porcelain and glassware, field glasses, military instruments, commercial testing

machines, dental and surgical instruments, draftsmen's tools, surveying instruments of all sorts, electrical instruments for commercial use, and all industrial recording and indicating devices. The extensive field work done covers a complete analysis of imports in Philadelphia, New York, and Boston, and inquiries made of importers, dealers, manufacturers, educational institutions and other large consumers. The commission has in view the publication of a report on general conditions of manufacture, the use and distribution of these products, and the tariff problems involved.

(d) Investigations and Reports for the Purposes of Section 315 OF THE TARIFF ACT OF 1922

APPLICATIONS RECEIVED IN 1925

Applications for investigations for the purposes of section 315 were received on a number of products which were the subject of former applications, viz, pig iron, taximeters, print rollers, graphite, pumice

stone, and aluminum hollow ware.

New applications have been received with respect to the following commodities: Caustic calcined and crude magnesite, woolen cards, hosiery knitting machines, fluorspar, feldspar, woven-wire cloth, tungsten ores and metal, manganese, wire rope, and parts of automatic pistols. Applications were also received referring in general terms to the major items of the iron and steel schedule, such as ingots, bars, reinforcing steel, structural shapes, plates, sheets, and wire.

PRELIMINARY STUDIES

In order to enable the commission to determine whether investigations are warranted for the purposes of section 315, preliminary studies have been prepared summarizing available information concerning practically all the commodities which have been the subjects of applications during the year. Some points developed in the more important preliminary studies may be stated.

Fluorspar.—Fluorspar is essential to the operation of the openhearth steel process; imports before and after the war amounted to approximately 40 per cent of domestic production. A preliminary

study was conducted with a view to determining:

(a) Extent of domestic production and development of the industry; (b) extent of imports and their relation to domestic production; (c) available reserves in the United States, and (d) comparison of

domestic and foreign prices.

Woven-wire cloth.—Field work has been done to determine in what grades and meshes of wire competition from foreign products is felt and the extent of this competition. Data thus far obtained indicate that competition from foreign producers is chiefly in Fourdrinier wire, used in the manufacture of paper. In the domestic paper mills this wire is used to form an endless belt with which to remove excess water from the wood pulp.

Graphite.—The greater portion of the crystalline graphite consumed in the United States in the manufacture of crucibles, ladle stoppers, and similar articles is imported from Ceylon and Madagascar.

preliminary inquiry as to the quality of domestic graphite compared with the imported product was made, and the pertinent facts regarding domestic production, supply, and consumption have been embodied in the preliminary report.

INVESTIGATIONS IN PROGRESS

During the year 1925 no new investigations for the purposes of section 315 were instituted by the commission upon subjects covered by the metals division. The investigations of magnesite and pig iron, suspended in 1923, were reopened and are now being completed.

Magnesite.—The investigation with respect to magnesite was concerned with crude and caustic calcined magnesite only, excluding dead burned magnesite and magnesite brick which had been included in the original investigation. A study was made of all imports at New York, Philadelphia, and Boston since the enactment of the tariff act of 1922, of the distribution of foreign magnesite, and the prices at plant or port of entry as well as at point of delivery. A study was also made of the distribution of domestic and foreign products throughout the chief competitive territory, which extends from the Atlantic seaboard to the Mississippi River. Cost data were obtained as of 1924.

Pig iron.—An analysis was made of pig iron imported since 1921 at the ports of New York, Philadelphia, and Boston. Inquiries were also made and interviews held with importers and consumers concerning distribution, marketing conditions, and prices. Costs of production for the calendar year 1924 were obtained in districts where foreign competition is most felt. In the less competitive regions sufficient information was obtained to enable the commission to bring up to date the cost data obtained in the 1923 investigation. The present investigation takes account of competitive grades, such as foundry, basic, and low phosphorous iron produced.

INVESTIGATIONS COMPLETED

Investigations and final reports have been completed with respect to gold leaf, taximeters, and print rollers.

SCHEDULE 4.—WOOD AND MANUFACTURES OF WOOD

(a) GENERAL STATEMENT

The work of the lumber division during the year was confined almost entirely to investigations of the cost of production of logs and of bentwood chairs, and to the preparation of reports upon these and other subjects.

(b) Investigations and Reports for the Purposes of Section 315 of the Tariff Act of 1922

INVESTIGATIONS IN PROGRESS

Logs of fir, spruce, cedar, and western hemlock.—On July 2, 1925, the commission issued for the use of interested parties at the public

hearing set for August 4, 1925, at Seattle, Wash., a preliminary statement of information in respect of logs of fir, spruce, cedar, and western hemlock.

The species of fir, spruce, cedar and western hemlock considered for the purposes of this investigation are found in the Puget Sound region of Washington on the west coast of the mainland of British Columbia and on the east coast of Vancouver Island. A crew of five men, consisting of commodity experts and accountants, were engaged for five months in obtaining costs and other information. These data were for logging operations in the area stretching from a southern point at Chehalis, Lewis County, Wash., north on either side of Puget Sound along the Strait of Georgia and tributary waters in the Puget Sound to a point 185 miles north of Vancouver. Domestic costs were obtained for 43 logging operations on a production of 1,750,000,000 feet of logs, or for 52 per cent of the production of logs in the Puget Sound regions. Foreign costs were obtained for 40 logging operations on a production of 687,000,000 feet of logs.

Paintbrush handles.—The final report on paintbrush handles, on which subject a cost of production investigation has been made and

a public hearing held, is in course of preparation.

Bentwood chairs.—The commission instituted a cost-of-production investigation of bentwood chairs which had previously been the subject matter of an application for an investigation for the purposes

of section 315 looking toward an increase of the duty.

Field work was begun in the spring of 1923 in New York, where an examination was made of the books of importers of bentwood chairs. Cost data with respect to the assembling of imported parts into chairs in the United States were obtained and invoices checked. Cost data obtained for seven domestic factories are now being tabuated and summarized.

PRELIMINARY STUDIES

A preliminary study has been made of spring clothespins which had been previously the subject matter of applications looking to an investigation for the purposes of section 315. In order to enable the commission to determine whether an investigation is warranted, the division submitted a statement of information incorporating import data and production statistics obtained by sending questionnaires to domestic manufacturers.

SCHEDULE 5.—SUGAR MOLASSES AND MANUFACTURES THEREOF

(a) GENERAL STATEMENT

During 1925 the investigation of sugar instituted for the purposes of section 315 of the tariff act of 1922 was completed. An investigation under the general powers of the commission on maple products, blackstrap, cane sirup, and edible molasses is now in progress. Preliminary studies and reports were made concerning the subjects mentioned in a number of applications for investigations looking toward changes in the existing rates of duty and the methods of their application.

The division keeps in its files up-to-date information on sugar and allied subjects such as production, consumption, imports, exports, prices, and tariff problems in all important producing countries.

(b) Investigations Under the General Powers of the Commission

An investigation under the general powers of the commission is in progress covering maple products (sugar and sirup), edible molasses, cane sirup, and blackstrap. Preliminary studies were made and reports submitted to the commission embodying the essential available data relating to these commodities. On July 23, 1925, the commission instituted an investigation of these subjects. Cost data and other information on maple products have been obtained for Canada, and for Vermont, New York, and Ohio. Information is being collected on imports and on costs of handling blackstrap, edible molasses, and cane sirup.

Brief digests of the preliminary reports on maple products, edible

molasses, and blackstrap follow:

Maple products.—Judged by the number of trees tapped and the amount of sugar produced in recent years the leading maple sugar and sirup States are Vermont, New York, Ohio, Michigan, Pennsylvania, and New Hampshire. About 15 other States produce small amounts.

Maple	sugar	and	sirun	production.	1917-1923 1
III a pie	ougui	unu	ouu	production.	1011-1000 -

			Total for 1	States		
Year	Trees	Sugar	Sirup	Total pro- duction in		yield per ee
	tapped	made	made	terms of sugar	As sugar	As sirup
1917 1918 1919 1920 1921 1922 1923	17, 313, 900 19, 312, 000 18, 799, 000 18, 885, 000 15, 114, 000 16, 274, 000 15, 291, 000	Pounds 10, 525, 000 12, 944, 000 9, 787, 000 7, 324, 000 4, 730, 000 5, 147, 000 4, 685, 000	Gallons 4, 258, 000 4, 863, 000 3, 804, 000 3, 580, 000 2, 386, 000 3, 640, 000 3, 605, 000	Pounds 44, 589, 000 51, 848, 000 40, 224, 000 35, 960, 000 23, 820, 000 34, 263, 000 33, 533, 000	Pounds 2. 58 2. 71 2. 14 1. 90 1. 58 2. 11 2. 19	Pounds 0. 32 . 34 . 27

¹ Figures from the U.S. Bureau of the Census.

In 1923, the latest year for which the Tariff Commission has final figures, the Province of Quebec, (the leading sugar producing Province in Canada) produced approximately 20,000,000 pounds of maple sugar. The imports of maple sugar and sirup from Canada to the United States for 1923, expressed in terms of sugar, amounted to about 3,000,000 pounds. Most of the imports from Canada, the only country from which the United States imports maple sugar and sirup, came in the form of sugar. The greater part of the maple products are consumed in the United States as sirup. Other edible uses of maple sugar and sirup are as ingredients of certain candies and confections. They are also employed in flavoring tobaccos.

The present duty of 4 cents per pound applies to both the maple

sugar and the maple sirup.

Cane sirup and edible molasses.—Cane sirup is the concentrated juice of the sugar cane plant from which none of the sugar has been

extracted, while edible cane molasses, the coproduct in the production of sugar, is the concentrated cane juice from which a limited amount of sugar has been removed. Molasses containing an appreciable amount of sugar and possessing an agreeable flavor and aroma is classified as edible molasses.

Large quantities of cane sirup and considerable amounts of edible molasses are produced in the Southern States, principally in Louisiana. Cane sirup is made commercially in eight States, particularly in Alabama, Mississippi, Florida, Georgia, and Louisiana. Small quantities only of edible molasses are being imported as such, but considerable quantities of so-called Barbados molasses, which technically is a sirup, are imported. Production, imports, and exports of sirup and edible molasses are shown in the following table:

United States production and imports of edible molasses and sirup, 1920-1924, inclusive¹

,		ntes produc- on		Imports		Exp	oorts
Year	Molasses other than blackstrap	Sirup	Total edible molasses	Edible mo- lasses from British West In- dies	Sugar- mill molasses testing above 56°	Edible molasses	Sirup including maple sirup
1920	Gallons 6, 983, 612 7, 900, 163 7, 652, 406 7, 648, 467	Gallons 38, 980, 000 41, 167, 000 41, 611, 000 33, 620, 000 3, 894, 940	Gallons 1, 545, 075 1, 260, 904 1, 070, 281 463, 548 1, 381, 395	Gallons 1, 304, 128 684, 543 979, 279 2 668, 174 2 2, 071, 999	Gallons 11, 099 27, 736 340 198, 765 13, 333	Gallons 4, 828, 149 5, 552, 070 7, 430, 002 2, 560, 754	Gallons 6, 594, 835 5, 944, 829 6, 060, 126 5, 184, 207

¹ Figures from Louisiana Planter and Commerce and Navigation of the United States.
² Contains nonedible molasses, 1924 figures cover only nine months of that year.

Blackstrap.—Blackstrap, a by-product of sugar, is the residue of the cane sirup after the removal of as much of the sugar as can profitably be extracted. It is distinguished from edible molasses by its low sugar content and in being too distasteful for human consumption. It is used principally in the manufacture of alcohol, cattle feeds, and to a less extent in the production of pressed yeast. The increasing demand for denatured alcohol and for the residue of distilleries and yeast-producing plants in the manufacture of commercial fertilizer and for cattle feeds has increased the market for blackstrap.

The present rate of duty on imported blackstrap is one-sixth of 1 cent per gallon if the blackstrap contains not more than 52 per cent total sugar plus one-sixth of 1 cent per gallon for each percentage of sugar testing above 52° and not exceeding 56°. A peculiar tariff problem arises because of the fact that by diluting blackstrap with water, down to a basis of 52 per cent of sugar content, the importer may effect a considerable saving in duty. For example, 54° blackstrap would pay one-half cent per gallon duty, but if diluted to 52° by the addition of sea water, it would pay only one-sixth of 1 cent per gallon.

The table following shows for the years 1919 to 1924 inclusive, production, imports, and available supply of blackstrap in the United States.

Production,	imports,	exports,	and	supply	of	blackstrap	molasses	United	States,
				1919–19	241				

		Imp	orts	Exports to Porto Rico	
Y_{Θ} ar	Louisiana production	Total	From Cuba alone	and Hawaii (shipments to foreign coun- tries excluded)	Available supply
1919	Gallons 13, 355, 231 17, 050, 593 25, 714, 100 23, 164, 899 15, 923, 660	Gallons 120, 125, 795 160, 123, 653 78, 110, 190 104, 885, 041 183, 531, 840 173, 354, 882	Gallons 111, 967, 615 153, 317, 590 70, 991, 970 101, 059, 577 165, 973, 104	Gallons 6, 685, 784 4, 828, 199 5, 552, 070 7, 430, 002 2, 560, 754 2, 616, 927	Gallons 158, 918, 085 210, 071, 018 127, 447, 479 141, 407, 542 221, 936, 226

¹ Figures from Louisiana Planter and Commerce and Navigation of the United States.

(c) Investigations and Reports for the Purposes of Section 315 of the Tariff Act of 1922

PRELIMINARY STUDIES

In order to assist the commission in determining whether investigations are warranted for the purposes of section 315, preliminary studies have been made with respect to candy and confections and glucose, including certain sirups, which have been the subject matter of applications. These studies summarize the available information on production and consumption, imports, exports, prices, and tariff problems.

INVESTIGATIONS COMPLETED

Sugar.—The last annual report briefly detailed the progress of the sugar investigation, instituted in March, 1923, for the ascertainment of the cost of producing sugar in the United States and Cuba. A statement of information was issued December 1, 1923, for use in connection with a public hearing, and a second preliminary statement was issued February 27, 1924. A public hearing was held on Janaury 15 and continued on March 27, 1924, after which the preparation of the final reports and the assembling of supplemental data occupied the entire time and attention of the division for the remainder of the year.

On June 15, 1925, the President issued a statement entitled "Findings of the President on the customs duties on sugar," which will be

found on page — of the appendix.

SCHEDULE 6.—TOBACCO AND MANUFACTURES OF

The commission has not published any surveys or reports on the subject matter of the tobacco schedule. No tariff problem has arisen by correspondence or otherwise in regard to this subject, and only routine matters in connection with the schedule have been considered. Statistics of imports and exports have been kept up to date.

SCHEDULE 7.—AGRICULTURAL PRODUCTS AND PROVISIONS

(a) GENERAL STATEMENT

Since July, 1924, the division has prepared for publication a number of surveys and reports, of which the following have been

printed: The Cattle Industries of the United States and Canada, Cabbage Seed, Onion Seed, Sardines, Live Bobwhite Quail, and the Cost of Producing Sugar Beets in Michigan—the first of a series of studies covering the nine sugar beet States. The final report on halibut has been completed and the final report on butter is engaging the attention of the commission. A preliminary statement of information has been issued upon Swiss cheese, to be used in connection with the public hearing which is to be held on December 11, 1925. Work is under way on three surveys, covering three phases of the wool industry.

(b) SURVEYS AND REPORTS

PUBLISHED SURVEYS AND REPORTS

Beef cattle.—Several applications for investigations, some looking toward increases and some toward decreases in the duty on beef cattle, have been received. Preliminary studies of the beef-cattle industry made in connection with these applications have been assembled in a special report entitled "The Cattle Industries of the United States and Canada."

This report deals with the changed balance of trade in cattle and beef, the production and consumption of each country, the course of prices in the United States before and after the passage of the tariff act of 1922, and the effect of the duty under the emergency act of 1921 and the tariff act of 1922. A summary of the report follows:

The cattle industries of the United States and Canada are similar, although the latter has an exportable surplus, particularly of stocker and feeder animals. Canada has a competitive advantage in somewhat lower land values and labor costs and in smaller capital investment in cattle. In both countries cattle herds were greatly increased by the war-time demand for beef, but Canada having a higher proportion of available land had a relatively larger increase.

Post-war deflation and readjustment caused precipitous price declines and heavy losses; and in the United States the exportable

surplus disappeared.

The emergency tariff act, effective May 28, 1921, placed a duty of 30 per cent ad valorem on cattle and 2 cents per pound on beef and veal. The act of 1922, effective September 22, 1922, levied a duty of 1½ cents per pound on cattle weighing less than 1,050 pounds, 2 cents per pound on heavier animals, and 3 cents per pound on beef and veal. These duties helped to divert to foreign markets large quantities of South American and Australasian beef. Export prices continued to decline after the middle of 1921, and Canada, being on a heavy export basis, followed substantially the trend of Argentina. As unemployment decreased in the United States, the demand for beef increased and the tariff, by supporting domestic beef prices, also strengthened domestic prices for fat cattle.

Taking 1913 as a base (100), the Chicago price of native beef steers reached a peak of 188 in 1919, fell to the base level in 1921, and rose to 116 in 1923 and 1924. Stockers and feeders reached a peak of 154 in 1919, fell to 92 in 1921, and have since remained below 1913 parity. The wholesale price index for all commodities reached a peak of 226 in 1920, fell to 147 in 1921, then rose to 154 in 1923 and

fell to 150 in 1924.

Because of forced liquidation and domestic oversupply, the duty on stocker and feeder cattle, chiefly of those weighing less than 1,050 pounds, has as yet not raised the domestic prices for thin animals, though it has probably prevented a decline. This is indicated by the marked increase in the spread between Chicago and Winnipeg prices for thin cattle since 1921, caused by a decline at Winnipeg,

while the Chicago prices remained stationary.

The duty had some effect in curtailing Canadian exports to the United States, although continued liquidation of war-time increases would probably have caused a decline in any event. The drought of 1922 caused a temporary increase in these exports, but in 1923 the movement to the United States declined 50 per cent. In 1924, Canadian exports to the United States were unchanged, while those to Great Britain increased nearly 50 per cent and were more than twice as large as in 1921. Evidently the removal of the British embargo on Canadian animals for fattening, as of April 1, 1923, has proved helpful to Canada.

The outlook (July, 1925) for the United States breeders of stocker and feeder cattle is much brighter than in 1921 to 1924, inclusive. Adverse weather conditions and the war caused a rapid increase in costs. The subsequent decline in prices, with costs remaining high, left breeders of thin cattle in a precarious situation despite the efforts of certain financial agencies and the War Finance Corporation to relieve them. Only since the spring of 1925 has the range cattle

industry shown evidence of recovery and return to solvency.

A strong tendency to market in the United States cattle at younger ages than hitherto, if accompanied by an increase of breeding stock, may easily so augment the domestic supply of stockers and feeders, as to make Canadian sources even less important to the United States than now.

The following tabulation of prices at Chicago, Toronto, and Winnipeg, for the years 1910 and subsequently, show the changes at these markets as affected by the last four tariff acts and by war-time developments.

Stocker and feeder cattle prices, Chicago, and relation of fat to thin cattle prices, 1910-1924

(Daily Drovers Journal. General average) STOCKER AND FEEDER CATTLE [Value per 100 pounds]

Year	Jan.	Feb.	Mar.	Apr.	Мау	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Annual average
1910	\$4. 65	\$4.85	\$ 5. 50	\$5. 60	\$5.50	\$4 . 85	\$4. 45	\$4. 50	\$4. 50	\$4. 70	\$4.60	\$4. 70	\$4.85
1911 1912	5. 15 4. 90	5. 10 5. 20	5. 25 5. 60	5. 10 6. 15	4. 95 6. 25	4. 50 5. 85	4. 35 5. 40	4. 45 5. 70	4. 55 5. 65	4. 40 5. 60	4, 50 5, 85	4. 60 5. 50	4. 75
1913	6. 15	7. 10	7.45	7, 50	7. 40	7. 15	7. 25	7. 30	7. 35	6. 95	6.75	6.65	5. 70 7. 0 5
1914	7. 10	7. 25	7. 30	7. 55	7.80	7.35	7. 20	7.30	7. 15	6.80	6.70	6. 70	7. 20
1915	6.85	7.00	6. 95	8.05	7. 95	7. 75	7. 70	7, 55	7.40	6. 90	6. 75	6. 55	7. 30
1916	7. 00	6. 90	7. 65	7. 80	8. 15	7. 90	7.00	6. 90	6. 70	6.60	6.65	6. 95	7. 20
1917	7. 50	7.75	8.60	8. 75	8. 90	8.50	7. 90	8. 35	8. 50	8. 40	8. 75	8. 50	8. 40
1918 1919	8. 80 10. 85	9.00 11.50	10. 25 12. 00	10. 50 12. 65	10. 75 12. 40	10.90	10. 25	10.85	10.90	10. 25	10.00	10. 25	10. 25
1919	9, 95	9. 20	10.00	12.00	10.00	11. 15 9. 40	10. 15 8. 80	10.75	9.90	10. 15	9.75	9. 15	10.85
1920	7. 20	6. 80	8. 10	7. 40	7. 35	6. 10	6. 10	8. 30	8.85	8. 85	8. 10	7. 10	8. 95
1922	5, 90	6.65	6.85	7. 35	7. 35	6. 90	6. 20	5. 90 6. 65	5. 50 6. 75	5. 65 6. 70	5. 45	5. 75	6. 45
1923	6, 90	7. 10	7. 25	7. 10	7. 55	6.75	5. 85	6. 10	6.45	6.00	6.30	6.30	6. 65
1924	6. 15	6. 25	6. 80	7. 00	7. 45	6. 75	6, 25	5. 95	6. 10	6. 20	5. 95 5. 75	6. 00 5. 55	6. 55
1024	0. 10	0. 20	0. 80	7.00	7. 20	0.70	0. 20	5. 95	0.10	0. 20	0.70	0.00	6. 35

Stocker and feeder cattle prices, Chicago, and relation of fat to thin cattle prices, 1910-1924—Continued

EXCESS OF PRICE FOR FAT OVER THIN CATTLE

Year	Jan.	Feb.	Mar.	Apr.	Мау	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Annual average
1910 1911 1912 1913 1914 1915 1916 1917 1918 1918	\$1.55 1.00 1.95 1.65 1.35 1.20 1.35 2.65 3.30	\$1. 50 1. 05 1. 40 1. 15 1. 05 . 50 1. 45 2. 75 3. 00	\$1. 85 . 95 1. 60 . 85 1. 05 . 90 1. 10 2. 65 2. 35	\$1. 95 1. 00 1. 50 . 65 . 95 1. 65 1. 30 3. 00 4. 20	\$2.00 1.00 1.70 .60 .60 .40 1.35 3.00 4.65	\$2.65 1.55 2.15 1.00 1.25 1.05 1.95 3.65 4.95	\$2. 65 1. 95 2. 50 1. 00 1. 60 1. 50 2. 25 4. 45 5. 80	\$2.35 2.50 2.80 1.00 1.80 1.50 2.55 4.35 4.90	\$1. 30 2. 25 2. 50 1. 15 2. 20 1. 55 2. 70 4. 60 5. 10	\$1. 90 2. 35 2. 30 1. 45 2. 25 1. 90 3. 15 3. 30 4. 55	\$1.60 2.20 2.25 1.50 1.90 1.95 3.50 2.35 5.05	\$1.30 2.05 2.35 1.55 1.65 1.90 3.05 2.90 4.65	\$1. 90 1. 65 2. 10 1. 15 1. 45 1. 35 2. 15 3. 30 4. 40
1919 1920 1921 1922 1923 1924	4. 95 4. 00 1. 50 1. 15 2. 25 3. 30	4. 45 3. 85 1. 40 . 80 1. 75 3. 05	4. 05 3. 10 . 95 1. 15 1. 60 2. 75	3. 20 . 75 . 60 1. 90 2. 95	2. 60 2. 25 . 90 . 95 1. 95 2. 20	2. 40 5. 55 1. 90 2. 05 3. 25 2. 60	5. 45 6. 20 2. 00 3. 30 3. 80 3. 20	5. 70 6. 55 2. 60 3. 00 4. 55 3. 65	5. 60 6. 20 2. 50 3. 45 3. 75 3. 60	6. 00 5. 35 2. 45 3. 95 4. 15 4. 10	5. 35 3. 90 1. 95 3. 55 3. 75 4. 00	5. 20 3. 00 1. 25 2. 90 3. 50 3. 65	4. 60 4. 55 1. 70 2. 25 3. 00 3. 25

Feeder cattle prices, Winnipeg, and relation of thin cattle prices at Chicago and Winnipeg, 1913-1924 ¹

FEEDER CATTLE PRICES, WINNIPEG

[Value per 100 pounds]

Year	Jan.	Feb.	Mar.	Apr.	Мау	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Annual average
1913 1914 1915 1917 1918 1919 1920 1921 1922 - 1923 - 1924	\$5. 10 5. 80 2 5. 70 5. 10 2 5. 90 7. 85 8. 60 8. 70 5. 20 3. 55 4. 05 3. 60	\$5. 40 5. 80 2 5. 70 2 5. 35 6. 00 7. 80 8. 60 8. 40 4. 90 3. 55 3. 90 3. 40	\$5. 40 5. 80 5. 40 5. 60 6. 45 7. 80 9. 45 8. 65 5. 80 4. 15 4. 05 3. 90	\$5. 40 5. 80 5. 70 5. 85 6. 60 7. 75 9. 75 8. 95 5. 50 4. 45 4. 55 4. 35	\$5. 40 5. 80 5. 90 5. 85 7. 10 9. 75 10. 95 9. 80 5. 65 5. 05 4. 80 4. 45	\$5. 40 5. 80 6. 10 6. 75 7. 25 9. 00 10. 20 8. 40 4. 00 4. 25 3. 60	\$5. 40 6. 15 6. 05 6. 75 6. 85 9. 05 7. 50 7. 15 2. 90 3. 85 3. 90 3. 40	\$5. 40 5. 80 6. 15 5. 75 6. 35 7. 60 6. 60 3. 10 3. 65 3. 65 3. 40	\$5. 10 5. 60 5. 85 5. 60 6. 25 9. 15 8. 55 6. 90 3. 15 3. 70 3. 85 3. 45	\$5. 40 5. 80 5. 60 5. 80 7. 20 8. 20 6. 60 6. 40 3. 20 3. 55 3. 40 3. 45	\$5. 60 5. 80 5. 85 5. 80 6. 30 8. 45 7. 80 5. 50 3. 30 3. 30 3. 30 3. 00	\$5. 60 6. 10 2 5. 50 5. 75 7. 85 8. 25 8. 60 5. 50 3. 25 3. 50 3. 30	\$5. 40 5. 85 5. 80 5. 85 6. 70 8. 50 8. 70 7. 60 4. 15 3. 85 3. 90 3. 60

EXCESS OF CHICAGO PRICES OVER WINNIPEG FOR THIN CATTLE

1913	\$1.05	\$1.70	\$2.05	\$2, 10	\$2.00	\$1.75	\$1, 85	\$1.90	\$2, 25	\$1.55	\$1, 15	\$1.05	\$1, 70
1914	1.30	1.45	1,50	1, 75	2.00	1.55	1.05	1.50	1. 55	1.00	. 90	.60	1.35
1915	1. 10	1. 25	1. 55	2.35	2.05	1.65	1.65	1.40	1.55	1.30	.90	1.05	1. 50
1916	1.90	1.05	2.05	1.95	2.30	1.15	. 25	1. 15	1.10	.80	. 85	1.20	1.30
1917	1.65	1.75	2. 15	2. 15	1.80	1. 25	1.05	2.00	2. 25	1.20	2.45	. 65	1.70
1918	. 95	1. 20	2.45	2.75	1.00	1.90	1. 20	2.00	1.75	2.05	1, 55	2.00	1.75
1919	2. 25	2. 90	2. 55	2.90	1.45	. 95	2.65	3. 15	1.35	3. 55	1.95	. 55	2. 20
1920	1. 25	. 80	1.35	1.05	. 20	1.00	1.65	1.70	1.95	2.45	2.60	1.60	1.45
1921	2.00	1, 90	2.30	1.90	1.70	2. 10	3. 20	2.80	2.35	2.45	2.15	2.50	2.30
1922	2.35	3. 10	2.70	2.90	2.30	2. 90	2.35	3.00	3.05	3.15	3.00	2.80	2.80
1923	2.85	3. 20	3. 20	2, 55	2.75	2.50	1.95	2. 45	2.60	2.60	2, 65	2.60	2.65
1924	2.55	2.85	2.90	2.65	3.00	3. 15	2.85	2. 55	2.65	2.75	2.70	2. 25	2.75
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¹ Manitoba Free Press, 1913-1919 (an average of the range, first of the month). Monthly Bulletin of Agricultural Statistics, Ottawa, 1920-1924. Prices converted to United States dollars at current rate of exchange.

² Interpolated.

Fat-cattle prices, Chicago and Toronto, and excess of Chicago prices over Toronto, 1910-1924

NATIVE BEEF STEERS, CHICAGO

[Daily Drovers' Journal. General average]

[Value per 100 pounds]

Year	Jan.	Feb.	Mar.	Apr.	Мау	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Annual average
1910	\$6. 20 6. 15	\$6. 35 6. 15	\$7.35 6.20	\$7. 55 6. 10	\$7.50 5.95	\$7. 50 6. 05	\$7.10 6.30	\$6. 85 6. 95	\$6.80 6.80	\$6.60 6.75	\$6. 20 6. 70	\$6.00 6.65	\$6. 80 6. 40
1912	6.85	6.60	7. 20	7.65	7. 95	8.00	7. 90	8.50	8.15	7. 90	8.10	7.85	7.75
1913 1 1914	7. 80 8. 45	8. 25 8. 30	8. 30 8. 35	8. 15 8. 50	8. 00 8. 40	8. 15 8. 60	8. 25 8. 80	8.30 9.10	8. 50 9. 35	8. 40 9. 05	8. 25 8. 60	8. 20 8. 35	8. 25 8. 65
1915	8.05	7. 50	7. 65	7. 70	8.35	8.80	9. 20	9.05	8, 95	8.80	8.70	8.45	8.40
1916 1917	8.35 10.15	8. 35 10. 50	8. 75 11. 25	9. 10 11. 75	9. 50 11. 90	9.85 12.15	9. 25 12. 35	9. 45 12. 70	9.40 13.10	9.75 11.70	10. 15 11. 10	10.00 11.40	9.50 11.60
1918	12. 10	12.00	12.60	14.70	15.40	15.85	16.05	15.75	16.00	14.80	15.05	14.90	14.65
1919	15. 80	15. 95	16.05	15. 85	15.00	13. 55	15.60	16.45	15. 50	16. 15	15. 10	14.35	2 15. 50
1920 1921	13. 95 8. 70	13. 05 8. 20	13. 10 9. 05	12.30 8.15	12. 25 8. 25	14. 95 8. 00	15.00 8.10	14. 85 8. 50	15. 05 8. 00	14. 20 8. 10	12.00 7.40	10. 10 7. 00	13.30 8.20
1922	7.05	7.45	8.00	7.95	8.30	8.95	9, 50	9.65	10. 20	10.65	9.85	9. 20	9.00
1923 1924	9. 15	8.85	8.85	9.00	9.50	10.00	9.65	10.65	10. 20	10.15	9.70	9.50	9. 55
1824	9.45	9.30	9. 55	9. 95	9, 65	9.35	9.45	9.60	9.70	10.30	9.75	9. 20	9.60

CHOICE BUTCHER CATTLE, TORONTO

[Labor Gazette, Ottawa 2]

1910	\$5. 50 5. 90 6. 30 6. 40 8. 80 7. 95 7. 90 10. 25 12. 65 14. 75 12. 80 8. 80 6. 55	\$5. 65 5. 90 6. 55 6. 40 8. 20 7. 75 7. 90 11. 10 12. 15 13. 10 10. 95 8. 00 7. 20	\$5. 65 5. 90 6. 40 6. 50 7. 95 7. 65 7. 95 10. 05 12. 65 13. 10 10. 30 8. 30 7. 35	\$5. 65 5. 85 6. 60 7. 90 7. 60 8. 25 11. 55 13. 65 12. 80 11. 00 8. 00	\$6. 10 5. 75 7. 10 6. 70 8. 30 7. 95 8. 80 12. 45 15. 45 14. 85 12. 75 8. 70 8. 35	\$7. 00 5. 95 7. 65 7. 00 8. 30 8. 20 9. 35 10. 75 15. 95 	\$6. 90 5. 90 7. 80 6. 70 8. 45 8. 60 9. 95 11. 30 15. 00 12. 45 6. 60 8. 25	\$6. 55 6. 00 7. 00 6. 45 8. 45 8. 35 12. 60 15. 25 12. 00 6. 45 6. 95	\$6. 45 5. 90 6. 75 6. 50 8. 75 8. 05 8. 00 12. 55 15. 45 13. 35 12. 40 6. 75	\$6. 30 5. 90 6. 30 6. 70 8. 50 7. 90 12. 50 14. 20 12. 55 12. 55 6. 50	\$6. 10 5. 55 6. 20 7. 40 8. 00 7. 90 7. 85 13. 05 13. 10 10. 85 5. 40 6. 50	\$5. 85 6. 20 6. 35 8. 00 8. 10 8. 50 12. 75 14. 55 11. 90 9. 45 5. 40 6. 50	\$6. 15 5. 90 6. 75 6. 80 8. 30 8. 00 10. 70 14. 15

EXCESS OF CHICAGO PRICES OVER TORONTO, FAT CATTLE

1910	. 25 . 55 1. 40 35 . 05 . 45 1. 15 . 65 . 70 2. 25	\$0.70 .25 .05 1.85 .10 30 .45 .25 60 .45 1.95	\$1.70 .30 .80 1,80 -40 -05 .75 .25 .35 .55 1.35	35 10 17	\$1. 40 . 25 . 85 1. 30 . 10 . 35 . 70 . 50 1. 50 1. 25 85 . 12	. 45 . 40 . 15 -1. 90 1. 75 . 91	\$0. 20 . 40 . 10 1. 55 . 50 75 . 95 05 . 60 1. 90 1. 95	\$0. 30 . 95 1. 50 1. 85 . 65 . 65 1. 05 . 70 -2. 25 1. 75 3. 50 2. 36	\$0.35 .90 1.40 2.00 .80 1.40 1.35 2.00 1.20 3.90 2.13	\$0.30 .85 1.60 1.70 .55 .90 1.85 .45 .80 2.45 3.90 2.68	\$0. 10 1. 15 1. 90 . 85 . 60 . 80 2. 30 15 . 55 . 80 3. 00 2. 13 4. 29	\$0. 15 . 45 1. 50 . 20 . 35 . 35 1. 50 35 10 . 85 1. 45 1. 07	\$0. 70 . 50 . 95 1. 45 . 35 . 35 . 50 . 50 . 55 2. 00 1. 25

Highest price on record.
 Highest yearly average on record.
 Averages to the nearest 5 cents are drawn from the quoted range of prices, on or about the first of the month, and converted at current rate of exchange.

Cabbage seed-Summary of survey.—The area commercially sown to cabbage seed in this country was 1,161 acres in 1923 as compared with 765 acres in 1916. Although the annual crop varies greatly, the general trend is toward increasing production. The crop of 1923 (447,000 pounds) was more than double that of 1916. Domestic production supplied about 70 per cent of the total requirements. Exports are about 10,000 pounds annually, or 2 per cent of domestic Nearly all of the crop is grown on Long Island.

Skill and experience are required for the successful growing of cabbage seed, for costs of production are high and yields per acre are uncertain. Because of these conditions, and also because of the wide fluctuations in the market price, virtually all seed is grown at a specified price under contract with wholesale growers or seedsmen.

Imports, supplied mainly by Denmark, Holland, and England, appear to be declining. In 1924 they amounted to 210,000 pounds as compared with an average of 266,500 pounds in the 7-year period 1909-10 to 1915-16. Foreign production is, in general, on a smaller and more intensive scale than in the United States. Danish growers and seedsmen give special attention to the development of improved

strains and to maintaining their purity and germinability.

To cabbage growers, the quality of seed is more important than ordinary differences in price. Most of them realize the advantage of planting seed of good quality, even at considerably higher cost The cost of seed (usually less than a dollar per acre) is only a small proportion of the total cost of producing cabbage, the average value of which is about \$200 per acre. Since quality can not be determined by inspection, the seed is sold on the reputa-tion of the grower. Seed grown on Long Island is known for its quality and usually sells for almost twice as much as imported seed, which in turn ordinarily sells for a higher price than that grown in the Puget Sound region.

The duty of 10 cents per pound was equivalent in 1923 to an ad valorem rate of 21.39 per cent. Changes in tariff rates have had no

appreciable influence on the volume of imports.

Summary of trade in cabbage seed, 1916-1924

Year	Produc- tion	Imports for con- sumption	Exports 1	Estimated consumption 1. 2
1916 1917 1918 1919 1920 1921 1922 1923 1923	Pounds 217, 000 292, 000 162, 000 1, 383, 000 157, 000 224, 000 368, 000 447, 000 (³)	Pounds 1 108,000 1 83,000 115,000 169,000 391,000 253,000 181,000 210,000	Pounds 17,000 15,000 11,000 (3) (3) (3) (4) (5) (6) (6)	Pounds 875, 000 835, 000 868, 000 (3) (3) (3) (3) (3) (3) (3) (3) (3) (3)

Fiscal years beginning July 1 of years indicated.
 Commercial seed only. This represents about five-sixths of total consumption.

Onion seed—Summary of survey.—The commercial crop of onion seed as reported for 1923 was 935,000 pounds, valued at \$1,402,000. It was grown on 2,157 acres, under the supervision of about 20 whole-

sale growers. Although in itself a comparatively small industry, located chiefly in California, the domestic seed, together with imports, sustain the important and widely distributed onion crop This food crop, the average annual farm value of grown for food. which is about \$20,000,000, ranks third among the vegetable crops

of the country.

The growing of onion seed is highly specialized and the returns are uncertain. Experience, skill, and care are more essential with this industry than with the staple farm crops. It is an intensive crop, and labor constitutes a large proportion of its per acre production cost, which is approximately ten times as high as that of wheat. The yields are frequently reduced by disease, insect pests, and unfavorable weather. This, together with the wide fluctuations in prices, subjects the grower to financial risks, and consequently most of the crop is produced under growing contracts at prices fixed in advance.

Onion seed is of two distinct types: (a) For the late, or "main crop" onions, and (b) for the early types. The late seed is by far the more important, its average domestic production being more than

five times that of the early.

The United States produces practically its entire late seed requirements and has for export a surplus, which in 1923 amounted to about 100,000 pounds. In 1923 exports were less than during the war, but were greater than in pre-war years. These went principally to England and Canada and were of standard, but not specially selected quality, the type in which this country successfully meets foreign

competition.

Imports of late seed, which come mainly from France, England, and Switzerland, are insignificant in volume, amounting in 1923 to 15,000 pounds, or about 1½ per cent of domestic consumption. the most part supplement rather than compete with the domestic They consist of improved strains of standard varieties and of novelties or new varieties not previously grown in this country. Imported seed are used both by seed growers, in maintaining and improving the quality of their domestic seed, and by onion growers. The seed of early onions, of which the Bermuda is the most important, are practically all imported. Imports of Bermuda seed in recent years averaged nearly 100,000 pounds per year, almost double the pre-war amount, most of it coming from Teneriffe, Canary Islands.

Attempts have been made to grow Bermuda onion seed in sufficient quantity to supply domestic requirements. At first these efforts seemed to promise success, but crop failures, resulting from onion thrips and other causes, became so common that production on a

commercial scale has practically ceased.

Although early seed can be grown in the United States, the seeds of the Spanish, Italian, and other early types lose their characteristic of earliness when propagated in this country. In view of the difficulties encountered in growing them, it is doubtful whether even a considerably higher rate of duty than has heretofore been imposed would enable American seed growers to produce a substantial proportion of the seed requirements of this type.

The following table gives a summary of the industry:

Summary	of	trade	in	onion	seed,	1916-1924
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Year		l production e seed	Imports of Bermuda	Total imports of late and early seed (pounds)	Exports of late seed (pounds) 1
	Pounds	Wholesale value	seed (pounds)		
1916 1917 1918 1919 1920 1921 1922 1923 1924	1, 329, 000 980, 000 1, 685, 000 2, 618, 000 801, 000 334, 000 451, 000 935, 000 (4)	\$2, 126, 000 1, 862, 000 8, 425, 000 7, 357, 000 1, 498, 000 521, 000 478, 000 1, 402, 000 (4)	75, 000 129, 000 97, 000 72, 000 63, 000 121, 000 104, 000 92, 000 (4)	110, 000 141, 000 120, 000 (2) (2) (2) (2) (2) (2) (3) (4) (5) (1) (1) (1) (2) (2) (3) (4) (4) (4) (5) (6) (6) (7) (7) (8) (8) (8) (8) (8) (8) (8) (8) (8) (8	292, 000 242, 000 380, 000 (2) (2) (2) (2) (2) (2)

Fiscal year beginning July 1 of year indicated.
 Figures not separately reported.
 Imports for consumption.
 Not available.

Sardines—Summary of survey.—The canning of sardines is an important industry in France, Norway, Portugal, Spain, and the United States. Practically all domestic sardines are produced in Maine and California. Between the great bulk of imported sardines and about 90 per cent of the domestic product, there is virtually no direct competition. The foreign and domestic products are widely different in price, quality, and appearance, the former being packed in olive oil and the latter principally in cottonseed oil, tomato sauce, and mustard sauce. Only about 5 per cent of the Maine and the California product compares with the foreign sardine.

The domestic industry utilizes machine processes to a much greater extent than does the foreign. greater extent than does the foreign. It aims at mass production without elaborate care in the necessary hand processes. It is in the hand processes that Europeans excel, exercising as they do much

greater care in handling, grading, and packing.

Imported canned herring, labeled as such and dutiable at 30 per cent ad valorem, is the fish product that competes with about 90

per cent of the California sardine pack.

The industry in Maine depends to a large degree on Canadiancaught herring for its raw material. About 75 per cent of the fish packed in the vicinity of Eastport and Lubec, the center of the industry, is brought in free of duty. To the United States tariff on the canned product is largely due the location of the industry in Maine rather than in Canada near the source of raw material. In Maine efforts have recently been made to develop a pack comparable in quality to the imported product.

Although development in the manufacture of domestic sardines packed in olive oil has been slight, the data at hand indicate that under the present duty California could produce a large pack comparable in quality to the imported sardine. Greater effort to improve the pack of California quarter olive oils was made in the year

1924 than in any previous period.

Year

FISCAL

1910.....

1911..... 1912..... 1913_____ 1914....

1915....

1917....

1918.....

1919....

1920_____

1921....

1922....

1923.....

1924_____

1918.... CALENDAR

				,			
Domestic production (canned sardines)	Imports for con- sumption 1	Value of domestic exports 2	Ratio of imports to production	Value of imports for consumption 3	Amount of duty	Value per unit	Equival- ent ad valorem rate
Pounds 4 72, 204, 000	Pounds 12, 100, 000 13, 625, 000 11, 357, 000 12, 600, 000	\$240, 389 242, 543 348, 000 119, 260	Per cent	\$2, 759, 190 2, 707, 992 2, 249, 793 2, 624, 024	\$778, 257 789, 642 656, 778 734, 636		Per cent 28. 20 29. 15 29. 19 28. 00
60, 146, 388 6 60, 830, 000 6 107, 220, 000	(5) (5) (5) (6) (6) (6) (6)	118, 836 246, 274 675, 903 1, 567, 866 6, 954, 091		3, 220, 697 2, 877, 052 2, 050, 812 2, 378, 460 422, 789	821, 104 719, 263 512, 701 594, 615 105, 697		25. 49 25. 00 25. 00 25. 00 25. 00

\$0.3599

. 2826

. 2030

. 1866

. 1700

. 1660

25. 00 25. 00 25. 00

26.06

30.00 30.00

45, 855

Summary of trade in sardines, 1910-1924

4.61

11. 84 34. 51 30. 14

18. 29 22. 65

8,609,313

6, 755, 074 8, 183, 729 1, 635, 572 1, 780, 956

2, 919, 767 4, 278, 547

Quantities not given.
Estimated.

SURVEYS IN PREPARATION

Carpet wools.—A survey of the carpet-wool industry is in progress. Owing to the dearth of such fiber in the domestic clip and the diminished world supply the problem of raw material is in some respects becoming Ordinary carpet wools—i .e., foreign "native" wools not improved by the admixture of merino or English blood—are in effect free of duty when imported for use in the manufacture of carpets and rugs.

Mohair and similar fiber.—A survey on mohair, alpaca, and similar The characteristics and uses of such textile fibers is in progress. material and the competing sources of their supply are to be examined.

Wool shrinkage.—For a study of wool shrinkages preliminary data have been assembled and a compilation made of entries at the port The present specific duty, based on the clean content of New York. (scoured wool), no longer discriminates against the importation of heavy shrinking, but otherwise desirable, foreign wools. duties, based on the wool in the grease, rendered it economically impracticable to import unusually heavy shrinking wools.

(c) Investigations Under the General Powers of the Commission

SUGAR BEETS

The commission has published the first of a series of 10 surveys of domestic costs in the production of sugar beets. Nine of these will deal with the industry in the individual States growing sugar beets; the tenth will summarize the industry as a whole.

Costs of producing sugar beets in Michigan—Summary of report.— The first installment—Michigan—gives a comprehensive account of farm outlays in the State, and makes comparison with other States and with the United States as a whole. The following table gives the weighted average cost of production for sugar beets grown in Michigan, and comparative figures for the United States and the other eight States studied:

^{5, 406, 454} 11, 734, 608 18, 681, 006 5, 038, 835 15, 474, 894 25, 617, 491 6 131, 870, 000 117, 261, 972 99, 027, 135 54, 121, 985 7 80, 980, 180 84, 614, 701 113, 120, 797 183, 419 1, 946, 154 3, 316, 020 3, 792, 838 4, 555, 757 2, 653, 380 4, 255, 687 486, 537 829, 005 948, 197 1, 187, 275 796, 014 1, 276, 707 ¹ Includes total quantity of "fish (except shellfish) packed in oil, etc.," imported for consumption. Under act of 1909, duty based on size of package. Quantities shown, 1910 to 1913, are estimated.

² Values of "canned fish, except salmon and shellfish." Domestic exports of "fish (except shellfish) packed in oil, etc." are not recorded separately.

³ Values of "fish (except shellfish) packed in oil, etc.," imported for consumption.

⁴ Census figures for 1908.

⁷ Under the act of 1913, sardines were classified as "fish in oil" at 25 per cent ad valorem.

Weighted average costs of production and returns to growers from the sale of sugar beets SUMMARY FOR THE UNITED STATES AND ANALYSIS BY STATES, 1921, 1922, AND 1923

	TOT SUBST. DO	ers narvested	-1			
State and year	Averag	e costs 1	Average returns to	Amount by which the returns to growers from the sale of sugar beets exceed? the costs of production of sugar beets		
	No allow- ance made for land rental and interest on other capital 8	Allowance made for land rental and interest at 6 per cent on other capital 4	growers from the sale of sugar beets	No allow- ance made for land rental and interest on other capital 8	Allowance made for land rental and interest at 6 per cent on other capital 4	
United States: 3-year average	Per ton \$6. 21	Per ton \$7.53	Per ton \$7.70	Per ton \$1.49	Per ton \$0. 17	
1921 1922 1923 Michigan:	6, 45 5, 96 6, 07	7. 95 7. 32 7. 18	6. 27 8. 01 9. 09	18 2. 05 3. 02	-1.68 .69 1.91	
3-year average 1921 1922 1923 Ohio:	7. 13 7. 30 6. 40 7. 49	8. 30 8. 55 7. 52 8. 60	7. 46 6. 04 7. 22 9. 50	-1. 26 . 82 2. 01	84 -2. 51 30	
3-year average	6. 11	7. 30	7. 69	1. 58	. 39	
	6. 48	7. 82	6. 00	48	-1. 82	
	5. 64	6. 82	6. 87	1. 23	. 05	
	6. 13	7. 22	9. 29	3. 16	2. 07	
Nebraska: 3-year average 1921 1922 1923	5, 25	6. 40	7. 55	2. 30	1. 15	
	5, 69	7. 03	6. 60	. 91	43	
	4, 42	5. 39	8. 01	3. 59	2. 62	
	5, 62	6. 73	8. 19	2. 57	1. 46	
Colorado: 3-year average 1921 1922 1923	5. 79	7. 06	7. 30	1.51	. 24	
	5. 60	6. 89	6. 36	.76	53	
	6. 15	7. 62	7. 71	1.56	. 09	
	5. 73	6. 85	8. 08	2.35	1. 23	
Utah: 3-year average 1921 1922 1923	6. 01	7. 34	7. 20	1. 19	14	
	6. 53	8. 16	5. 50	-1. 03	-2. 66	
	5. 82	7. 21	8. 18	2. 36	. 97	
	5. 61	6. 58	8. 27	2. 66	1. 69	
Idaho: 3-year average 1921 1922 1923	5. 91	7. 08	7. 64	1. 73	. 56	
	6. 74	8. 31	6. 00	74	-2. 31	
	5. 44	6. 53	8. 37	2. 93	1. 84	
	5. 54	6. 45	8. 48	2. 94	2. 03	
Wyoming: 3-year average 1921 1922 1923	6. 22	7. 09	7. 21	. 99	. 12	
	6. 72	7. 76	6. 28	44	1. 48	
	5. 70	6. 54	6. 56	. 86	. 02	
	6. 27	7. 05	8. 18	1. 91	1. 13	
Montana: 3-year average 1921 1922 1923	5. 58	6. 52	8. 28	2.70	1. 76	
	5. 84	6. 96	6. 60	.76	36	
	5. 60	6. 60	9. 02	3.42	2. 42	
	5. 41	6. 20	8. 87	3.46	2. 67	
California: 3-year average 1921 1922 1923	7. 59	9. 87	10. 10	2. 51	. 23	
	7. 72	10. 14	7. 08	64	3. 06	
	8. 05	10. 60	10. 49	2. 44	11	
	7. 05	8. 87	15. 27	8. 22	6. 40	

¹ When composite figures appear as in the 3-year average for each State and in the figures for the United States, where the data for the States investigated are combined, the total tons of sugar beets harvested are used as weights.

2 A minus (—) before a figure indicates that costs exceed returns by the amount indicated.

3 Land rental and other capital charges, paid and unpaid, are excluded from this cost. For the United States as a whole cash rental was actually paid on 5.4 per cent of the acreage harvested and share rental on 41.7 per cent. On a large percentage of the farms, interest, amounting to 20 cents per acre, or about 1.8 cents per ton, was actually paid on cash advances made by the factories to the farmers for the payment of contract labor. Many of these farms are mortgaged, and interest is actually paid on the farm mortgages at rates varying from 5 to 9 per cent and averaging 7.14 per cent. In order to put the data for all farms on a comparable basis and simplify tabulations, however, all farms were treated as owned by the operators, and taxes and overhead costs on this rented acreage were included as general costs, and all capital charges, whether paid or unpaid, were segregated.

4 The capital charges included here are for the total capital employed in sugar-beet production.

LAKE FISH

In July, 1925, the commission instituted, under its general powers, an investigation with respect to the fresh-water fisheries of the Great Lakes and of the northern Canadian lakes. Prior to the beginning of the field work a conference was held with Canadian officials at Ottawa, Canada, in order to develop detailed plans and to obtain pertinent information from Canadian fishermen. Fishing on both sides of Lake Erie, Lake Huron, and Lake Superior will be principally studied, and some cost data are to be obtained from the fishing area of the central Canadian lakes. Field work began early in September and will be completed about December 20, 1925.

(d) Investigations and Reports for the Purposes of Section 315 of the Tariff Act of 1922

APPLICATIONS RECEIVED

Since July 1, 1924, 26 applications involving agricultural commodities have been received by the commission. These deal with articles named in 21 paragraphs of Schedule 7.

INVESTIGATIONS IN PROGRESS

The field work of obtaining foreign and domestic costs of butter and Swiss cheese has been completed. The scope of the two investigations is outlined below.

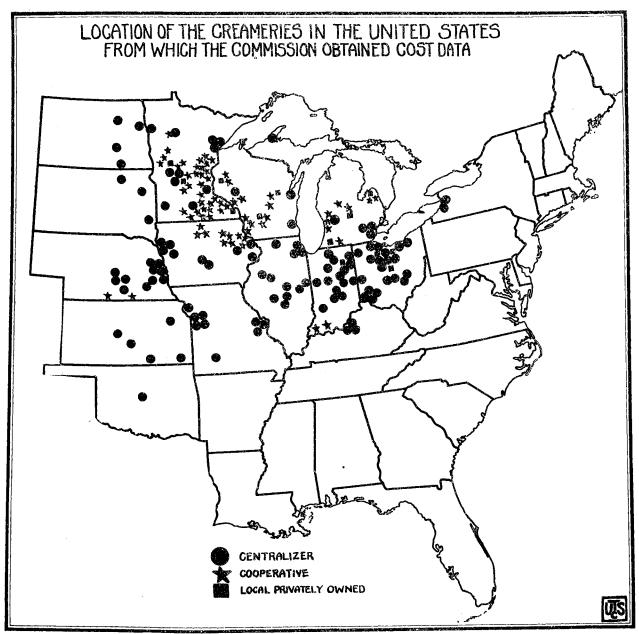
Butter.—On July 14, 1924, the commission instituted an investigation for the purposes of section 315 with respect to the cost of producing butter. Domestic field work began on August 2 and ended October 12. Records from approximately 700 farms were obtained in 26 areas in the 7 States of Wisconsin, Minnesota, Michigan, Ohio, Indiana, Iowa, and Nebraska. Conversion costs of making butter from milk were obtained from 72 creameries in the areas where the farm costs were obtained, and from large centralizers buying their supply of cream largely in sections not covered by the farm cost study. (See Maps opposite this page.)

Danish farm costs were based on 220 farms, the records of which were obtained through the Bureau of Agricultural Economics at Copenhagen. The conversion costs of making butter from milk were calculated on the basis of detailed cost statistics, published by the official association of the Danish Cooperative Creameries, and representing approximately 65 per cent of all the butter made in Denmark.

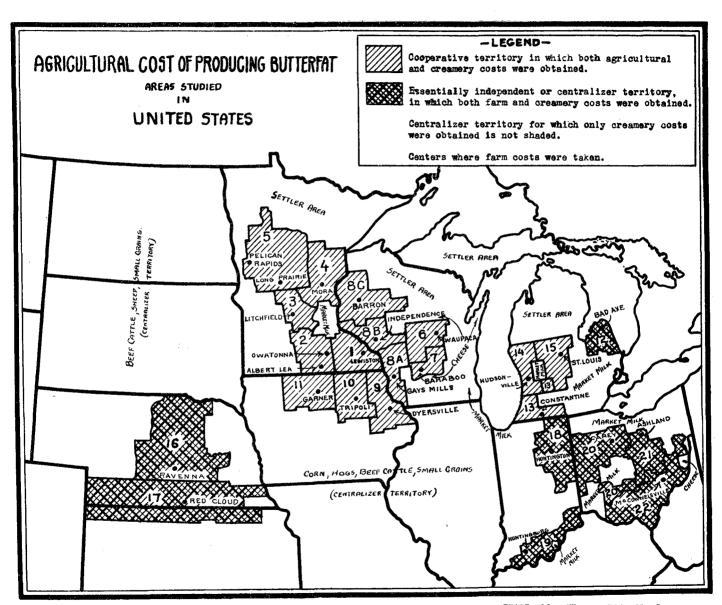
On March 11, 1925, the commission issued a preliminary statement of information upon the subject to be used in connection with the public hearing held at the office of the commission on April 22, 1925.

The data obtained in the butter investigation are now before the commission for examination and analysis and the final report is being prepared as rapidly as practicable.

Swiss cheese.—On August 9, 1924, the commission instituted an investigation of Swiss cheese. Domestic field work began on October 1 and ended in the latter part of November, 1924. Costs for



75165-26. (Face p. 54.) No. 1



75165-26. (Face p. 54.) No. 2

Switzerland, the chief competing country, were obtained in October, 1924. The cost and other data collected in this investigation have been summarized in a statement of information to be used at a public hearing announced for December 11, 1925. The scope of the inquiry may be summarized as follows:

Farm records for 270 farms and manufacturing costs for 38 factories in southern Wisconsin and east-central Ohio were obtained. These were supplemented in April, 1925, by data from 12 factories in

New York.

For Switzerland the cost of producing milk was computed from cost data furnished by the Swiss Farmers' Association, whose head-quarters were at Brugg. Conversion costs of making cheese from milk were computed from the records of several representative factories which were made available to agents of the commission through the secretary of the Swiss Cheese Producers' Union.

INVESTIGATIONS COMPLETED

The commission transmitted to the President a report on the cost of production of live bobwhite quail, and subsequently the President issued a proclamation reducing the duty 50 per cent, the maximum within the law.

Data concerning the effect of the proclamation of March 7, 1924, raising the duty on wheat and wheat flour and lowering the duty on mill feed, will be found on page 57.

The final report on halibut has been completed.

Live bobwhite quail—Summary of report to the President.—On May 19, 1925, the commission instituted an investigation, for the purposes of section 315, with respect to the cost of production of live bobwhite quail. Approximately, 120 applications from State game departments, hunters, and game protective societies, requesting an investigation looking toward a decrease in the duty on wild or game birds, had been received. The duty fixed in the tariff act of 1922 is 50

cents per live bird.

Field work to determine the cost of production, which is taken to be the cost of trapping wild quail, was begun on June 25 and completed on July 11, 1925. The domestic investigation covered the States of Maryland, Pennsylvania, Kentucky, Illinois, Kansas, and Texas. The foreign was limited to Mexico. Bobwhite quail are not migratory and those imported from Mexico remain where freed and will mate with domestic quail. Two methods of propagation are used—the artificial, under which the birds are reared in captivity, and the natural, where they are loosed on sanctuary islands. The first method is being practiced at the State game farm of Virginia, where production can not be considered commercial, but rather a State activity. The second method is being tried in Texas, and on a sanctuary island in Mississippi, but in neither State has it as yet been commercially successful and in both of them the commercial features are understood to have been abandoned.

The costs of propagating bobwhite quail in captivity obtained for Virginia are confidential in that their publication would reveal the individual operations of a single project. Costs have, however, been obtained from Maryland and from Texas, and these averaged \$0.728 per bird. Costs in Mexico, which is held to be the principal com-

peting country, were found to be \$0.517 per bird, or \$0.211 less than in the United States. The maximum possible reduction under the

law-50 per cent-was therefore warranted.

The public hearing was held on September 10, 1925. On September 28 the commission transmitted its report. On October 3, 1925, the President proclaimed a reduction in the duty on bobwhite quail

from 50 to 25 cents per bird.

Halibut.—In August, 1924, the commission instituted an investigation for the purposes of section 315 in respect of halibut, fresh, frozen, or packed in ice. Cost data were obtained during the fall and winter of 1924-25 from a large portion of the halibut fisheries in Canada and the United States on both the Pacific and Atlantic sea-On July 7 the commission issued a preliminary statement of information on the subject for the use of interested parties expecting to appear at the public hearing, which was held later (August 10 and 11, 1925) at Seattle, Wash. The scope of the inquiry may be summarized from the statement of information.

The approximate annual world catch of halibut over a period of years is \$7,000,000 pounds. Of this quantity, 54 per cent is caught by United States vessels. The catch made by Canadian vessels, representing 15 per cent of the world catch, competes with the United States product. The domestic catch in 1925 was 47,300,000 pounds; imports from Canada, 2,200,000 pounds, and exports to Canada, 900,000 pounds. The North Pacific and North Atlantic oceans supply United States and Canadian fishermen with their catch of halibut. Of the total United States catch, 90 per cent is produced on the Pacific coast and of the Canadian catch, 85 per cent. The area of largest production is off the coast of Alaska near Kodiak Most halibut is sold fresh, and about 75 per cent of the domestic catch is so marketed. When the fresh-fish market is glutted, halibut is preserved by freezing.

The commission's cost study of the halibut industry covers the calendar year 1923 and the six months of 1924 ended June 30. United States costs for this period were obtained for 47 per cent of the total United States catch, representing 2,960 fishing trips of an average duration of 18.7 days, made by 154 vessels having a net tonnage of 1,414 and crews numbering 1,307 men. Canadian costs for the same period were obtained for 46 per cent of the total Canadian catch, representing 1,123 fishing trips of an average duration of 15.5 days, made by 57 vessels having a net tonnage of 943 and crews numbering

307 men.

The final report has been completed.

PRELIMINARY STUDIES

Preliminary studies with a view to assisting the commission in determining whether such an investigation should be instituted have

been prepared on the following subjects:

Split peas.—The domestic split-pea industry, its competitive prob-lems, and the effect of the tariff are discussed in the study. The tariff problem involved is largely the determination of the correct compensatory duty for split peas based on the raw materials—dried

Candied citron.—Domestic production, competitive foreign production, estimated costs, and the tariff problems involved are discussed in detail. Since there is a duty on the raw material—citron in brine—the tariff problem is in part the determination of the neces-

sary compensatory duty for the candied citron.

Cocoa butter.—The cocoa-bean manufacturing industries of the United States, Holland, and Germany have been the subject of a study to determine the competitive conditions and the tariff problems involved in the production and marketing of cocoa butter in the United States. The domestic industry produces considerable quantities of cocoa butter as a main product, and cocoa powder or cocoa press cake as a by-product. This is almost the reverse of conditions in Germany and Holland. The marketing problems of producers in the domestic and foreign industries are therefore different. The cocoa butter produced in the United States as a main product meets at times severe competition from imported cocoa butter produced as a joint or by-product.

(e) Data Concerning the Effect of Changes in Rates of Duty on Wheat and Wheat Products

As stated in the eighth annual report, the duty on wheat was increased on April 6, 1924, under section 315 from 30 cents to 42 cents per bushel, and on flour from 78 cents to \$1.04 per 100 pounds; the duty on mill feed was decreased from 15 per cent ad valorem to $7\frac{1}{2}$ per cent ad valorem. During the period that the altered rates have been in operation, certain changes in monthly prices have been noted.

Wheat.—The two general classes of domestic wheat are soft winter wheat and hard spring wheat. The United States is normally a large exporter of soft winter wheat and to some extent is an importer of Canadian hard spring wheat and flour made from such wheat. Such imports are directly competitive with the hard spring wheat grown in Minnesota, North Dakota, South Dakota, and Montana. Hard winter wheat grown in Nebraska, Kansas, and in other States is increasingly used for much the same purposes as spring wheat, and to that extent competes with domestic and imported spring wheat.

Imports for consumption into the United States of wheat, wheat flour, and wheat mill feeds, October, 1922, to September, 1925

	wı	heat	Wheat flour	Wheat mill feeds
\mathbf{Month}	Dutiable at 30 cents per bushel	Free in bond for milling and export	Dutiable at \$1.529 per barrel (196 pounds)	Dutiable at 15 per cent ad valorem
0ctober	Bushels 1, 032, 296 1, 794, 436 338, 294	Bushels 653, 636 1, 373, 928 1, 971, 324	Barrels 50, 684 40, 652 50, 908	Long tons 22, 855 16, 421 12, 361
Total	3, 165, 026	3, 998, 888	142, 144	51, 637
January	266, 719 330, 554 447, 882 115, 006 560, 842 108, 546	405, 653 1, 096, 311 877, 692 457, 352	36, 678 34, 695 25, 929 20, 274 19, 438 17, 655	10, 188 8, 013 6, 792 3, 135 4, 559 6, 484

Imports for consumption into the United States of wheat, wheat flour, and wheat mill feeds, October, 1922, to September, 1925—Continued

	Wi	neat	Wheat flour	Wheat mill feeds
Month	Dutiable at 30 cents per bushel	Free in bond for milling and export	Dutiable at \$1.529 per barrel (196 pounds)	Dutiable at 15 per cent ad valorem
1923	Bushels	Bushels	Barrels	Long tons
July	402, 555	1, 694, 862	18, 260	8, 114
August	315, 353	676, 427	18, 780	6, 20
September	334, 655	339, 896	13, 595	4, 88
October	1, 448, 021	1, 429, 104	19, 383	26, 52
November	3, 188, 179	1, 460, 083	20, 116	25, 26
December	1, 411, 437	1, 551, 212	19, 216	16, 300
Total	8, 929, 749	9, 988, 592	264, 019	126, 469
1924				
January	1, 401, 315	1, 383, 261	15, 326	10, 718
	1, 317, 420	1, 294, 892	13, 908	9, 062
February		380, 550	25, 303	
March	2, 165, 837	300, 000		6, 442
Apr. 1–5	1, 330, 893	li	1, 447	205
	Dutiable at	947, 342	Dutiable at	Dutiable at
	42 cents per	641, 342		7½ per cent
	bushel	11	barrel	ad valorem
Apr. 6-30	460, 719	IJ	2, 522	11,348
May	6, 399	1, 412, 694	560	23, 302
June	640	1, 334, 514	1, 216	21, 63
July	732	1, 163, 203	1, 477	11, 69
August	292	145, 514	2, 195	9, 16
September		261, 465	7,430	19. 51
			46	92 101
October	74, 840	363, 000	46 08	
			46 98 132	81, 597
OctoberNovember	74, 840 39, 751	363, 000 207, 570	98	81, 597 10, 421
October November December Total	74, 840 39, 751 53, 955	363, 000 207, 570 585, 814	98 132	81, 597 10, 421
October	74, 840 39, 751 53, 955 6, 894, 625	363, 000 207, 570 585, 814 9, 479, 819	98 132 64, 660	81, 597 10, 427 237, 197
October November December Total	74, 840 39, 751 53, 955 6, 894, 625 28, 725	363, 000 207, 570 585, 814 9, 479, 819 911, 974	98 132 64, 660	81, 59 10, 42 237, 19 13, 38
October November December Total 1925 January February	74, 840 39, 751 53, 955 6, 894, 62 5 28, 725 4, 755	363, 000 207, 570 585, 814 9, 479, 819 911, 974 565, 403	98 132 64, 660	81, 59, 10, 42, 237, 19, 13, 38, 14, 16,
October November December Total 1925 January February March	74, 840 39, 751 53, 955 6, 894, \$25 28, 725 4, 755 1, 005	363, 000 207, 570 585, 814 9, 479, 819 911, 974 565, 403 24, 600	98 132 64, 660 101 304 63	81, 597 10, 427 237, 197 13, 383 14, 166 19, 697
October November December Total 1925 January February March A pril	74, 840 39, 751 53, 955 6, 894, 625 28, 725 4, 755 1, 005 19, 707	363, 000 207, 570 585, 814 9, 479, 819 911, 974 565, 403 24, 600 948, 586	98 132 64, 660 101 304 63 746	81, 59' 10, 42' 237, 19' 13, 38: 14, 16: 19, 69' 23, 63-
October November December 1925 January February March April May May May	74, 840 39, 751 53, 955 6, 894, 62 5 28, 725 4, 755 1, 005 19, 707 3, 592	363, 000 207, 570 585, 814 9, 479, 819 911, 974 565, 403 24, 600 948, 586 457, 550	98 132 64, 660 101 304 63 746 45	81, 597 10, 427 237, 197 13, 385 14, 166 19, 697 23, 634 11, 677
October November November December	74, 840 39, 751 53, 955 6, 894, \$25 28, 725 4, 755 1, 005 19, 707 3, 592 3, 362	911, 974 565, 403 24, 600 948, 586 457, 550 178, 674	98 132 64, 660 101 304 63 746 45 395	22, 101 81, 597 10, 421 237, 197 13, 382 14, 160 19, 697 23, 634 11, 677 19, 416
October November December Total 1925 January February March April May June July	74, 840 39, 751 53, 955 6, 894, \$25 28, 725 4, 755 1, 005 19, 707 3, 592 3, 362 8, 272	911, 974 565, 403 24, 600 948, 586 457, 550 178, 674 697, 140	98 132 64, 660 101 304 63 746 45 395 129	81, 597 10, 421 237, 197 13, 382 14, 166 19, 697 23, 634 11, 677 19, 416 20, 556
October November November December	74, 840 39, 751 53, 955 6, 894, \$25 28, 725 4, 755 1, 005 19, 707 3, 592 3, 362	911, 974 565, 403 24, 600 948, 586 457, 550 178, 674	98 132 64, 660 101 304 63 746 45 395	81, 597 10, 421 237, 197 13, 382 14, 160 19, 697 23, 634 11, 677 19, 416

The crop year 1924-25, following the increase in duty, presented a combination of circumstances so favorable to the wheat farmer in the United States as to make it difficult to measure the effect of the duty. A shortage in world supply resulted in good prices in world markets. This country, almost alone among important wheat-producing countries, had a good crop. Exports of wheat as grain and as flour during the year ended June 30, 1925, amounted to 258,000,000 bushels as compared with 156,000,000 bushels in the previous fiscal year.

The volume of 1924-25 Canadian spring wheat crop was considerably below the average. The 1924-25 domestic crop was unusually large and a good proportion of it was wheat of first quality with a high-protein content. The requirements of the domestic millers for high-protein wheat, usually met to a considerable extent by importations for Canada for blending with domestic wheat, were more largely supplied from domestic sources. Duty-paid imports of wheat in the year ended June 30, 1925, amounted to only 273,000

bushels as compared with 11,500,000 bushels in the previous fiscal year.

The 1925-26 crop year was a year neither of large domestic production nor of world shortage. Taken as a whole, the domestic crop was below the average. The October 1 estimates of all wheat is 697,000,000 bushels or 140,000,000 less than the average for the years 1920-1924. The deficiency is entirely in winter wheat since spring wheat is estimated at 282,000,000 bushels, as compared with a five-year average of 245,000,000 bushels.

The following table gives monthly average prices of Canadian spring wheat, No. 1 northern in Winnipeg, and the most nearly comparable domestic spring wheat, No. 1 dark northern in Minniapolis. In making comparisons, it must be remembered that Canadian wheat, because of its greater gluten content, normally commands a price premium over the nearest comparable domestic grade.

The precise amount of this premium, which fluctuates with seasonal differences in quality, is not known.

Monthly average spring wheat prices, Minneapolis and Winnipeg, 1920-1925

	Winnipeg		s No. 1 dark iern ²	Minneapolis No. 1 fancy dark northern 3		
Month	No. 1 northern 1	Average of low quotations	Average of high quotations	A verage of low quotations	Average of high quotations	
1920						
September	\$2, 45	\$2, 52	\$2, 62	\$2, 68		
October	2. 11	2.14	2. 20			
November		1. 76	1, 79	1.81		
December	1. 67	1. 69	1. 72	1. 73	\$1.76	
1921						
January	1.71	1, 77	1.81	1.81	1.84	
February		1.68	1, 72	1. 72	1. 76	
March		1. 63	1.69	1.70	1. 75	
April	1. 57	1.44	1. 54	1.54	1.63	
May	1, 67	1.50	1.64	1.68	1. 77	
June		1. 52	1.70	1.77	1.87	
July	1. 64	1. 53	1.74	1.91	1. 97	
August	1. 56	1. 44	1.54	1.63	1.71	
September	1. 33	1, 50	1. 53	1.55	1.58	
October		1.31	1.36	1. 36	1.40	
November	1.02	1. 26	1.30	1.31	1. 35	
December	1. 05	1. 27	1. 31	1. 32	1.38	
1922					-	
January	1.08	1, 32	1.35	1.36	1.43	
February		1. 50	1, 55	1, 57	1.63	
March		1.51	1. 58	1.59	1.66	
April	1.40	1. 58	1.64	1.65	1. 73	
May	1.44	1. 57	1.66	1.66	1.74	
June	1.31	1.41	1. 52	1. 52	1.60	
July		1. 42	1. 52	1.54	1.62	
August	1. 17	1.18	1, 29	1.41	1. 52	
September		1.09	1. 16	1. 20	1. 27	
October	1.01	1. 12	1, 23	1. 20	1. 27	
November		1. 19	1. 27	1. 28	1.34	
December	1.08	1. 23	1. 31	1. 32	1. 38	
1923						
January	1. 07	1. 20	1. 29	1. 29	1, 39	
February		1. 21	1. 30	1.31	1.40	
March		i. 21	1. 30	1. 30	1. 39	
April	1. 19	1. 26	1. 34	1.34	1. 47	
	10	1	2.01	1	1	

¹ Cash close.

² Range of cash closing prices.

Monthly average spring wheat prices, Minneapolis and Winnipeg, 1920-1925-Con.

			Minne	apolis No.	1 dark nor	thern 2		
${f Month}$	Winnipeg No. 1			Good to	Good to choice		Choice to fancy	
	northern 1	Average of low quota- tions	Average of high quota- tions	Average of low quota- tions	Average of high quota- tions	Average of low quota- tions	Average of high quota- tions	
May 1923 May June July August September October November December	1. 05 1. 10 1. 04 . 96	\$1. 23 1. 11 1. 06 1. 14 1. 17 1. 17 1. 12 1. 11	\$1. 29 1. 17 1. 11 1. 17 1. 20 1. 19 1. 14 1. 13	\$1. 29 1. 17 1. 11 1. 17 1. 20 1. 19 1. 14 1. 13	\$1. 35 1. 27 1. 22 1. 24 1. 24 1. 23 1. 17	\$1. 35 1. 27 1. 27 1. 24 1. 24 1. 23 1. 17	\$1, 42 1, 34 1, 32 1, 30 1, 28 1, 28 1, 22 1, 22	
January February March April May June July August September October November December	. 97 . 95 . 96 1. 03 1. 12 1. 35 1. 42 1. 42 1. 60	1. 15 1. 17 1. 14 1. 12 1. 15 1. 26 1. 32 1. 32 1. 31 1. 44 1. 49 1. 64	1. 17 1. 19 1. 16 1. 19 1. 30 1. 35 1. 34 1. 47 1. 52 1. 69	1. 17 1. 19 1. 16 1. 20 1. 31 1. 36 1. 34 1. 48 1. 52 1. 69	1. 21 1. 23 1. 23 1. 23 1. 25 1. 39 1. 44 1. 43 1. 38 1. 58 1. 58	1. 21 1. 23 1. 23 1. 23 1. 26 1. 40 1. 45 1. 44 1. 39 1. 54 1. 58	1. 27 1. 30 1. 30 1. 29 1. 33 1. 48 1. 54 1. 51 1. 46 1. 64	
January February March April May June July August September October Nov. 1-15	1. 76 1. 56 1. 82 1. 71 1. 62 1. 67 1. 38 1. 27	1. 81 1. 80 1. 64 1. 45 1. 62 1. 60 1. 56 1. 59 1. 47 1. 43 1. 49	1. 90 1. 84 1. 68 1. 49 1. 65 1. 65 1. 60 1. 62 1. 52 1. 50 1. 54	1. 91 1. 85 1. 69 1. 50 1. 66 1. 61 1. 63 1. 52 1. 51	2. 02 1. 96 1. 80 1. 60 1. 74 1. 71 1. 67 1. 57 1. 57 1. 62	2. 03 1. 97 1. 81 1. 61 1. 75 1. 71 1. 67 1. 59 1. 58 1. 63	2. 16 2. 11 1. 93 1. 75 1. 85 1. 77 1. 74 1. 76 1. 67 1. 60	

¹ Cash close.

Wheat flour.—A sharp decline in the duty-paid imports of wheat flour occurred immediately after the increase in duty of April, 1924. From October, 1922, to March, 1924, inclusive, imports of flour had averaged somewhat more than 20,000 barrels monthly. When the new duty became effective they declined to only a few hundred barrels monthly.

The domestic price of flour began to rise shortly after the duties on wheat and flour were increased. In March, 1924, standard patents in Minneapolis were quoted at \$6.30 per barrel. As the price of wheat increased (see above table, "Monthly average prices, Minneapolis and Winnipeg, 1920–1925") the price of flour followed, reaching a maximum of \$9.85 for the standard patents in Minneapolis in March, 1925. Prices then began to decline and in October, 1925, were down to \$8.25 per barrel in Minneapolis. The changes in the prices of flour have been in close agreement with changes in the prices of wheat.

Wheat mill feeds.—Since the reduction in duty on mill feeds in April, 1924, importations have increased considerably. Because of their bulkiness and their tendency to spoil, international trade in them is limited. Imports come almost exclusively from Canada, either as direct

² Range of cash closing prices.

imports or from bonded manufacturing warehouses, where the feeds are produced in milling in bond of Canadian wheat. Those from milling in bond have shown a steady decrease under the lower duty, the amounts coming in being, in long tons, 78,198 in 1922; 74,914, in 1923; 71,110 in 1924, and only a little more than 25,000 in the first six months of 1925. The total duty-paid imports of mill feeds, including entries from bonded manufacturing warehouses, were, in long tons, 126,469 in 1923; 237,197 in 1924, and 101,960 during the first six months of 1925.

Rates of duty	Wheat	Wheat flour	Wheat mill feed
Act of 1922	30 cents per bushel	78 cents per 100 pounds (\$1.529 per barrel of 196	15 per cent ad valorem.
President's proclama- tion (effective Apr. 6, 1924).	42 cents per bushel	pounds). \$1.04 per 100 pounds (\$2.038 per barrel of 196 pounds).	7½ per cent ad valorem.

SCHEDULE 8.—SPIRITS, WINES, AND OTHER BEVERAGES

The commission has not published any surveys or reports in connection with the subject matter of this schedule. The statistics of imports and exports have been kept up to date in the commission's files.

SCHEDULE 9.—COTTON MANUFACTURES

(a) STUDIES AND SURVEYS IN PROGRESS

COUNTABLE COTTON CLOTHS

Following the report submitted to Congress last year and printed as Senate Document 150, entitled "The Cotton-Cloth Industry," an investigation was made of the status of the industry in the Northern and Southern States and a tentative report prepared. A survey is now in progress on "Countable cotton cloths; imports and exports in relation to the tariff." It will bring up-to-date statistics and other data included in the 1921 report which was printed by the Committee on Ways and Means as Tariff Information Survey 1–3, Countable Cotton Cloths. It will also discuss American export trade, international trade in cotton cloth and possible sources of American imports, comparison of American and foreign import duties on cotton cloths, wages, prices, and investments.

COTTON SEWING THREAD AND COTTONS FOR HANDWORK

A survey is also in progress on cotton sewing thread and crochet, darning, embroidery and knitting cottons. The character of the imports has been studied at the appraisers stores and detailed information obtained from manufacturers and importers.

(b) Investigations and Reports for the Purposes of Section 315 of the Tariff Act of 1922

PRELIMINARY STUDIES

Cotton cloths.—The division has made a study of cotton cloths, which were the subject matter of an application received by the com-

mission looking to an investigation for the purposes of section 315. The results of the studies covering production, consumption, imports, exports, prices, and tariff problems, are embodied in a preliminary report to assist the commission in determining whether a cost-of-production investigation is warranted.

INVESTIGATIONS IN PROGRESS

Lace.—The commission has issued for the use of interested parties at a public hearing to be held at its offices December 15, 1925, a preliminary statement of information summarizing the data obtained in the investigation with respect to the cost of producing lace. The investigation was confined to laces produced wholly or in part on Nottingham lace-curtain machines, Levers or Levers go-through lace machines, bobbinet machines, and lace-braiding machines. Domestic costs were obtained from the books of 29 lace mills. Foreign costs were obtained by a lace expert and a cost accountant in cooperation with the commission's European representatives from numerous firms

in Great Britain, France, Germany, and Switzerland.

Laces are made in a great variety of styles, patterns, grades, and widths, and from different kinds of yarn. The investigation was therefore planned and conducted with a view to obtaining cost comparisons on typical specific products. Domestic costs were obtained on 306 specific articles and foreign costs on 220 specific articles. Some of the foreign laces were made of finer yarns than are used in any domestic lace and some were too dissimilar otherwise in technical details to permit of comparison; for some of the domestic laces, on the other hand, costs were obtained on varieties for which no comparable foreign samples were obtained. Lack of comparability of the articles therefore caused the elimination of the cost data for a considerable number of samples. In the final cost tables comparisons were made between 114 domestic and 159 foreign laces.

Hosiery.—The final report on cotton hosiery, concerning which a cost of production investigation has been made and a hearing

held, is in course of preparation.

Cotton rag rugs. 1—On April 24, 1925, the commission instituted an investigation for the purpose of section 315 with respect to cotton rag rugs. A commodity expert and two accountants obtained domestic cost data and other information from the books of 14 factories. Analysis has also been made of the invoices of imports of rag rugs into the United States at the various ports. The rugs considered in this investigation are the so-called "hit or miss" rugs, woven usually on hand looms of cotton-yarn warp and rag filling. Floor coverings of this type originated in the United States, but in the last two or three years the volume of imports from Japan has been increasingly large.

INVESTIGATIONS COMPLETED

Cotton warp-knit fabric and cotton-fabric gloves.—The cost-of-production investigation of cotton warp-knit fabric and gloves made of that fabric has been completed and the final report transmitted to the President. The report was accompanied by certain reser-

¹ Although cotton rag rugs are dutiable under paragraph 1022 of the act of 1922, and therefore fall in the flax, hemp, and jute schedule, they are considered here because they are made of cotton.

vations filed by Vice Chairman Dennis and a dissenting statement

by Commissioner Costigan.

The report discloses that the domestic manufacture of chamoisette and other cotton-fabric gloves developed during the war as a result of the cessation of imports. During 1920 the new industry attained an output of 1,500,000 dozen pairs of gloves, but declined later owing to renewed competition from Germany. In 1924 the output was only about 68,000 dozen pairs.

On October 5, 1925, the President, after consideration of the commission's report, issued a statement, a copy of which will be found

on page 118 of the appendix.

SCHEDULE 10.—FLAX, HEMP, AND JUTE, AND MANUFACTURES THEREOF

(a) Surveys and Reports

The division has in progress a survey on linoleum and floor oilcloth. During the year a survey entitled "Vegetable fibers other than cotton" was completed and printed.

VEGETABLE FIBERS OTHER THAN COTTON—SUMMARY OF SURVEY

With the exception of flax, hemp, and crin vegetal, the fibers with which this survey deals are admitted duty free. Flax and hemp are the only vegetable fibers other than cotton produced in commercial quantities in this country. Competition between domestic and imported flax and hemp is limited; the imported fiber is usually of a better quality and is put to somewhat different uses from the domestic. The inferior quality of the domestic flax and hemp is not inherent, but is due to the fact that the plants are not grown with the same care nor is the same amount of labor expended in extracting and preparing the fiber in this country as in certain foreign countries.

The following table lists in order of unit values the relative quantities and values of the vegetable fibers other than cotton required by

American manufacturers.

Analysis of imports of vegetable fibers other than cotton, by value groups, calendar year 1924 1

	Imports			
	Quantity		Foreign invoice value	
	Long	Per cent	Per long	Cents per
	tons	of total	ton	pound
Expensive fibers, above \$225 per ton: ² Flax, hackled Hemp, hackled	1,009	0.3	\$1,138	50. 80
	220	.1	548	24. 46
Kapok	8,457	2.8	515	22. 99
Flax, not hackled	1,290		464	20. 71
Hemp, not hackled	972	.3	311	13.88
Flax, tow of.	545		304	13.57
Hemp, tow of	104	(3)	248	11.07
Quantities, percentages of totals, and average values	12, 597	4.1	533	23.79

¹ Pulu and ramie are omitted for the reason that there have been no importations of pulu since 1919 and imports of ramie have not been recorded as to quantity since 1921.

2 In separating the fibers into value groups, the weighted average per ton (\$159) has been used as a base; fibers more than 50 per cent above that value have been calssified as "expensive," those not more than 50 per cent above and not more than 50 per cent below the average as "medium value;" and those which are more than 50 per cent below the average as "cheap," It may be noted that cotton, if included in this table, would be classed with the expensive fibers, since imports in 1924 averaged 30.26 cents per pound, equal to \$678 per ton of 2,240 pounds.

3 Less than one-tenth of 1 per cent.

Analysis of imports of vegetable fibers other than cotton, by value groups, calendar year 1924—Continued

	Imports			
	Quantity		Foreign invoice value	
	Long tons	Per cent of total	Per long ton	Cents per pound
Medium value fibers, from \$80 to \$225 per ton: 2 Flax noils Manila New Zealand hemp Henequen and sisal Jute Coir Istle Sunn Maguey	401 81, 684 4, 019 113, 815 59, 364 548 12, 345 536 526	.1 27.1 1.3 37.9 19.7 .2 4.1 .2	\$212 176 146 143 122 114 114 107	9. 46 7. 86 6. 52 6. 38 5. 45 5. 09 5. 09 4. 78 4. 73
Total All other (mainly piassava) Quantities, percentages of totals, and average values	3,741	90. 8 1. 2 92. 0	107 118 108	4. 78 5. 27 4. 82
Cheap fibers, below \$80 per ton: 2 Jute butts. Flax straw. Crin vegetal. Total.	8, 540 628 2, 738 11, 906	2. 8 . 2 . 9	59 42 36 53	2. 63 1. 87 1. 61 2. 37
Quantities, percentages of totals, and average values	301, 482	100.0	159	7.10

² In separating the fibers into value groups, the weighted average per ton (\$159) has been used as a base; fibers more than 50 per cent above that value have been classified as "expensive;" those not more than 50 per cent above and not more than 50 per cent below the average as "medium value;" and those which are more than 50 per cent below the average as "cheap." It may be noted that cotton, if included in this table, would be classed with the expensive fibers, since imports in 1924 averaged 30.26 cents per pound, equal to \$678 per ton of 2,240 pounds.

Of the vegetable fibers other than cotton imported in 1924, ninetenths consisted of henequen (including a small quantity of sisal), manila, and jute. These three fibers have steadily constituted more than three-fourths of the total of such imports for more than a quarter of a century. Henequen is required for binder twine, manila for transmission ropes, long jute for cordage, and jute butts for cotton bagging.

Of the fabrics imported in smaller quantities, flax is used in making sewing thread, twine, and fabrics; hemp for cordage; istle for brushes; sunn and maguey for cordage; coir (coconut fiber) for mats; kapok and crin vegetal as stuffing materials, the former finding special use in life preservers and the latter in mattresses for steerage passengers.

SCHEDULE 11.—WOOL AND MANUFACTURES OF WOOL

(a) Surveys and Reports

The textile division has completed a survey entitled "Tops and yarns of wool or hair" and has in course of preparation surveys on woven fabrics of wool and the various kinds of wool by-products and wastes included under paragraph 1105 of the tariff act of 1922.

TOPS AND YARNS OF WOOL OR HAIR-SUMMARY OF SURVEY

This survey deals with tops and other partial manufactures of wool or hair provided for in paragraph 1106 of the tariff act of 1922 and with yarns of wool or hair provided for in paragraph 1107. Details are given with reference to raw materials, equipment, and methods of production, organization, domestic production and consumption, imports, exports, prices, tariff problems, and other data.

Imports of partial manufactures of wool or hair, advanced beyond the raw material stage, but not yet spun into yarn, consist mainly of combed wool known as tops for use in the manufacture of worsted yarn. Of the main top-producing countries, the United Kingdom ranks first, the United States second, Germany third, and France fourth. The United Kingdom is the main source of imports into this country; in 1924 France, Canada, and Australia were the markets drawn upon in the next largest amounts. Prior to the act of 1894 imports were not separately recorded. The following table shows the wide fluctuations in the quantities of tops and yarns imported under the last five tariff acts.

Tops and other partial manufactures of wool or hair—Average annual imports for consumption under earlier tariff acts compared with annual imports under the tariff act of 1922

Tariff act	Quantity	Value	Equivalent ad valorem rate
Average of annual imports under: Act of 1894 Act of 1897 Act of 1909 Act of 1913	Pounds 3, 596, 884 1, 434 1, 855 3, 072, 255	\$1, 190, 760 1, 211 987 2, 024, 173	Per cent 20.00 101.17 104.34 11.44
Imports under act of 1922 during calendar years: 1923. 1924.	3, 980, 450 576, 096	2, 426, 718 429, 126	74. 13 68. 76

On the basis of a production of tops in 1923 of about 200,000,000 pounds, the imports in that year amounted to about 2 per cent. The main counts imported in 1923 were, in order of importance, as follows: 48's, 50's, 56's, 60's, 70's, 80's, 46's, and 44's.

Imports of yarns of wool or hair consist mainly of worsted yarns, and are supplied chiefly by the United Kingdom; smaller amounts come from France, Germany, and Belgium. The following table shows imports of yarns under the last six tariff acts:

Yarns of wool or hair—Average annual imports for consumption under earlier tariff acts compared with annual imports under the tariff act of 1922

Tariff act	Quantity	Value	Equivalent ad valorem rate
Average of annual imports under:	Pounds	#### ODG	Per cent
A ct of 1890	862, 815 2, 559, 350	\$527, 296 1, 242, 955	105. 1 1 38. 09
Act of 1897	239, 002 197, 018	157, 620 164, 141	93, 54 86, 12
Act of 1913	2, 413, 012	2, 993, 050	27. 69
1923	5, 617, 321	7, 238, 370	67.34
1924	3, 120, 690	4, 416, 431	65. 21

The domestic production of yarns of wool, mohair, alpaca, etc., in 1923 is estimated to have been about 400,000,000 pounds, of which 215,000,000 pounds were woolen and 185,000,000 pounds worsted. Imports in 1923, in terms of weight, constituted about 1½ per cent of the total production, and about 3 per cent of the worsted production.

The main counts of worsted yarns imported are 1/21s, 2/20s, 2/48s, and 3/70s made of wool, and 2/28s and 2/32s made of

mohair.

WOVEN FABRICS OF WOOL

This survey, dealing with woolens and worsteds, pile fabrics, and blankets, gives details as to the kind of articles that compete, the materials used, equipment and methods of production, organization, domestic production and consumption, exports, prices, and tariff problems.

Imports of woolens and worsteds are supplied mainly by the United Kingdom. France and Germany supply smaller amounts in

about equal proportions.

The following table shows the fluctuations in rates of duty and the value of imports during the period covered by the last six tariff acts:

Woolens and worsteds—Average annual imports for consumption under earlier tariff acts compared with those under the tariff act of 1922

Tariff act	Value	Duty col- lected	Equivalent ad valorem rate
Average of annual imports under: Act of 1890. Act of 1894 Act of 1897 Act of 1909. Act of 1913. Imports under act of 1922 during calendar years: 1923. 1924.	11, 855, 116 10, 279, 852 13, 723, 523 20, 127, 887	\$22, 588, 755 20, 136, 973 11, 913, 649 10, 074, 836 5, 363, 894 14, 757, 798 15, 059, 616	39. 09

The domestic production of woolens and worsteds, exclusive of upholstery goods and blankets, was valued at \$665,862,726 in 1923. Imports in that year amounted in value to 3.02 per cent of domestic

production.

Imports weighing not over 4 ounces per square yard and consisting principally of cotton-warp linings made with a wool or mohair weft come in only in small amounts. The great bulk of imports weigh more than 4 ounces per square yard and are dutiable under the highest value bracket of paragraph 1109 of the act of 1922. Woolens and worsteds are imported mainly because of their reputation and style, and for that reason are usually sold for considerably more than comparable domestic fabrics. Typical imports are melton and plaid-back overcoatings, woolen costume cloths, tweeds, homespuns, fancy worsted suitings, worsted dress goods, flannels, and linings. Under the act of 1922, imports of woolens exceed those of worsteds.

(b) Investigations and Reports for the Purposes of Section 315 of the Tariff Act of 1922

APPLICATIONS RECEIVED

Applications have been received by the commission for investigations looking toward changes in the rate of duty on woven fabrics of wool, worsted yarns, wool blankets, and wool gloves and mittens.

A survey on woven fabrics of wool which had previously been undertaken has been completed; studies have been made and preliminary reports prepared on the other three commodities mentioned above in order to assist the commission to determine whether investigations are warranted for the purposes of section 315.

SCHEDULE 12.—SILK AND MANUFACTURES OF SILK

(a) SURVEYS AND REPORTS

During the year the commission completed a comprehensive report on broad silk, outlining the historic background of the industry, its economic aspects in relation to the tariff, and competitive conditions, both foreign and domestic, including a detailed and up-to-date study of prices.

THE BROAD-SILK INDUSTRY AND THE TARIFF-SUMMARY OF REPORT

The United States is the largest producer of silk fabrics; its output exceeds that of all European countries combined and is double that of Japan. Its whole supply of raw silk is imported, chiefly from Japan, with China the only other important source. Its production is confined almost exclusively to goods made from medium and course sizes of medium and high-grade raw silks. These fabrics are mainly staples of low and medium grades, but include a large and increasing amount of high-grade plain goods and woven and printed figured cloths. Production of woven and printed figured goods is mainly in simple staple designs, but there is a considerable and growing output of novel, artistic, and fairly elaborate designs, of the kinds that are salable in large quantities of one pattern.

In each broad-silk producing country the tendency is toward specialization. This is notably true in China and Japan. China, although producing native cloths in great variety, makes little for export except pongee. Japan produces a wide variety of "native cloths" on hand looms, but its production for export, which is mainly on power looms, is confined to a few low-grade cloths of simple weave and more or less uneven texture, and to grey woven goods, made usually in both warp and filling of unthrown silk, exported undyed though usually degummed and bleached. These limitations affecting Japanese production are due to inferior weaving equipment, lack of technical skill, inefficient labor, and the small development of throwing and dyeing facilities. Habutae and pongee (the latter made of tussah or wild silk) constitute fully three-fourths of Japanese production for export.

The tendency toward specialization in European countries is not quite so marked. France, Switzerland, and Italy produce chiefly for export, and Great Britain and Germany largely for that purpose. All

of them use mainly low-grade and fine sizes of silk. But in this the output of France is more varied than that of any other country. French manufacturers produce almost every class and grade of silk goods, but give most attention to novel and artistic jacquard and printed figured goods made in exclusive patterns for the extreme quality trade, very fine plain goods of all types, miscellaneous specialties, and lightweight piece-dyed fabrics. Germany specializes mainly in mixed weaves and Switzerland in all-silk yarn-dyed goods. Italy and the United Kingdom manufacture a miscellaneous variety but show considerable specialization in certain fabrics for which they

have an established reputation.

American consumption of broad silks is supplied chiefly by domestic manufacture. Compared with domestic production, imports in 1923 were only 3.5 per cent in value, 4.7 per cent in weight, and less than 10 per cent in square yards. Over 60 per cent of imports come from Japan, 6 to 18 per cent from China, and the remainder from European countries, chiefly from France. From the Orient come undyed, low-grade staples, chiefly habutae and pongee; from Europe, plain and fancy medium-grade goods and high-grade silk fabrics of novel and elaborate designs sold in small quantities to an exclusive Those from Europe are usually supplementary rather than competitive; those from the Orient are partly competitive and partly noncompetitive. Pongee is indirectly, although not very closely, competitive with domestic substitutes. Lightweight habutae is usually supplementary but medium and heavyweight habutae are competitive with certain domestic products. Their competition, however, is usually indirect and in general varies with the weight of the habutae and with the character of the domestic cloth against which it sells.

In 1923 exports of American broad silk were only a little more than one-half of 1 per cent of American production in value and in yards. They amounted to 2,359,000 yards, more than one-half of which went to Canada, and the rest mainly to Mexico, Cuba, and other North American countries, although there were regular shipments to South They consisted chiefly of five classes of broad silk cotton-warp silk-filled goods; silk-warp cotton-filled goods; spun-silk filled fabrics, which are demanded because of their reputation for quality and reliability and which are frequently trade-marked products of well-known manufacturers; goods characterized by novelty or style; and goods demanded for quick delivery, because of a shortage in the supply of goods popular in demand in neighboring coun-In neutral markets silk fabrics of American manufacture can tries. not regularly compete on an equal price basis with goods produced in other countries. But when price is not decisive, as in high quality goods of established reputation and in novelties, American broad silks are in regular and fairly large demand in North American countries.

THE ARTIFICIAL SILK INDUSTRY-SUMMARY OF SURVEY

During the year there was published a survey on artificial silk and other articles in paragraph 1213 of the tariff act of 1922. The major part of this report is devoted to the artificial silk industry; other sections cover also artificial silk waste, spun artificial silk yarns, visca and cellophane, and manufactures of these articles.

The production of artificial silk was developed commercially by European technologists less than 25 years ago and in recent years has become one of the outstanding branches of the textile industry. From an estimated 1913 production of 28,850,000 pounds, the world output of this new industry has expanded in a decade to over 100,--

000.000 pounds.

The first artificial silk plant to operate successfully on a commercial scale in the United States was established in 1910 as a branch of a British concern. Until 1920 it occupied the domestic field virtually alone. The domestic artificial silk production up to this time consisted almost wholly of the output of this one concern. In 1920 several other large companies with the technical, scientific, or financial assistance of French, Italian, Belgian, and English syndicates started production in this country. As a result, the domestic output of artificial silk increased from 1,566,000 pounds in 1913, representing about 5 per cent of the world production, to 38,850,000 pounds, or one-third of the world's supply in 1924. The United States ranks at the present time as the largest producer and consumer of artificial silk in the world.

Despite many factors of considerable advantage to the European producer, such as the possession of patent rights, lower labor costs, and longer experience, the domestic artificial silk industry can claimfull equality with the foreign in respect to technical methods. European producers are no longer serious competitors in the American market, since the domestic industry produces a type of artificial silk generally superior in quality to the imported product, with the exception of certain English and German types. Imports, which amounted to approximately 1,954,000 pounds in 1924, represented

less than 5 per cent of the entire domestic production.

Before and during the World War England was the chief source of the American imports of artificial silk. In 1919, however, Switzerland supplied the largest amount; in 1920, Belgium; and in the two consecutive years, 1921 and 1922, Italy. Great Britain again resumed the lead in 1923. In this year Holland and Germany were also important exporters to the United States. In the international trade as a whole the leading countries with a net exportable surplus of artificial silk in 1923 were Italy, Holland, Germany, Belgium, and Austria. Although they are important producers, England, Switzerland, and France have had for the past few years a large and growing home consumption which has brought about a net balance of imports over exports for these countries.

SCHEDULE 13—PAPER AND BOOKS

(a) GENERAL STATEMENT

No surveys or reports on the subject of paper and books have been

published during the year 1925.

The division has followed the hearings of the Canadian Royal Commission appointed to consider the advisability of establishing anombargo on exports of pulp wood from the Dominion of Canada. The report of the royal commission was adverse to the establishment of an embargo.

(b) Investigations and Reports for the Purposes of Section 315 of the Tariff Act of 1922

APPLICATION RECEIVED IN 1925

One application looking to an investigation for the purposes of section 315 of the tariff act of 1922 has been received on the subject of ceramic decalcomanias, and a preliminary study has been made to assist the commission in determining whether an investigation is warranted.

These decalcomanias are used in the ceramics industry for decorating pottery. The design on specially prepared paper is transferred to the pottery in the process of manufacture.

INVESTIGATION COMPLETED

Wall pockets.—The commission during the year completed its investigation of wall pockets. The commission's correspondence with the President on the subject will be found in the appendix, pages 119.

SCHEDULE 14—SUNDRIES

(a) GENERAL STATEMENT

During the year 1925 the sundries division has been engaged chiefly with the investigation of the cost of production of men's sewed straw hats and with the preparation of preliminary studies for the purposes of section 315.

(b) Surveys and Reports

No surveys were published during 1925. There are in the course of preparation a number of surveys on articles mentioned specifically for the first time in the tariff act of 1922, including tennis, golf, and other balls, tennis rackets, and silver fox skins. Published surveys are also being brought up to date by the incorporation of recent information.

(c) Studies Undertaken in Cooperation with other Government Departments

Bureau of Foreign and Domestic Commerce.—Senate Resolution No. 256 of June 6, 1924, requested the Secretary of Commerce to furnish data on 17 inquiries relating to calf leather. The Department of Commerce requested the Tariff Commission to gather in the United States and Canada and in the principal European countries producing calf leather the information desired in four of these inquiries. These included specific data on the effect of increased imports on domestic production, wage rates in the United States, Canada, and Europe, and a statement as to whether any assistance would be rendered the domestic industry if a tariff were based solely on the differential in labor costs existing between the competing countries.

Considerable field work was done in the United States, Canada, and European countries and a report was prepared by the commission which is printed as part of Senate Document No. 189, Sixty-eighth

Congress, second session.

Bureau of Standards.—At the request of the Bureau of Standards the commission undertook a study and made recommendations for changes in specifications relating to the standardization of brooms, cork board, and brushes as submitted by the Federal Specifications Board.

(d) Investigations and Reports for the Purposes of Section 315 of the Tariff Act of 1922

APPLICATIONS RECEIVED IN 1925

Since July 1, 1924, applications for investigations for the purposes of section 315 have been received on the following commodities dutiable under the sundries schedule: Cork insulation; Christmastree candle holders, Christmastree ornament fasteners, crickets, miniature garden tool sets and other novelties of like nature; catgut; wood wind musical instruments; and umbrella handles and canes. An application for an investigation looking toward an increase in the rate of duty on metal insulated Christmastree light reflectors, dutiable under paragraph 399, was referred to the division.

PRELIMINARY STUDIES

In order to assist the commission in determining whether investigations should be instituted for the purposes of section 315, preliminary reports were prepared summarizing the available information with respect to the following commodities which were the subjects of

applications received during the year.

Cork insulation.—Cork insulation is made of ground or granulated cork and cork waste. It is used principally for insulation and refrigeration. In 1924 the domestic production of cork board was 53,004,000 board feet, valued at \$2,719,000 or about 5.12 cents per board foot. On the basis of 0.85 pound to the board foot the domestic production would be about 47,053,400 pounds, at an average value of about 6 cents per pound. Domestic cork insulation products other than cork board amounted in 1924 to \$687,000. Domestic manufacturers are dependent on Spain, Portugal, and Algeria for their raw material. Spain imposes an export tax of 5 gold pesetas per metric ton on cork waste, shavings, and dust. The Spanish per metric ton on cork waste, shavings, and dust. industry has advanced rapidly since 1914, when it supplied the United States with less than 3,000 pounds of cork insulation in slabs, boards, planks, or molded forms. In 1924 such imports amounted to 21,363,000 pounds, valued at \$782,000, over 99 per cent of which came from Spain. The average value of these imports was 3.66 cents per pound.

Silver fox skins.—The raising of silver foxes in captivity in the United States is a rapidly growing industry, which has become of commercial importance only since 1915–16. The Department of Agriculture estimated the number of silver foxes in the United States at approximately 5,000 in 1921, and between 15,000 and 20,000 in

1924.

The industry has also developed rapidly in the last few years in Canada, where breeding stock for sale is the major interest, the production of pelts being incidental there as well as in the United

States. The pelts marketed in the United States have come mainly from animals not suitable for breeding, from those meeting accidental death or dying from disease, and from culls. The duty on live silver foxes is 15 per cent ad valorem, and on silver-fox skins, dressed or undressed, is 50 per cent ad valorem. In 1923, the number of silver foxes on Canadian fur farms was 25,186.

Catgut.—Catgut, so-called, is made from the intestines of sheep and to a lesser extent from those of hogs, and is used for surgical sutures, tennis racket strings, and strings for musical instruments. Oriental gut is made of animal sinews, silk, and glue and is used mainly for tennis racket strings. Worm gut, made from a fiber drawn from the silkworm before it spins the cocoon, is used in the manufacture

of fishing tackle.

The value of the total production of cat gut in 1921, in the form of both crude and finished strings, was estimated before the Ways and Means Committee at about \$2,500,000. Total imports in 1924 amounted to \$218,768, distributed as follows: Catgut, whip gut, and oriental gut, unmanufactured, \$110,990; manufactures of catgut and worm gut, \$28,885; and gut strings for musical instruments, Imports come chiefly from Japan, Germany, and England. Under the tariff act of 1922 catgut and manufactures thereof are dutiable at 40 per cent ad valorem.

Wood wind musical instruments.—Published statistics relating to musical instruments give no details as to the kind, number or value of the different wood wind instruments produced or imported. tic production, as reported by manufacturers whose output constitutes about 90 per cent of all wood wind instruments made in the United States, was 5,987 in 1923, and 6,116 in 1924. The records at the customhouse, New York City, show that 3,917 wood wind instruments were imported through that port in the first six months

of 1923, and 6,416 in the corresponding period in 1924. Clarinets, the most important of all the wood wind instruments, made up about 65 per cent of the domestic production and about 80 per cent of imports. France furnished more than 80 per cent of the imports. Bassoons, the least important from a numerical standpoint, are almost all imported, less than 10 being produced in the United States in 1924. Germany furnished about 70 per cent of the bassoons imported in 1924. Wood wind musical instruments, including clarinets, oboes, bassoons, flutes, and piccolos, are dutiable under paragraph 1443 of the tariff act of 1922 at 40 per cent ad valorem as musical instruments not specifically provided for.

INVESTIGATION IN PROGRESS

Brierwood pipes.—An investigation with respect to brierwood pipes for the purposes of section 315 was instituted by the commission on May 4, 1923. Some preliminary field work was done in connection with the preparation of cost and other schedules. The investigation was suspended, however, awaiting the results of an investigation, under the provisions of section 316 of the tariff act of 1922, with respect to alleged unfair competition. (See p. 7.) After a public hearing and the filing of briefs in connection with the investigation under section 316, interested parties requested the commission to resume the investigation for the purposes of section 315. In the fall

of 1924, the commission instructed one of its representatives, who was then in Europe, to obtain cost data and other information with respect to the production of brierwood pipes in France and England. A preliminary report, summarizing the information thus obtained and the available domestic data is now in course of preparation.

INVESTIGATION COMPLETED

Men's sewed straw hats.—On May 29, 1924, the commission instituted an investigation for the purposes of section 315 with respect to men's sewed straw hats. During a preliminary public hearing, held June 12, 1924, competition was shown to be principally between the foreign and domestic men's sewed straw hats, known as "sennits." Domestic and foreign field work, therefore, was confined to sennit hats of the three varieties—split, improved, and flatfoot—which constitute the bulk of the sewed straw hats produced in the United States as well as of those imported. The domestic costs obtained covered more than 20 factories located in Baltimore, New York City and vicinity, Massachusetts, and Connecticut. The total production of the manufacturers who furnished cost data represented approximately 85 per cent of the cheap, medium, and high-priced varieties of men's sewed straw hats produced in the United States. Foreign cost data were obtained in Italy, the principal competing country, from five factories shipping about 90 per cent of all men's straw hats coming from Italy to the United States. Costs were also obtained from three factories in England and from one in Germany. foreign field work, which required about five months, was completed in February, 1925.

The cost and other data collected in this investigation were summarized in a statement of information issued by the commission on March 31, 1925, for use in connection with the public hearing held at the office of the commission on May 14, 15, and 16, 1925. The commission's final report on this subject has been completed.

XIII. ADMINISTRATIVE WORK OF THE COMMISSION

(1) FINANCES, APPROPRIATIONS

The commission has heretofore reported that the annual appropriations for its maintenance are inadequate to enable the commission to discharge fully the duties explicitly imposed upon it by the law which defines its functions. The appropriation for the fiscal year 1924 was \$742,000; that for 1925 was \$683,240; for the present year \$721,500; and for the fiscal year 1926 the Budget estimate as approved and submitted to the Congress is \$699,000. These reductions of amounts available for the necessary expenses of the commission necessarily restrict the scope of its activities and prevent the employment of a force of employees sufficient to prosecute its work with that celerity highly desirable in the dispatch of the business which is presented for its consideration.

In order, therefore, that the commission may be enabled the more fully and expeditiously to discharge its duties and to avoid the tedious delays which are irksome to the industries of the country which look to it for assistance and relief, it is respectfully suggested that serious ocnsideration be given to the enlargement of the appropriations for this purpose.

The expenditures made, including incurred obligations, by the commission for the fiscal year ended June 30, 1925, were as follows:

Salaries:	
6 commissioners	\$43, 458. 33
Employees	
Field expenses of investigations:	
In the United States	26, 447, 67
In foreign countries	
Books of reference and publications	
Printing and binding	9, 585, 83
Telephone and telegraph	
Rent of offices (foreign)	
Repairs and alterations	
Office equipment, supplies, miscellaneous expense	13, 032. 28
Total	629, 117, 62

(2) PERSONNEL

The personnel of the commission's organization now consists of six commissioners and the secretary, as provided by law, and 194 technical experts and other employees. These are all allocated under the provision of the classification act of 1923, as is shown in the appended table.

Allocations of the Tariff Commission personnel in the District of Columbia as of June $30,\ 1925$

Designation	Number	Service	Grade
Commissioners.	5	C. A. F.1	14
Chief investigator		do	13
Secretary		do	12
SecretaryAssistant chief accountant and auditor	l ĩ	do	11
Assistant chief investigator	l ĩ	do	11
Assistant chief investigatorSenior administrative assistant	ī	do	
Accountants and auditors	4	do	9 9 7 7
Assistant accountants and auditors		do	7
Assistant editor		do	7
		do	6
Principal clerks	ĺ	do	
Senior clerks		do	6 5 5
Head stenographer	1	do	5
Senior clerk stenographers Senior accountants and auditing assistants	6	do	5
Senior accountants and auditing assistants	13	do	5
Clerks	.1 18	do	4
Clerk stenographers	6	do	4
Clerk stenographers Principal stenographers	. 2	do	. 4
Dince drausman	. 1	do	4
Assistant clerk stenographer	. 1	do	3
Assistant clerks	. 12	do	
Senior stenographers	. 11	do	8
Junior operators, office devices.	. 4	do	
Junior stenographers	.] 5	do	2
Junior clerk typist Under operator, office devices.	. 1	do	
Under operator, office devices	. 1	do	
Under clerk	. 1] :
Senior economic analysts	. 5	P. & S.2	
Senior attorney	. 1	do	
Economic analysts	. 20	do	4
Associate economic analysts	. 19	do	;
Assistant economic analysts	. 14	do	:
Assistant librarian		do	\ :
Junior economic analyst	. 3	do	
Junior librarian	. 1	do	
Under library assistant	. 1	S. P.3	:
Junior mechanic	_ 1		
Messengers		do) :

Clerical, administrative, and fiscal service.
 Professional and scientific service.
 Subprofessional service.

[·] Custodian.

A comparison of the personnel of the commission as of June 30, 1924, with that as of June 30, 1925, is shown in the table below:

	June 30, 1924	June 30, 1925
Commissioners		5 1
Chief investigator.	1 103	1 1 100
Clerks, including stenographers and typists Clerks assigned to commissioners Duplicating machine operators Telephone operators and stock clerks	77	75 5 3
Telephone operators and stock clerks. Messengers Skilled laborers	2 6 1	2 7 1
Total	208	201

The following changes in personnel have occurred during the fiscal year ended June 30, 1925:

Appointments: Permanent employees Temporary employees	20 19
Total	39
Separations: Resignations	
Resignations 28 Temporary employments completed 18	
Total	46
Net reduction of staff	7

(3) THE LIBRARY

The library consists of 7,117 bound volumes, and some 6,000 unbound pamphlets. During the year 432 new books and 345 newly bound periodicals and pamphlets were added, making a total of 777 accessions. The periodical section consists of 377 current trade, technical, and government publications.

The library was used by the commission's staff, as well as by other departments and officials in Washington, circulating in all 46,336 books and periodicals. This is an increase of 2,213 over 1924.

The Library of Congress, the department libraries, and the Public Library of the District of Columbia were freely drawn upon for

books and periodicals.

Because of the crowded condition in both the reading room and the stack room, it has become impossible to store all library books in their proper places and, in order to relieve the congestion, many volumes of trade periodicals have to be sent to the commodity sections to be stored by them.

Respectfully submitted.

Thomas O. Marvin,
Chairman.

Alfred P. Dennis,
Vice Chairman.

Edward P. Costigan,
Henry H. Glassie,
A. H. Baldwin;
E. B. Brossard,
Commissioners.

XIV. APPENDICES

APPENDIX 1. INDUSTRIES REQUESTING TARIFF INVESTIGATIONS BY THE UNITED STATES TARIFF COMMISSION

Table I.—Applications received by the United States Tariff Commission for investigations under provisions of sections 315, 316, 317, and 318 of the tariff act of 1922

APPLICATIONS UNDER SECTION 315

Paragraph No.	Commodity	Date of application	Nature of request	Status
	SCHEDULE 1.—Chemicals, oils, and paints			
1	Formic acid	Sept. 27, 1922	Increase	Withdrawn.
1	Oxalic acid	Sept. 29, 1922	do	\Investigation com-
	do	Apr. 4, 1923	Decrease	
1	Tartaric acid.	Mar. 17, 1925	Increase	
1 and 5		Dec. 16,1922 Jan. 12,1923	Decrease.	Investigation ordered. Investigation not ordered.
2	do	Sept. 6,1924	do	Do.
4	Methanol	May 14, 1925	Increase	Investigation ordered.
5	Barbituric acid	Sept. 19, 1922	Duty on Ameri-	Investigation com-
			can selling price.	pleted (see Table II).
5	•	Apr. 17, 1923	Increase	Investigation not or- dered.
5		June 9, 1924	do	Pending.
5			do	Investigation ordered.
5	do	Feb. 10, 1925	do	Do. Do.
7		Oct. 25, 1922	Decrease	Investigation not or-
	1		}	dered.
9		Apr. 7, 1925	Increase	Pending.
12		Oct. 16, 1922	do	Investigation co
12		Jan. 22, 1923	Decrease	pleted (see Table II).
12 12	Barium carbonate, precipi-	Dec. 1,1923 Feb. 20,1925	Increase	Pending.
14	tated.	100. 20,1020	Increase	rending.
19		Dec. 19, 1922	Decrease	Investigation ordered.
19		Apr. 13, 1923	go	Do.
	do	July 2, 1923	do	Do.
25	Calcium arsenatedodo.	Jan. 13,1923	do	Investigation not or- dered.
25		Jan. 14,1924 Jan. 17,1923	do	Withdrawn. Investigation not or-
	İ	,		dered.
26		- '	Duty on American selling price.	Withdrawn.
26	Thymol	Mar. 21, 1923	Increase	Investigation ordered
				under "general pow-
				ers" of the commis-
26	Thymol crystals	Mar. 17, 1923	do	Do.
27	Cresylic acid	May 3, 1923	Decrease.	Investigation ordered.
27	do	May 3, 1923 Nov. 12, 1923	do	Do.
27	do	do	do	Do.
27	do	Nov. 15, 1923	do	Do.
21 97	do	Nov. 14, 1923 Nov. 13, 1923	do	Do.
27	do	Nov. 15, 1923	do	Do. Do.
27	do	May 4, 1923	do	Do. Do.
27	Ethyl benzol	July 25, 1925	do	Pending.
27	do	Aug. 5, 1925	do	Do.
27	Novadelox or benzoyl- peroxide.	Sept. 30, 1922	do	Investigation not or- dered.
27	Phenol.	Apr. 18, 1923	ldo!	Investigation ordered.

Table I.—Applications received by the United States Tariff Commission for investigations under provisions of sections 315, 316, 317, and 318 of the tariff act of 1922—Continued

		1		
Paragraph No.	Commodity	Date of ap- plication	Nature of request	Status
	Schedule 1.— Chemicals, oils, and paints—Con.			
28	Biological stains	Sept. 22, 1922	Increase	Investigation not or- dered.
28 28	Certain coal-tar dyes Indigo, natural	Oct. 12, 1922 Nov. 8, 1922 Dec. 28, 1922	Decreasedo	Pending. Do.
28 36	Phenolic resin Licorice root	Dec. 28, 1922 Jan. 29, 1925	Adjustment of	Investigation ordered. Pending.
39 39	Logwood extractQuebracho extract	Sept. 28, 1922 Nov. 3, 1922	duty. Increase Decrease	Investigation ordered. Investigation not ordered. dered.
4242	Agar-agar Casein glue	Oct. 31, 1922 Aug. 14, 1923	do	Do. Pending.
42	Edible gelatin	Dec. 22, 1924	Increase	Investigation ordered.
42	Fish glue	Mar. 1,1923	Decrease	Investigation not or- dered.
42 44.	Glue Inks, printing and lithograph.	June 14, 1924 Apr. 14, 1925	Increasedo	Investigation ordered. Pending.
48	Licorice extract	Apr. 14, 1925 Jan. 29, 1925	Adjustment of duty.	Do.
50 53	Chloride of magnesium Animal fats	July 26,1923 Apr. 26,1923	Increase Decrease	Do. Investigation ordered.
53 53	Fish oils	Apr. 28, 1923 Mar. 16, 1923	do	Do. Do.
53	Fish oils Herring oil	do	do	Do.
53 54	Whale oil Linseed oil	do Mar. 10, 1923	do	Do.
54	00	Apr. 18.1923	do	Investigation com-
54 54	do	May 5, 1923 Dec. 4, 1923	Increase	pleted.
54	Olive oil	Dec. 4, 1923 Dec. 22, 1922	Decrease	Investigation ordered.
54, 55	do	Mar. 10, 1924 Apr. 18, 1923	Increase Decrease	Do. Do.
54, 55	do	Apr. 18, 1923	do	Do.
54. 55	do	Apr. 23, 1923	do	Do. Do.
54, 55	_do _	Apr. 26, 1923	do	Do.
55	do Coconut oil	Apr. 28, 1923 Feb. 2, 1923	do	Do. Do.
-55	Cottonseed oil	Apr. 18, 1923 Apr. 26, 1923 Mar. 15, 1923	do	Do.
55	Peanut oil	Mar. 15, 1923	do	Do. Do.
55	Peanut oilSoy-bean oil	Mar. 16, 1923	do	Do. Do.
55 55	do	Apr. 18, 1923 Apr. 26, 1923	do	D0. D0.
59	Cajeput oil	May 2, 1923	do	Investigation not or- dered.
61	Mustard oil	Oct. 9, 1922	Duty on Ameri- can selling price.	Do.
71 73	Bone blackLampblack.	Apr. 17, 1923	Decrease Increase	Do. Do.
75	Oxide of iron	Feb. 8, 1923 Jan. 15, 1924	do	Pending.
77	Varnish Potassium chlorate	Mar. 24, 1923	Decrease	Do.
80	Potassium emoratedodo	Feb. 17.1923	Increase	Investigation com-
80	do	Mar. 7, 1923 Sept. 29, 1922	do	pleted (see Table II).
83	Formate of soda	Dec. 20, 1923	Decrease	Pending. Investigation not or- dered.
83	Sodium nitrite	Oct. 12, 1922	Increase	Investigation com- pleted (see Table II).
87	Strontium nitrate	Feb. 4, 1925	do	Investigation not or- dered.
91	Titanium potassium oxalate.	Feb. 16, 1925	do	Pending.
	SCHEDULE 2.—Earths, earth- enware, and glassware	,	·	,
202	Tiles	May 28, 1925	Increase	Pending.
204	Magnesite	Oct. 27, 1924 Nov. 13, 1924 Apr. 30, 1923	}do	Investigation ordered.
204	do	Apr. 30. 1923	Decrease	Do.
204	do	Aug. 21, 1923 Feb. 28, 1924	do	Do.
206	Pumice stone China clay	Feb. 28, 1924 Oct. 29, 1924	Increase	Pending. Do.

Table I.—Applications received by the United States Tariff Commission for investigations under provisions of sections 315, 316, 317, and 318 of the tariff act of 1922—Continued

Paragraph No.	Commodity	Date of application	Nature of request	Status
110.		prication		
	SCHEDULE 2.—Earths, earthenware, and glassware—Con.			
	enware, and glassware—Con.			
207	Fluorspar	Apr. 27, 1925	Increase	Pending.
208	Mica	Dec. 11, 1922	do	Do.
212 212	Chemical stoneware China	June 18, 1923 June 7, 1923	Decreasedo	Do. Investigation ordered.
213	Graphite	Oct. 2, 1922	Increase	Pending.
213	do	Oct. 3, 1922	do	Do.
213 213	do	Dec. 6, 1922 Mar. 24, 1925	Decrease	Do. Do.
214, 1429	Diamond dies	Feb 8 1923	do	Do. Do.
214	Feldspar Clinical thermometers	May 21, 1925	do	Do.
218	Clinical thermometers	Dec. 18, 1924	Increase	Do.
218	Glass-stoppered bottles	Nov. 17, 1925	Assessed on Ameri- can selling price.	Do.
218	Perfume bottles	Nov. 23, 1925	do	Do.
229	Electric-light bulbs	Sept. 25, 1922	Increase	Do.
229 229	Tungsten electric lamps	Dec. 12, 1923	do	Do. Do.
223	Mirrors	May 15, 1923 Nov. 16, 1922	Decrease	Investigation ordered.
230	Stained-glass windows	Oct. 6, 1922 Feb. 1, 1924	Increase	Pending.
232, 233	Finished marble	Feb. 1, 1924	do	Do.
233	Agate rings for fishing lines— unmounted.	June 15, 1925	Adjustment of duty.	Do.
235	Manufactures of, and un-	Apr. 16, 1924	Increase	Investigation ordered.
	manufactured granite.			•
	SCHEDULE 3Metals and			
	manufactures of			
001	.		<u>_</u>	
301 302	Pig iron Ferromanganese	Dec. 13, 1922	Increase	Investigation ordered. Withdrawn.
302	Manganese	June 6, 1925	do	Do.
302, 304, 305	Tungsten and alloys	May 15, 1925	Increase	Pending.
303, 304	Bars of iron and steel	May 1, 1925	do	Do.
303, 304	do	June 1, 1925 Sept. 1, 1925	do	Do. Do.
304	Beams	May 1, 1925	do	Do.
304	Billets	June 1,1925	do	Do.
304	Ingots	Apr. 29, 1925	Investigation under sec. 315.	Do.
304	do	June 1, 1925	Increase	Do.
308	Steel sheets	Sept. 1, 1925	do	Do.
309	Steel plates	Apr. 29, 1925	Investigation under sec. 315.	Do.
312	Angles	May 1, 1925	Increase	Do.
312	do	June 1, 1925	do	Do.
312	do	Sept. 1, 1925	do	Do.
312 312	ChannelsGirders		do	Do. Do.
312	Joists	do	do	Do. Do.
312	Light shapes	Sept. 1, 1925	do	Do.
313, 314 315	Bands Wire rods	June 1, 1925 Sept. 1, 1925	do	Do. Do.
316	Wire	do	do	Do. Do.
31 8	Wire cloth	May 23, 1925	do	Do.
328	Corrugated furnaces	Nov. 22, 1922	Decrease	Do.
331 339	Wire nails Utensils	Sept. 1, 1925 Apr. 29, 1925	Increase Investigation un-	Do. Do.
•			der sec. 315.	20.
340	Jewelers' saws	May 3, 1923	Decrease	Investigation not or-
349	Umbrella frames	Oct 28 1022	Increase	dered.
342	Latch needles	Oct. 26, 1922 June 12, 1925	Increasedo	Pending. Do.
343	Needle cases	Mar. 27, 1923	Decrease	Investigation not or-
244	A goto pings for fishing line-	Tuno 5 1005	A dimeter + - + 3	dered.
344	Agate rings for fishing lines, mounted.	June 5, 1925	Adjustment of du- ties.	Pending.
344	Fishing tackle	July 9, 1923	Increase	Do.
348	Snap fasteners	Mar. 9, 1923	do	Do.
355 358	Cutlery of stainless steel Razor blades	Jan. 29, 1923 Oct. 31, 1922	Decreasedo	Withdrawn.
				Referred to Treasury Department.
360	Drawing instruments	Sept. 27, 1922	Increase	Pending.

Table I.—Applications received by the United States Tariff Commission for investigations under provisions of sections 315, 316, 317, and 318 of the tariff act of 1922—Continued

Paragraph No.	Commodity	Date of application	Nature of request	Status
	SCHEDULE 3.— Metals and manufactures of—Continued			
360	Scientific instruments	Apr. 23, 1923	Decrease	Investigation under
	_	• •	ú	"general powers."
360 362	Swiss pattern files	June 15, 1923 Nov. 22, 1922	Increase	Do. Investigation ordered.
366	Parts of automatic pistols Escapements	Oct. 22, 1925 Dec. 8, 1922	Decrease	Pending.
368 368	Taximeters	Dec. 30, 1922	Increase	Do. Investigation completed.
372 372	Hosiery machines Spindles and flyers	July 8, 1925 Nov. 22, 1922	Decrease	Pending. Investigation not ordered.
372	Woolen cards	Nov. 22, 1924	do	Pending.
375	Metallic magnesium	May 26, 1923 June 1, 1923	do	Investigation ordered. Investigation com-
		i -	,	pleted.
383	Print rollers	June 6, 1923 Dec. 1, 1922	do	Do. Do.
399	Aluminum pigeon bands	Dec. 6, 1922	Duty on Ameri-	Investigation not or-
399	Christmas tree light reflectors.	May 4, 1925	can selling price.	dered. Pending.
399	Knife blanks	Oct. 25, 1922	Decrease	Do.
	Schedule 4.— Wood and manufacturers of			
401	Logs, Canadian		Decrease	Investigation ordered (see Table II).
401	do	Apr. 30, 1923 May 2, 1923	do	Do. Do.
403	Cabinet logs and lumber	Dec. 20, 1922	do	Pending.
403	Logs, lignum-vitæ	Feb. 5, 1923	Increase Decrease	
403	Veneers of wood	Aug. 14, 1923	do	Do.
407		Feb. 14, 1923 Apr. 19, 1923	Increasedo	Do. Investigation ordered.
410	do	Aug. 11, 1923	Duty on Ameri- can selling price.	Do.
	do	Sept. 13, 1923	Increasedo	Do. Do.
410	Furniture	Dec. 20, 1924	do	Pending.
410	Paint-brush handles		Decrease Increase	
410	Spring clothespins		Increase	rending.
	and manufactures of			
502	1	Sept. 20, 1924 Sept. 25, 1924 Oct. 3, 1922	Decreasedo	Investigation under "general powers." Do.
502	Sugar	Nov. 16, 1922	do	Investigation com-
503		1	do	Investigation under "general powers."
503			مة ا	.l Do.
504		Dec. 16, 1922	Duty on Ameri-	Investigation ordered.
	Schedule 7.— Agricultural products and provisions		can selling price.	
701	Beef	Dec. 2, 1924	Increase	
701	Cattle and livestock		Decrease	
701	do	Jan. 5, 1924	Increase	Do.
701	do	Feb. 17, 1925	do	
701 701	do	Apr. 18, 1925	do	_ Do.
701	_ Meat	Jan. 5, 1924	Decrease	
701 701	_ do	. Apr. 18, 1923	do	Do.
701	- do	Apr. 2, 1925	Increase	Do.
701	Dairy products	- Apr. 18, 1925	do	Pending.

Table I.—Applications received by the United States Tariff Commission for investigations under provisions of sections 315, 316, 317, and 318 of the tariff act of 1922—Continued

Paragraph No.	Commodity	Date of ap- plication	Nature of request	Status
	Schedule 7.—Agricultural products and provisions—Continued			
709 709	Butterdo	Mar. 10, 1924	Increase	Investigation ordered. Do.
709	do	May 23, 1924	do	Do.
710	Cheese and substitutes	do	do	Pending (see Swiss
711	therefor. Bobwhite quail	May 19, 1925	Decrease	cheese. Table II). Investigation c o m - pleted (see Table II.)
711	Ornamental birds	June 9, 1925 Oct. 31, 1922	do	Pending.
711	Wild or game birds 1	Oct. 31, 1922	do	Investigation not or- dered (see Bobwhite quail, Table II).
713	Eggs	Tuna 20 1025	Increase	quail, Table II). Pending.
713	Eggs, dried or frozen	June, 20, 1925 Sept. 30, 1925	dodo	Do.
717. 718	Fish	Jan. 5, 1923 Feb. 9, 1924 Jan. 27, 1925	Decrease	Do.
717, 718	do	Feb. 9, 1924	Increase	Do.
717	Lake fish	Jan. 27, 1925	do	Investigation ordered under "general
m17	g 1	4 04 1007	D	powers."
717	Salmon Salmon from Canada	Aug. 24, 1925 May 20, 1924	Decreasedo	Pending. Do.
718	Kippered herring	May 20, 1924 Aug. 24, 1925	do	Do.
719	Finnan haddie	ao	do	Do.
720	Sardinesdo	Sept. 9, 1925 Sept. 21, 1925	Increasedo	Do. Do.
720, 721	Fish, canned	Sept. 28, 1922	Decrease	Do.
723	Buckwheat	Ian 24 1924	Increase	Do.
724	Corn	Sept. 5, 1925 Aug. 25, 1924 Apr. 28, 1924	do	Do. Do.
725	Alimentary pastes	Apr. 28, 1924	do	Do.
725	Alimentary pastesdo	Sept. 19, 1924	do	Do.
729	Wheat	Nov. 1, 1923	do	Investigation completed (see Table II).
729	do	Nov. 28, 1923	do	Do.
736 737	Raspberries, wild Cherries, glacé	Feb. 23, 1924 July 5, 1923	Decrease	Pending. Do.
737	Cherries, partially prepared. Citron, candied	Apr. 29, 1925	do	Do.
739 742	Citron, candied	Oct. 28, 1924 Jan. 31, 1923	Adjustment of rates.	Do. Do.
744	Olives	May 12, 1925	Increase	Do.
746	Pineapples	Oct. 26, 1923	Decrease	До.
749	Plantains	Apr. 29, 1924 Oct. 23, 1922	Increase	Do. Investigation not or-
		1		dered.
749 751	Flowers out	Oct. 31, 1922 Nov. 24, 1922 Sept. 23, 1922	do	Do. Pending.
756	Flowers, cut Coconuts, desiccated	Sept. 23, 1922	Increase	Do.
757	Peanuts	May 2, 1923	Decrease	Do.
757	Cottonseed.	Sept. 1, 1925 Sept. 26, 1922	Increase	Do. Investigation not or-
••••	C ONTOHOCOU		_ 0010a00	dered.
760	qo	Nov. 11, 1922	do	Do.
760	Flaxseed	Dec. 21, 1922 Nov. 28, 1923	Increase	Do. Pending.
761	Sorghum seed	Oct. 25, 1922	Decrease	Investigation not or- dered.
761	Clover seeddo	Jan. 17, 1925	Increase	Pending.
761 761	do	Feb. 9, 1925 Feb. 20, 1925	do	Do. Do.
766	do Mushrooms	Oct. 17, 1922	Decrease	Investigation not or-
		l	1 _ 1	dered.
766	Split peas	Feb. 21, 1923 May 28, 1924	Increase	Do. Pending.
771	Turnips	Aug. 3, 1925	do	Do.
773	Pickle onions	Mar. 14, 1925	do	Do.
775	Cocoa butter	July 8, 1924 Mar. 21, 1923	Decrease	Do. Do.
778	Hopsdo_	Apr. 9, 1923	do	Do. Do.
778	do	Apr. 11, 1923	do	Do.
778	Cloves and clove stem	Sept. 30, 1922	do	Do. D o .
770				
779 779	Raw materials for animal	Mar. 11, 1924	do	Do.

^{1 118} other applications on the same commodity.

Table I.—Applications received by the United States Tariff Commission for investigations under provisions of sections 315, 316, 317, and 318 of the tariff act of 1922—Continued

Paragraph No.	Commodity	Date of application	Nature of request	Status
	SCHEDULE 9.— Cotton manu- factures			
903 903_906 903_906 903_906	Nankin ticking Cotton cloth	Mar. 6.1925	Increase Investigation Increasedo	Pending. Do Withdrawn. Do.
903-906 903-906 903, 904, 906, 921.	Cotton shirtings Cotton goods	Sept. 29, 1922 May 12, 1924	Decrease	Do. Pending. Do.
912 912 913	Spreads and quilts Cotton manufactures Woven labels	Oct. 19, 1922 Apr. 29, 1925 Dec. 12, 1923	Decrease Investigation Duty on American selling price.	Withdrawn. Pending. Do.
915	Fabric gloves	Jan. 16, 1923	Increase	Investigation com- pleted.
915 916	Hosiery	Apr. 29, 1925 Jan. 15, 1923	Investigation Duty on American selling price.	Pending. Investigation ordered.
916 921	do	Apr. 29, 1925 May 7, 1924	Investigation Increase	Do. Pending.
	SCHEDULE 10.—Flax, hemp, or jute, and manufactures of			
1001	Crin vegetal, or African fiber.	Apr. 9, 1923 Feb. 25, 1924	Decreasedo	Pending. Do.
1001	Hemp	Mar. 12, 1923	Increase	Do.
1022 1022	Rice straw rugs	Jan. 17, 1924 Dec. 3 1924	do	Do. Investigation ordered.
1023	Cocoa mats	Dec. 3, 1924 Nov. 7, 1925	do	Pending.
	Schedule 11.—Wool and manufactures of			
1101	Camel hair Wools, Class III	Nov. 24, 1922	Decreasedo	Pending. Do.
1101 1107 1108	Worsted yarn Bedford cord	Sept. 27, 1922 May 28, 1925 Mar. 23, 1923	Increase Decrease	Do. Do. Investigation not ordered.
1108, 1109 1108, 1109 1111	Worsted cloth Woven fabrics Blankets	Apr. 29, 1925	Increase Investigation	Pending. Do. Do.
1114	Gloves and mittens	oħ.	do	Do.
1115	Wearing apparel for men Wool crepe	Dec. 6, 1924 Sept. 5, 1923	Increasedo_	Do. Do.
	SCHEDULE 13.—Papers and books			
1304	Cellucotton	Apr. 18, 1924	Increase	Pending.
1305 1305 1307, 1308	Decalcomanias Paper with coated surface Papeteries	May 28, 1925 Aug. 14, 1923 May 5, 1924	Decrease Duty on Ameri-	Do. Do. Do.
1310	Maps	Dec. 1, 1922	can selling price. Decrease	Do.
1310 1313	Rag books	Dec. 15, 1922 Nov. 8, 1922	Increase	Do. Investigation completed.
	SCHEDULE 14.—Sundries			P-0004.
1401	Asbestos shingles	Apr. 13, 1923	Increase	dered.
1403, 1430 1406	Beaded bags Harvest hats	Oct. 28, 1922	Decrease Reclassification	Pending. Referred to Treasury Department.
1406	Men's sewed straw hats	Sept. 1, 1923	Increase	Investigation com- pleted.
1406 1406 1410	Straw braids for hats Buttons, horn	Sept. 6, 1924 May 22, 1924 Mar. 23, 1923	Decrease	Do. Pending. Investigation not ordered.
1411	Agate button molds Cork insulation in slabs, boards, etc.	Jan. 16, 1923 May 31, 1924	Increase	Do. Pending.
1412 1414-399 1419	Toy noveltiesArtificial flowers	Mar. 18, 1925 Nov. 21, 1924 Sept. 21, 1922	do	Do. Do. Investigation ordered.

Table I.—Applications received by the United States Tariff Commission for investigations under provisions of sections 315, 316, 317, and 318 of the tariff act of 1922—Continued

Paragraph No.	Commodity	Date of application	Nature of request	Status
	SCHEDULE 14.—Sundries— Continued			
1419	Immortelles	Oct. 31, 1922	Decrease	Investigation ordered; included with artifi- cial flowers.
1420	Silver fox skins	Nov. 21, 1924	do	Pending.
1420	Furs and fur skins.	Oct. 25, 1922	Increase	
1420, 1421 1428	Hatters' fur and rabbit skins Mesh bags	May 4, 1923 Aug. 25, 1923	Decrease	Investigation not or-
1428	do	Nov. 26, 1923	Decrease	dered. Do.
1430	Lace curtains	Nov. 11, 1922	do	Investigation ordered.
1430 1430	Mosquito bars Trimmed hats	Oct. 23, 1922 Apr. 25, 1923	do	Do. Investigation not or-
	Trimined nats	- :		dered.
1431 1431	Buckskin Pigskin	Mar. 23, 1923 Mar. 5, 1923	Reclassification	Do. Referred to Treasury Department.
1432	Leather leggins	Mar. 26, 1924	Increase	Pending.
1432	Moccasins.	Nov. 25, 1922	Decrease	Investigation not or- dered.
1433		Oct. 6, 1922	Reclassification	Pending.
1434	Raw gut	Oct. 6, 1922 Oct. 17, 1922	Decrease	Do.
1434	Gas mantles	Sept. 12, 1925 Sept. 28, 1922	Increase Decrease	Do. Do.
1435	do	Sept. 28, 1922 Sept. 13, 1923	Duty on American selling price.	Do.
1443	Pipe organs	Sept. 26, 1922	Increase	Do.
1443	Titz-Kunst-harmonium	Dec. 14, 1922	Decrease	Investigation not or-
1443	Violins	Oct. 30, 1922	do	dered. Do.
1443	Wood wind musical instru- ments.	Oct. 20, 1924	Increase	Pending.
1443	do	Oct. 31, 1924	do	Do.
1443	Crayons or fusains	Nov. 5, 1924	do	Do.
1451	Crayons or iusainsdodo	Feb. 15, 1923 Apr. 25, 1923	Decreasedo	Do. Do.
1451	do	Apr. 26, 1923	do	Do.
	do	Apr. 27, 1923	do	Do.
1453	Cameras.	June 7, 1923 Oct. 26, 1922	Adjustment of	Do. Investigation not or-
1453	35-4:	T3.5 00 1004	rates.	dered.
1454	Motion-picture films Smokers' articles of phenolic resin.	Feb. 29, 1924 Jan. 15, 1923	Increase Duty on Ameri- can selling price.	Pending. Investigation ordered.
1456	Umbrella handles and canes.		Increase	Pending.
	Yachts	Oct. 26, 1922	Different duty on yachts brought over on steamer	Investigation not or- dered.
			and those	
			brought over on their own bot-	
	•		toms.	
	SCHEDULE 15.—Free list			
1504	Cream separators	Nov. 11, 1922	Decrease	No jurisdiction.
1589	Hides	Dec. 2, 1924	Increase	Do.
1607	Shoes Dried shrimp	May 18, 1923 Jan. 13, 1923	do	Do. Do.
2002:::::::::	Diloc Sillimperature	0411. 10, 1020		ъ.
	APPLICATIO	NS UNDER	SECTION 316	
	Company 1 Chamies 1-			
	Schedule 1.— Chemicals, oils, and paints			
1, 9	Tartaric acid	Mar. 12, 1923	Investigation	Pending.
54	Olive oil	May 19, 1924	re dumping. Protection against unfair competi-	Do.
	SCHEDULE 2.—Earths, earth-		tion.	
	enware, glassware			
205, 1543	Portland cement	May 5, 1924	Investigation re unfair competi- tion.	Pending.

Table I.—Applications received by the United States Tariff Commission for investigations under provisions of sections 315, 316, 317, and 318 of the tariff act of 1922—Continued

No.	Commodity	Date of ap- plication	Nature of request	Status
	SCHEDULE 3.— Metals and manufactures of	M. Prick Control of the Control of Control o		
316	Wire rope	July 1, 1925	Relief from unfair methods of im-	Referred to Treasury Department.
366	Revolvers	May 28, 1923	portation. Protection	Investigation com pleted.
399	Wrenches	Dec. 26, 1924	Complaintagainst unfair competi- tion.	Pending.
·	SCHEDULE 7.—Agricultural products and provisions		WOD.	
746	,	Apr. 29, 1924	Protection against unfair competition.	Pending.
	Schedule 9.—Cotton manufactures			
921	Sanitary napkins	Apr. 18, 1924	Protection	Investigation ordered and hearing held.
	Schedule 13.—Paper and manufactures			and howing words
1310	Printing and engraving SCHEDULE 14.—Sundries	Jan. 17, 1923	Protection against unfair competi- tion.	Pending.
1428		June 7, 1924	Relief under sec.	Pending.
1443			316. Protection against unfair competi-	Referred to Treasury Department.
1454	Brierwood pipes	Jan. 4, 1923	tion. Protection against unfair acts in	Investigation ordered and hearing held.
	Artificial teeth facings and backings.	Feb. 9, 1925	importation. Relief from unfair methods of com- petition.	Pending.
			1	
	APPLICATIO	NS UNDER	SECTION 317	
	APPLICATIO Schedule 1.—Chemicals, oils, and paints	NS UNDER	SECTION 317	
	Schedule 1.—Chemicals, oils, and paints Magnesium carbonate	Nov. 15, 1922	Investigation rediscrimination.	taken.
55 80, 83	SCHEDULE 1.—Chemicals, oils, and paints Magnesium carbonate Cottonseed oil	Nov. 15, 1922 Jan. 10, 1923 Oct. 26, 1922	Investigation rediscrimination.	Do. Do.
55 80, 83 80, 83	Schedule 1.—Chemicals, oils, and paints Magnesium carbonate Cottonseed oil	Nov. 15, 1922 Jan. 10, 1923 Oct. 26, 1922 Oct. 26, 1922	Investigation rediscriminationdo	taken. Do.
55 80, 83 80, 83	Schedule 1.—Chemicals, oils, and paints Magnesium carbonate Cottonseed oil	Nov. 15, 1922 Jan. 10, 1923 Oct. 26, 1922 Oct. 26, 1922	Investigation rediscrimination.	taken. Do. Do. Do.
55 80, 83 80, 83 83	SCHEDULE 1.—Chemicals, oils, and paints Magnesium carbonate	Nov. 15, 1922 Jan. 10, 1923 Oct. 26, 1922 Oct. 28, 1922 Nov. 10, 1923	Investigation rediscrimination.	taken. Do. Do. Do. Do.
50 55 80, 83 80, 83 369	SCHEDULE 1.—Chemicals, oils, and paints Magnesium carbonate	Nov. 15, 1922 Jan. 10, 1923 Oct. 26, 1922 Oct. 28, 1922 Nov. 10, 1923 Oct. 24, 1922	Investigation rediscriminationdodododododo	taken. Do. Do. Do. Do. Do. Investigation under taken.
55	SCHEDULE 1.—Chemicals, oils, and paints Magnesium carbonate	Nov. 15, 1922 Jan. 10, 1923 Oct. 26, 1922 Oct. 26, 1922 Nov. 10, 1923 Oct. 24, 1922 Dec. 13, 1923 Feb. 6, 1924	Investigation rediscrimination. dodododododo	taken. Do. Do. Do. Do. Investigation under taken. Investigation under taken.
55	SCHEDULE 1.—Chemicals, oils, and paints Magnesium carbonate	Nov. 15, 1922 Jan. 10, 1923 Oct. 26, 1922 Oct. 28, 1922 Nov. 10, 1923 Oct. 24, 1922 Dec. 13, 1923	Investigation rediscriminationdo.	taken. Do. Do. Do. Do. Do. Investigation under taken.
55	SCHEDULE 1.—Chemicals, oils, and paints Magnesium carbonate	Nov. 15, 1922 Jan. 10, 1923 Oct. 26, 1922 Oct. 28, 1922 Nov. 10, 1923 Oct. 24, 1922 Dec. 13, 1923 Feb. 6, 1924 Mar. 24, 1923 May 12, 1924	Investigation rediscrimination. dododododododo	taken. Do. Do. Do. Do. Investigation under taken. Investigation under taken. Do. Do. Do.

Table II.—Investigations instituted under sections 315, 316, 317, and 318 of the tariff act of 1922 and present status thereof

Schedule	Para- graph No.	Commodity	Date ordered	Present status
		SEC. 315		
Schedule 1, chemicals, oils, and paints.	1	Oxalic acid	Mar. 27, 1923	Report submitted to the President, Dec. 19, 1924. The President proclaimed increase in duty from 4 cents per pound to 6 cents
	4	Methanol	July 24, 1925	cents per pound to 6 cents per pound Dec. 29, 1924. Domestic field work com-
	1,5	Amino acids and salts	Aug. 11, 1923	pleted. Investigation temporarily
	5	Diethyl barbituric acid and derivatives there- of (barbital).	Mar. 27, 1923	suspended. Report submitted to the President Nov. 6, 1924, President proclaimed that the rate of 25 per cent ad valorem be based and assessed upon the American
	5	Sodium silicofluoride	July 24, 1925	selling price. Domestic field work com-
	12	Barium dioxide	Mar. 27, 1923	pleted. Report submitted to President May 14, 1924. President proclaimed increase in duty from 4 cents to 6 cents per pound May 19, 1924.
	19	Casein	do	per pound May 19, 1924. Final report before commission.
	27 27 28	Phenol Cresylic acid Synthetic phenolic resin_	May 4, 1923 do	Final report in preparation. Do. Investigation temporarily
	39	Logwood extract	Mar. 27, 1923	suspended. Final report before commis-
	42	Edible gelatin	July 24, 1925	Sion. Domestic field work com-
Schedule 7, agricultural products and provi-	42 53,54,55 701	Glue Animal and vegetable oils and fats.1	do }Feb. 8, 1924	pleted. Do. {Preliminary report in preparation.
sions. Schedule 1, chemicals,	54	Linseed or flaxseed oil	May 4, 1923	Investigation completed.
oils, and paints.	80	Potassium chlorate	,	Report submitted to the President Apr. 3, 1925. The President proclaimed increase in duty from 1½ cents per pound to 2½ cents per pound Apr. 11, 1925. Report submitted to President Apr. 26, 1923. President Apr. 26, 1923. President Apr. 26, 1923.
Schedule 2, earths, earthenware, and glassware.	204 201	Magnesite and magne- site brick.	}Aug. 11, 1923	dent proclaimed increase in duty from 3 cents to 4½ cents per pound May 6, 1924. [Investigation of caustic mag- nesite and magnesite brick temporarily suspended. Report on calcined magne-
	211	Table and kitchen china	Mar. 19, 1925	t site in preparation. Field work completed.
	212 222	the and earthenware. Cast polished plate glass (extension of mirror plate investigation).	May 5, 1923	Hearing held.
Schedule 3, metals and manufactures of.	223 235 301	Mirror plates Granite Pig iron		Do. Field work in progress. Preliminary report being prepared.
	362 368 375	Swiss pattern files Taximeters Metallic magnesium	July 27, 1923	Report being prepared. Investigation completed. Investigation temporarily suspended.
	383 396	Gold leaf Print rollers	Apr. 5, 1924 May 4, 1923	Investigation completed. Do.

¹ Includes 10 oils upon which specific application has been made.

Table II.—Investigations instituted under sections 315, 316, 317, and 318 of the tariff act of 1922 and present status thereof.—Continued

	•	-	·	
Schedule	Para- graph No.	Commodity	Date ordered	Present status
		SEC. 315—Continued		
Schedule 4, wood and manufactures of.	401	Logs of fir, spruce, cedar, and western hemlock.	July 2, 1923	Preliminary hearing held Aug. 6, 1923, in re author-
			Apr. 1, 1924	ity of commission to inves- gate this paragraph. Oct. 12, 1923, reported to Presi- dent and investigation dis- continued; Apr. 1, 1924, in- vestigation ordered at re- quest of President. Final report in preparation. (See seventh annual report, pp
	410	Paintbrush handles	Mar. 27, 1923	13, 14, 72-85.) Final report before commis-
	410	Bent-wood chairs	Apr. 23, 1925	Sion. Domestic field work completed.
Schedule 5, sugar, mo- lasses, and manufac- tures of.	501	Sugar	Mar. 27, 1923	Investigation completed. (See appendix, p. 116.)
varco on	504	Rare sugars	Aug. 11, 1923	Investigation temporarily suspended.
Schedule 7, agricultural products and provisions.	729, 730	Wheat and wheat prod- ucts.	Nov. 4, 1923	Report sent to President Mar. 4,1924. President pro- claimed change of rate of duty on wheat from 30 cents to 42 cents per bushel;
				wheat flour, semolina, etc., from 78 cents to \$1.04 per 100 pounds; bran, shorts, and by-product feeds, from 15 per cent ad valorem to 7½ per cent ad valorem,
	709	Butter	July 14, 1924	Mar. 7, 1924. Final report before commis-
	710 711	Swiss cheese Bobwhite quail	Aug. 9, 1924 May 19, 1925	sion in progress. Hearing ordered. Report submitted to the President Sept. 28, 1925. On Oct. 3, 1925, the President proclaimed a decrease in duty from 50 cents each
Schedule 9, cotton man- factures.	1}	Halibut Cotton gloves of warp- knit fabric.	Aug. 11, 1924 }Mar. 27, 1923	to 25 cents each. Investigation completed. [Investigation completed. (See Appendix, p. 118.)
Schedule 14, sundries Schedule 9, cotton man- factures.	915 916	Cotton warp-knit fabric Cotton hosiery		Do. Final report before commission.
Schedule 14, sundries	920 1430	}Lace ²	Oct. 25, 1923	Hearing ordered.
Schedule 10, flax, hemp, jute, and manufac-	1022	Rag rugs	Apr. 24, 1925	Domestic field work com- pleted.
tures of. Schedule 13, papers and books.	1313	Wall pockets	Mar. 27, 1923	Investigation completed.
Schedule 14, sundries	1419	Artificial flowers, ² fruits, etc.	do	Investigation temporarily suspended.
	1454	Smokers' articles of syn- thetic phenolic resin.	May 4, 1923	Do.
•	1454 1406	Brierwood pipes Men's sewed straw hats.	do May 29, 1924	Field work in progress. Investigation completed.
		SEC. 316		
Schedule 3, metals and manufactures of.	366	Certain revolvers alleged to be manufac- tured in simulation of the Smith & Wesson	June 3, 1924	Do.
Schedule 9, cotton man- factures.	921	product. Sanitary napkins	Oct. 14, 1924	Hearing held.
Schedule 14, sundries		• •	Aug. 11, 1923	Do.
2 Includes applications	on lace a	and mosquito bars.		

Includes applications on lace and mosquito bars.
 Includes applications upon 2 specific commodities,

Table II.—Investigations instituted under sections 315, 316, 317, and 318 of the tariff act of 1922 and present status thereof.—Continued

Schedule	Para- graph No.	Commodity	Date ordered	Present status
		INVESTIGATIONS INSTI- TUTED UNDER "GEN- EKAL POWERS" OF THE COMMISSION		
Schedule 1, chemicals, oils, and paints.	26	Thymol and thymol crystals.	Aug. 7, 1923	Completed.
Schedule 3, metals and manufactures of.		Copper-producing in- dustry.	Sept. 23, 1924	Investigation in progress.
	360	Scientific and drawing instruments.	Apr. 24, 1925	Do.
Schedule 5, sugar, mo- lasses, and manufac- tures of.	502, 503	Maple sugar and sirup, cane sirup, blackstrap, and edible molasses.	July 23, 1925	Field work in progress.
Schedule 7, agricultural products and provisions.	717	Fresh-water fish	Apr. 30, 1925	Do.
	764	Sugar beets	Aug. 7, 1923	Final reports being printed

Table III.—Subjects not listed for investigations under section 315

Schedule	Para- graph No.	Commodity	Status
Schedule 1, chemicals, oils, and paints.	1 2	Formic acid Aldehyde derivatives	Withdrawn. Commission voted no investigation
	5	Ichthyol	warranted at present time. Do.
	7	Ammonium chloride	Do.
	24 25	Chloral hydrate	Withdrawn. Possible production in this country small.
	1	Novadelox or benzol peroxide.	Commission voted no investigation warranted at present time.
	28 39	Biological stainsQuebracho extract	Informally suspended. Do.
	42	Agar-agar	No domestic production; informally suspended
	1	Fish glue	Commission voted no investigation warranted at present time.
	59 61	Cajeput oil	Informally suspended.
	71	Boneblack	Commission voted no investigation warranted at present time.
	73 83	Lampblack	Do.
	87	Strontium nitroto	Do
Schedule 3, metals and	302	Manganese Ferro-manganese	Withdrawn.
manufactures of.	327	(Ferro-manganese Cast-iron pipe	J
	340	Jeweler's saws	Commission voted no investigation warranted at present time.
	343	Needle cases	Informally suspended.
	355 358	Cutlery of stainless steel Razor blades	Withdrawn.
	372	Spindles and flyers	Referred to Treasury Department. Informally suspended.
	399	Aluminum pigeon bands	Do
~	399	Knife blanks	Do.
Schedule 7, agricultural products and provisions.	711		Informally suspended (see Bobwhite quail, Table II, par. 711).
	712	Sorghum seed	Informally suspended.
	749 760	Plantains	Commission voted no investigation
	766	Mushrooms	warranted at present time.
Schedule 9, cotton manu-	912	Spreads and quilts	Withdrawn
factures. Schedule 11, wool and man-	903 1108	Fine cotton cloth Bedford cord	Do. Informally suspended.
ufactures of. Schedule 14, sundries	1401	Asbestos shingles	Do.
ocacdate 11, bundites	1406	Harvest hats	Referred to Treasury Department
	1410	Horn buttons.	Informally suspended.
	1411	Agota button molde	Commission voted no investigation

Table III.—Subjects not listed for investigations under section 315—Continued

Schedule	Paragraph No.	Commodity	Statue
Schedule 14, sundries Schedule 15, free list Schedule 16, free list	1420 1428 1430 1431 1431 1432 1443 1443 1453 1453 1607 1662	Furs and fur skins	

Table IV.—Commodities upon which applications have been received but concerning which investigations have not been instituted

SECTION 315

Para- graph No.	Commodity	Nature of request	Remarks
	SCHEDULE 1.— Chemicals, oils, and paints		
1 .	Tartaric acid	Increase	
5	Hydrogen peroxide	do	
9	Cream of tartar	do	
12	Barum carbonate, precipitated	do	
27	Ethyl benzol Indigo, natural	Decrease	
28	Indigo, natural	do	
28	Certain coal-tar dyes	do	
36	Licorice root	Adjustment of duty	
42	Casein glue	Decrease	
	Tube mainting lithermanh	Turanasas	duction.
44 48	Inks, printing, lithograph Licorice extract	Adjustment of duty	
50	Chloride of magnesium	Therease	
75	Oxide of iron	do	
75 77	Varnish	Dogranso	
83	Formate of soda	Troregéa	
91	Titanium potassium oxalate		
51	Trantam posassant oxarascizzi		
	SCHEDULE 2.—Earths, earthenware, and glassware		
202	Tiles	Increase	
206			
207	China clay		_
207		do	
208	Mica	do	
212	Chemical stoneware	Decrease	
213	Graphite	Increase	
214	Diamond dies	Decrease	Apparently no domestic pro-
			duction.
214	Feldspar	do	
218		Increase	
218	Glass bottles	do	
229	Electric-light bulbs Tungsten electric lights	}do	
229	Stained-glass windows	,	
230	Finished marble	do	
232, 233 233	Agate rings for fishing lines, un-	A divergent of duty	1
200	mounted.	Adjustment of daty : : :	
	SCHEDULE 3.—Metals and manufac- tures of		
000 00-			
302, 305	Tungsten.	increase	:
303, 304	Bars of iron and steel	do	
304 304	BeamsBillets	do	
304 304	Ingots	do	
304	Steel sheets	do	
000	1 5000 51000	J	

Table IV.—Commodities upon which applications have been received but concerning which investigations have not been instituted—Continued

SECTION 315-Continued

Para-		77.	. ,
graph No.	Commodity	Nature of request	Remarks
No.			
	SCHEDULE 3. — Metals and manufactures	:	
	of—Continued		
309	Steel plates	Increase	
312	Angles.	_ do	, †
312 312	Channels	do	
312	Girders	do	
312	Light shapes	do	
313, 314	Bands	. do	
315 316	Wire rods	do	
318	Wire cloth	do	
328	Wire cloth Corrugated furnaces Wire nails	Decrease	
331 339	Wire nails	Increase	
339	Utensils	Investigation under sec. 315.	
342	Umbrella frames		
343	Latch needles	. do	
344 344	Agate rings for fishing lines—mounted. Fishing tackle	Adjustment of duties Increase	
348	Snap fasteners	do	
368	Escapements	Decrease	
366 372	Parts of automatic pistols	. do	
372	Hosiery machines	Increase	
399	Christmas tree light reflectors	do	
	COURTS A Wood and manufac		
	SCHEDULE 4.— Wood and manufac- tures of		
	-		
403	Cabinet logs and lumber	Decrease	Apparently no domestic pro-
403	Logs, lignum-vitæ	do	duction. Do.
403	Veneers of wood	do	Imports small.
407	Veneers of wood Willow furniture Furniture	Increase	-
410 410	Furniture Spring clothespins	do	
410	Spring ciotnespins		
	Schedule 7.—Agricultural products		
	and provisions		
701	Beef	Increase	
701 701	Cattle and livestock Canned meat	Decrease and increase.	
707-710	Dairy products	do	
710	Cheese and substitutes therefor	do	
711	Ornamental birds Eggs	Decrease	
713 717, 718	Fish	Increase and increase.	
717	Salmon		
718	Kippered herring	do	
719 720	Finnan haddieSardines		•
720, 721	Fish, canned		
723	Buckwheat	Increase	
724 725	Alimontory postos		
736	Alimentary pastes	Decrease	Difficult to obtain costs.
737	Cherries, glacé	Increase	
737	Cherries, partially prepared	do	
739 742	Citron, candied	Adjustment of rates	Apparently no domestic pro-
172			duction.
744	Olives	Increase	
746 751	Pineapples Cut flowers	Decrease and increase.	
756	Desiccated coconuts	Increase	
757	Peanuts	Decrease and increase.	
760	Flaxseed		
761 767	Clover seedSplit peas	l do l	
771	Turning	ا مل ا	
773	Pickle onions	do	
775	Cocoa butter	ldo	Do.
778 779	HopsCloves and stems	do	Do.
			- • •

Table IV.—Commodities upon which applications have been received but concerning which investigations have not been instituted—Continued

SECTION 315-Continued

Para- graph No.	Commodity	Nature of request	Remarks;
	Schedule 7.—Agricultural products and provisions—Continued Raw materials for animal fats and vegetable oils.	Decrease	
	SCHEDULE 9.— Cotton manufactures		
903 903, 906	Nankin tickingCotton shirtings	Increase Decrease	
903, 904 906, 921 913	Cotton cloth	Increase	
915 921	Cotton gloves Heavy coat lining	Duty on American selling price. Investigation	Included in cotton cloth and
921	SCHEDULE 10.—Flax, hemp, jute, and manufactures of	Increase	cotton shirtings.
1001	Crin vegetal	Decrease	Apparently no comparable domestic product.
1001 1022 1023	Hemp Rice straw rugs Cocoa mats	Increasedo	_
	SCHEDULE 11 Wool and manufac- tures of		
1101 1101	Camel hair Wool, Class III	Decrease	
1107 1108, 1109 1108, 1109	Worsted yarn Worsted cloth Woven fabrics	Increase Investigation	
1111 1114 1115 1119	Blankets Gloves and mittens Wearing apparel for male attire Wool crêpe	do	
	Schedule 13.—Papers and books		
1304 1305 1305 1307	Cellucotton Decalcomanias Paper with coated surfaces }Papeteries	Increasedo Decrease	Imports small.
1308 1310 1310	MapsRag books	Duty on American selling price. Decrease	Do.
4.400	SCHEDULE 14.—Sundries		
1403 1430 1406	Beaded bags	Decrease	
1412 1414	Cork insulation in slabs, boards, etc Toy novelties	do Decrease	
1420 1420 1421	Silver fox skins	Increase	
1432 1433	Leather leggins Leather gloves Raw gut	Reclassification Decrease	
1434 1434 1435	Raw gut do Gas mantles	Decrease American	
1443 1443	Pipe organs	selling price. Increase	
1451 1453 1456	Crayons or fusains	do Decrease Increasedo	No domestic production.

Table IV.—Commodities upon which applications have been received but concerning which investigations have not been instituted—Continued

SECTION 316

Para- graph No.	Commodity	Nature of request	Remarks
	SCHEDULE 1.—Chemicals, oils, and paints		
1, 9 54	Tartaric acid	Investigation re dumping. Investigation re unfair practices.	
205, 1543	Portland cement Schedule 3.— Metals and manufactures of	Investigation re unfair competition.	
399	Wrenches	Investigation re unfair competition.	
1310	Printing and engraving Schedule 14.—Sundries	Investigation re unfair competition.	
1428	Mesh bags Artificial teeth, facings and backings	Relief under sec. 316 Investigation re unfair competition.	

APPENDIX 2. SECTION 316—UNFAIR COMPETITION IN THE IMPORTATION OF REVOLVERS—UNITED STATES TARIFF COMMISSION

OPINION OF THE COMMISSION

In re: Investigation of alleged unfair methods of competition and unfair acts in the importation and sale of revolvers simulating revolvers of the manufacture of Smith & Wesson (Inc.). Section 316, Docket No. 1.

The opinion of the commission was delivered by Commissioner Glassie:

This is an investigation instituted pursuant to the provisions of section 316 of the tariff act of 1922 for the purpose of assisting the President in exercising the powers conferred by that section.

Section 316 contains seven subdivisions. Of these only five need be men-

tioned before proceeding further.

Subdivision (a) is a statement of the substantive law: "Sec. 316. (a) That unfair methods of competition and unfair acts in the importation of articles into the United States, or in their sale by the owner, importer, consignee, or agent of either, the effect or tendency of which is to destroy or substantially injure an industry, efficiently and economically operated, in the United States, or to prevent the establishment of such an industry, or to restrain or monopolize trade and commerce in the United States, are hereby declared unlawful, and when found by the President to exist shall be dealt with, in addition to any other provisions of law, as hereinafter provided."

Subdivision (b) authorizes the Tariff Commission to make investigations to

assist the President:

"(b) That to assist the President in making any decisions under this section the United States Tariff Commission is hereby authorized to investigate any alleged violation hereof on complaint under oath or upon its initiative."

The conduct and legal effect of the investigations thus authorized are dealt with in subdivision (c). The first direction is that—

"The commission shall make such investigation under and in accordance with such rules as it may promulgate and give such notice and afford such hearing, and when deemed proper by the commission such rehearing with opportunity to offer evidence, oral or written, as it may deem sufficient for a full presentation of the facts involved in such investigation."

Whenever the existence of any unfair method or act, such as is defined in subdivision (a), shall have been established to the satisfaction of the President, subdivision (e) provides two alternative remedies. The President may determine the rate of additional duty (within certain limits) which will offset such method or act: Whereupon, by force of the statute, such additional duty is imposed upon all articles imported in violation of the act. In what the President may find to be extreme cases of unfair methods or acts, it is provided that "he shall direct that such articles as he shall deem the interest of the United States shall require, imported by any person violating the provisions of this act, shall be excluded from entry into the United States."

Subdivision (f) provides an ad interim remedy. Whenever the President has reason to believe that any article is sought to be offered for entry in violation of section 316, "but has not information sufficient to satisfy him thereof, the Secretary of the Treasury shall, upon his request in writing, forbid entry thereof until such investigation as the President may deem necessary shall be completed."

Under date of October 7, 1922, the President issued the following Executive

"It is ordered, that all requests, applications, or petitions for action or relief under the provisions of sections 315, 316, and 317 of Title III of the Tariff Act approved September 21, 1922, shall be filed with or referred to the United States Tariff Commission for consideration and for such investigation as shall be in accordance with law and the public interest, under rules and regulations to be prescribed by such commission.

"WARREN G. HARDING.

"THE WHITE HOUSE, October 7, 1922."

In accordance with the statute, and in conformity with the terms of the Executive order, the United States Tariff Commission in 1922 promulgated certain rules of procedure. With respect to investigations under section 316, these rules provide that an application must be under oath and contain a short and simple statement of the relief sought and the grounds therefor. In view of the ad interim power of forbidding entry temporarily, the commission's rules provide that "the commission shall consider the application and the evidence submitted therewith with a view to determining whether the entry of any goods shall be forbidden, pending further investigation, in accordance with subdivision (f) of section 316."

Provision for giving notice of an investigation is made as follows: "The commission shall issue a notice of the nature and scope of any investigation which it may institute under section 315 or 316 and such notice shall be published in Treasury Decisions, and in the weekly edition of Commerce Reports by one insertion in each thereof."

On May 28, 1923, Smith & Wesson (Inc.), filed a complaint under oath, supported by an affidavit and exhibits, praying for an investigation of certain alleged unfair methods of competition and unfair acts in the importation and sale of revolvers said to simulate revolvers of complainant's manufacture. As sale of revolvers said to similate revolvers of complainant small acture. As a basis for the relief requested, complainant alleged, in substance, that Smith & Wesson (Inc.) (and its predecessors in interest) had been engaged since 1856 exclusively in the manufacture of revolvers and has acquired a reputation for an article of superior quality, associated in the public mind with the name of Smith & Wesson; that for the purpose of providing the trade and the purchasing public with a ready means of identifying its product, complainant had designed a type of revolver having a distinctive visual appearance dependent upon the incorporation in its structure of a collocation of details, arbitrarily selected, nonfunctional and therefore such as no other manufacturer need use in making revolvers; that complainant had expended large sums of money in advertising in order to familiarize the trade and the purchasing public with such revolvers as the product of Smith & Wesson and had acquired a valuable good will in the manufacture and sale of revolvers having such distinctive visual appearance; that certain firms, namely, Orbea Hermanos, Garate Anitua y Cia, Beisteguis Hermanos, Guisasola, Trocaola Aranzabal y Cia, and Sociedad Alfa, all of Eibar, Spain, had begun the manufacture of revolvers in which the nonfunctional details giving the Smith & Wesson revolver its distinctive visual appearance were so closely imitated as to mislead the purchasing public into believing that such imported revolvers were articles of complainant's manufacture.

It was further alleged that, beginning in February, 1922, complainant had brought, in various district courts of the United States, as many as seven suits in equity charging certain importers and dealers with unfair competition in trade by reason of the sale of such imported Spanish revolvers imitating the

distinctive visual appearance of the Smith & Wesson product; that in each of these suits the district court had enjoined the sale of the imported revolver or revolvers therein complained of and any other revolver having, by similar collocation of nonfunctional details, the visual appearance of complainant's product; and that the Spanish revolvers now complained of were the revolvers constituting the subject matter of the several injunction suits, with the exception of two revolvers which, although not among the weapons involved in these suits, were substantially identical with them.

Annexed to or filed with the complaint as exhibits were photographic representations of the several Spanish revolvers in question, marked by the letters A to F, inclusive. The letter designating the photograph, the name of the Spanish manufacturer, the title of the injunction suit, if any, concerning such revolver, and the exhibit number given the sample revolver as later offered in

evidence, may conveniently be shown thus:

Photo- graphic exhibit—	Name of manufac- turer	Title of injunction suit	Sample revolver exhibit
A B C D	Sociedad Alfa Garate Anitua Y Cia. Trocaola Aranzabal. Orbea Hermanos	(Not the subject of any suit) Wesson et al. v. Galef (S. D. N. Y.) Wesson et al. v. Gluck, trading as Import Trading Co. (S. D. N. Y.). Wesson et al. v. Newmark et al., trading as Paramount	No. 11. No. 9. J. No. 29. No. 29.
E F	Beistegui Hermanos	Trading Co. (S. D. N. Y.). Smith & Wesson (Inc.) v. Rosen-Margolies Co. (E. D. Pa.). Smith & Wesson (Inc.) v. Unwin Trading Co. (S. D. N. Y.). Smith & Wesson (Inc.) v. Lago (S. D. N. Y.). Wesson et al. v Galef (S. D. N. Y.).	E. E. I.

Complainant further alleged that since none of the Spanish manufacturers had an established place of business or agent in the United States, it had been impossible to bring suit directly against them in the courts of this country. The injunctions granted had failed to provide an adequate remedy for the reason that as soon as one importer was enjoined from selling the offending article the Spanish manufacturer would select another consignee. Therefore it had been impracticable to have the alleged unfair competition effectively enjoined.

The prayers of the complaint were: (1) That an investigation be ordered and a finding of unfair competition be made and transmitted to the President to the end that he shall direct that Spanish-made revolvers having the distinctive visual appearance of complainant's revolvers be excluded from entry; (2) that an immediate report of findings be made to the President to the end that he shall direct the Secretary of the Treasury to forbid entry into the United States of such revolvers until such further investigation as the President shall deem necessary shall be completed as provided in section 316 (f); (3) that such further relief be granted as might be necessary for protection against such unfair

competition.

In a supporting affidavit, Harold Wesson averred that reports from attorneys and salesmen and the public disclosed that representations were being made by dealers, sometimes to the effect that the Spanish revolvers in question were manufactured by Smith & Wesson in Spain at a factory established during the World War and since maintained because of low-labor costs and the markings on the revolvers required by Spanish law; and sometimes to the effect that such revolvers were made by Smith & Wesson in the United States for the Spanish concern whose name appears on the article, but that such concern had refused delivery thereby compelling Smith & Wesson to dispose of the revolvers in the United States at such price or prices as might be obtainable. The affiant also stated that since the summer of 1921 many such Spanish-made revolvers have been sent by purchasers and dealers to the Smith & Wesson factory at Springfield for repairs in the belief that they were genuine Smith & Wessons notwithstanding the words "Made in Spain," "Spain," or "Eibar, Spain," found on the article.

Upon consideration of the complaint, affidavit, and exhibits, the United States Tariff Commission on June 3, 1924, instituted the present investigation. The order to that effect provided that the parties alleged to be the manufacturers of said revolvers, namely, "Orbea Hermanos, Garate Anitua y Cia, Beistegui Hermanos, Guisasola, Trocaola Aranzabal y Cia, and Sociedad Alfa, all of Eibar,

Spain, and all other persons, firms, and corporations concerned as owners, importers, consignees, agents or otherwise in the alleged unfair methods of competition and unfair acts in the importation and sale of said articles," would be afforded an opportunity to answer said complaint on or before the 21st day of July, 1924, and show cause, if any they had, why the provisions of section 316 of the tariff act of 1922 should not be applied in respect of the alleged unfair methods of competition and unfair acts in the importation and sale of the articles complained of. The said order further provided that public notice of the proceeding should be given (a) by publishing a copy of said order once a week force two successive weeks; (the least of said multiplications to be read to be a said order.) two successive weeks (the latest of said publications to be made at least 24 days before said 21st day of July, 1924) in Treasury Decisions, published by the Department of the Treasury, and in Commerce Reports, published by the Department of Commerce; (b) by posting a copy of said order for 30 days at the principal office of the commission in the city of Washington, D. C., and also at its office at the port of New York; and (c) by mailing registered, postage prepaid, a copy of said order certified by the secretary of the commission under its seal to each of the persons firms, or conversations hereinbefore specifically named seal to each of the persons, firms, or corporations hereinbefore specifically named at their respective addresses. In accordance with its terms, said order was duly published and posted, and on June 6, 1924, a copy thereof was mailed in the prescribed manner to each of the Spanish manufacturers above mentioned.

Pending completion of the investigation thus instituted, the Secretary of the Treasury, by direction of the President pursuant to subdivision (f) of section 316, and upon preliminary report by the Tariff Commission, issued instructions to collectors of customs to withhold for the time being delivery of all imported revolvers, not manufactured by Smith & Wesson (Inc.), exactly or substantially of similar visual appearance to the revolvers indicated by the six exhibits annexed to said order, such exhibits being photographic representations of the six revolvers indicated above as A, B, C, D, E, and F.

On July 11, 1924, Guisasola Hermanos of Eibar, Spain, responding to the order of June 3, 1924 above mentioned, filed with the commission a communication stating in substance, that the revolver manufactured by them differs from

tion stating, in substance, that the revolver manufactured by them differs from the Smith & Wesson revolver in at least four particulars; that their model is distinct in appearance from the model manufactured by other Spanish firms; and that the possibility of confusion between the Smith & Wesson revolver and the Colt or the Harrington and Richards revolver, both of American manufacture, is as great as between the Smith & Wesson and the Guisasola revolver.

On July 21, 1924 (the return day set in said order of June 3, 1924), complainant appeared by counsel as did also J. L. Galef, an importer of New York City, defendant in one of the injunction suits brought by complainant in the District Court for the Southern District of New York. The Sociedad Alfa of Eibar, Spain, appeared by written communication filed with the commission. Upon request of counsel, an order was passed allowing J. L. Galef until July 28, 1924, and the Sociedad Alfa until August 5, 1924, to answer and show cause; and granting complaintant 30 days, and respondent 30 days thereafter, within which to take depositions, such depositions to be filed in any event on or before

September 27, 1924.

By its order of July 21, 1924, the commission also directed that a further public hearing be held at the office of the commission on September 29, 1924, at which Smith & Wesson (Inc.), and the parties alleged to be manufacturers of the revolvers complained of, namely, the Spanish firms already mentioned; and all other persons, firms, and corporations concerned as owners, importers, consignees, agents, or otherwise in the alleged unfair methods of competition and unfair acts in the importation and sale of said articles, would be afforded "an opportunity to be present, to offer evidence, and to be heard concerning said alleged unfair methods of competition and unfair acts in the importation and sale of said articles, constituting the subject matter of this investigation." Public notice of said hearing was provided for (a) by publishing a copy of said order once a week for two successive weeks (the latest of said publications to be made at least 24 days before said 29th day of September, 1924) in Treasury Decisions and in Commerce Reports; (b) by posting a copy of said order for 30 days prior to said day at the principal office of the commission in the city of Washington and at the commission's office at the port of New York; and (c) by mailing registered, postage prepaid, a copy of this order certified by the secretary of the commission under its seal, to each of the firms or corporations herein specifically named, at their respective addresses.

In accordance with its terms said order of July 21, 1924, was duly published and posted and a copy thereof was mailed on July 28, 1924, in the prescribed

manner, to each of the parties named therein.

On July 26, 1924, Beistegui Hermanos, by way of answer, filed with the commission a communication denying that their revolver, termed "Oscilante," was a simulation of the Smith & Wesson revolver. On July 31, 1924, an answer under oath was filed by J. L. Galef denying complainant's allegations with respect to the distinctive visual appearance of the Smith & Wesson revolver. This answer also alleged that importation of the revolvers covered by the injunction against Galef in the United States District Court of the Southern District of New York had been discontinued; and that the revolvers he was now seeking to import were substantially different both from the Smith & Wesson product and from the revolvers previously imported. On August 5, 1924, an answer under oath was filed on behalf of the Sociedad Alfa stating, in substance, that the revolver manufactured by it was of the general type of the old Bayard revolver originally made in Belgium, being merely the ordinary evolution with various improvements of the Bayard type; that the features of the old type Alfa revolver objected to by Smith & Wesson had been eliminated from the new type now being imported; and that the features alleged to be unique in the Smith & Wesson revolver are not such in fact. On August 25, 1924, Manuel Escodin filed a written communication setting forth that an honest effort had been made in the manufacture of the Escodin revolver to produce an article that could not possibly be confused with the Smith & Wesson revolver, and pointing out some 18 points in which the Escodin product, it was alleged, differed from that of Smith & Wesson.

Prior to the day set for the public hearing complainant filed in the office of the secretary of the commission the depositions of three witnesses taken pursuant to an order of July 21, 1924, and also copies of three affidavits, namely, that of Sydney S. Siegler previously filed in the suit of Wesson et al. v. Galef; that of Henry S. Miller filed in the suit of Wesson et al. v. Newmark, trading as the Paramount Trading Co.; that of Robert S. Allyn filed in the suit of Wesson et al. v. Glück, trading as the Import Trading Co. The depositions were admitted; but the affidavits were not received in evidence.

On September 29, 1924, pursuant to the order passed on July 21, 1924, a public hearing in the investigation was held at the offices of the United States Tariff Commission at Washington. Evidence, both oral and written, was submitted on behalf of the complainant, Smith & Wesson (Inc.), and the respondent, J. L. Galef, and the matters in question were argued by counsel for complainant and

for the respondent Galef.

Pursuant to statute, the testimony at said hearing was reduced to writing, and the transcript thereof, together with the findings and recommendations of

the commission, form part of the record.

The evidence in this investigation covers so wide a field and includes matter of so technical a nature that no useful purpose would be served by attempting to epitomize the whole of it in a single mass. In accordance with the statute, the commission's findings and recommendations are incorporated in the record. For the present purpose it seems best to consider each branch of the evidence in immediate connection with the legal question to which it relates.

The foregoing summary of the proceedings in this investigation indicates that

three main questions are presented for consideration:

(1) What effect is to be given the judicial determinations in the several suits brought by complainant to enjoin the sale of the Spanish revolvers by the importers or dealers there made defendants?

(2) Do the several revolvers of Spanish manufacture physically simulate complainant's product in such manner that their importation and sale constitutes,

per se, an unfair method of competition?

(3) If such revolvers are not per se fraudulent simulations, do the circumstance shown in connection with their importation or sale, taken in conjunction with their physical appearance, establish "unfair acts in the importation and sale of articles into the United States by the owners, importers or consignees, or the agents of either?"

These questions will be dealt with in their order.

1. What Effect is to be Given the Determinations in the Injunction Suits

At the public hearing, complainant offered in evidence duly certified copies of the record in seven suits in the district courts of the United States, in each of which suits one or more of the revolvers in question had been held by a district court of the United States to be fraudulent simulations of complainant's product.

The primary purpose of the offer was to show that in each instance the issue of unfair competition by means of fraudulent simulation had been conclusively determined by judicial action. In none of these suits, it will be observed, was the Spanish manufacturer of the revolver a party to the record, the defendant in each instance being a person or corporation engaged in the importation and sale of the offending article.

The first point for consideration is whether the issue in the two proceedings is This involves the inquiry whether the body of law there applied by the district courts and the law here administered by the commission and the

Court of Customs Appeals are substantially identical.

As pointed out by the Supreme Court with respect to the analogous provision of the Federal Trade Commission act (38 Stat. 717), the words "unfair methods of competition" are not defined by statute. (Federal Trade Commission v. Gratz,

253 U.S. 421, 427.)
"That act declares unlawful 'unfair methods of competition' and gives the commission authority after hearing to make orders to compel the discontinuance of such methods. What shall constitute unfair methods of competition denounced by the act, is left without specific definition. Congress deemed it better to leave the subject without precise definition, and to have each case determined upon its own facts, owing to the multifarious means by which it is sought to effectuate such The commission, in the first instance, subject to the judicial review provided, has the determination or practices which come within the scope of the act." (Federal Trade Commission v. Beech-Nut Co., 257 U. S. 441, 453.)

In the final analysis, it is for the courts to determine as matter of law what constitutes unfair methods of competition in this as in all other fields of jurispru-

(Federal Trade Commission v. Gratz, 253 U. S. 421, 427.)

It would seem to follow that, in applying the provisions of section 316, the Tariff Commission, in the first instance, and the Court of Customs Appeals on appeal, must apply the same general principles that are applied by the courts of the United States in the exercise of their general jurisdiction to afford relief against unfair methods of competition. It is conceivable, indeed, that some of the methods and acts falling within the scope of section 316 may be methods or acts which a court of equity would not ordinarily enjoin or against which its process would be unavailing. In both instances, however, what constitutes unfair methods of competition is matter of law for the courts to determine, and it can hardly be doubted that the same fundamental principles must be applied in both fields. When, in particular, the unfair method consists in the physical simulation or fraudulent imitation by one manufacturer of the product of another, there is no ground for believing that the principles which section 316 is designed to enforce by means of increased duty or exclusion from entry differ in any essential particular from the principles which courts of general jurisdiction enforce by means of injunction. The applicable law is substantially the same. In so far as the question is whether a given Spanish revolver, by means of a collocation of nonfunctional details, unfairly simulates the distinctive visual appearance of complainant's revolver, the issue in this investigation can not be distinguished from the issue in a suit in the district court to enjoin the sale of the Spanish article.

But this identity in the subject matter of the controversy is not enough to give the injunction decrees the character of res judicata in respect of the matters here under investigation. (United States v. California Bridge Co., 245 U.S. 337, 341.) In applying for the present investigation, complainant's avowed purpose was relief against the alleged wrong at its source through governmental action operating upon revolvers offered for entry, no matter who might be the importer of any given consignment. The fact that injunctions against particular importers afforded inadequate relief was put forward as ground for invoking the provisions

of section 316.

Section 316 declares unlawful unfair methods of competition and unfair acts in the importation of articles or in their sale "by the owner, importer, consignee, or agent of either." Obviously an unfair method of competition or an unfair act in the importation or sale of an article must be the act of some identifiable person. This, however, does not make it necessary that the person or persons practicing

the unfair method or committing the unfair act shall have been brought within the investigation by anything in the nature of personal process.

When "the final findings of the commission" shall have been transmitted, and the unfair method or act shall have been "found by the President to exist," the rate of additional duty determined by him is at once "imposed upon articles imported in violation of this act." In like manner, the exclusion from entry, which the President may direct in extreme access apprates upon the designated. which the President may direct in extreme cases, operates upon the designated

articles "imported by any person violating the provisions of the act." the unfair method or act consists in fraudulently simulating the goods of another, the offending articles would be subject to the additional duty or be excluded from entry, regardless of the circumstance whether the importer or consignee was a party to the investigation. In such cases, section 316 apparently operates in the manner of a proceeding in rem. In order to impose an additional duty or to direct exclusion from entry of an article, by whomsoever offered for entry, it is necessary that the existence of the unfair method or act, which constitutes the basis of such duty or exclusion, shall have been determined as against the persons upon whom such duty or exclusion order would operate. But this class of persons can not be regarded as having been embraced within the injunction suits which were essentially proceedings in personam.

Despite some effort to show that one of the Spanish manufacturers was indirectly involved in one of the suits in New York, it is impossible to affirm that the manufacturers of the revolvers here in question were either parties or privies to such litigations so as to be bound by the judgment. They were not and could not be made parties by force of process. They were under no obligation to intervene. Nor did the fact that the articles which the several importers were restrained from selling were products of these manufacturers place the latter in such privity with the importers as to render the adjudications binding upon them. (United States v. California Bridge Co., 245 U. S. 337, 341, 342;

Gratiot State Bank v. Johnson, 249 U. S. 246, 249.)

In a public investigation having substantially the effect of concluding all the world with respect to the importation of these revolvers, it seems against principle to hold that the very design and structure of the articles constitutes an unfair method of competition without an independent inquiry to ascertain and determine the facts by modes of procedure effective against those sought to be bound. The commission, having given due notice to the manufacturers in Spain and all other persons concerned as owners, importers, or otherwise in the alleged unfair method, will proceed to determine for itself whether the facts bring these revolvers within the operation of section 316.

It does not follow from this, however, that in applying the legal principles concerning unfair competition to these revolvers the commission will not be guided by judicial applications of the same principles previously made to identical or substantially similar articles. Without stretching the decrees of the district courts to work an estoppel upon strangers, the commission recognizes their decisions as persuasive, if not controlling, precedents. As to the particular revolver there dealt with, each judicial precedent has the unusual force resulting from absolute identity of subject matter. As to other revolvers not specifically dealt with in the injunction suits, the decisions may also have special weight by reason of a general resemblance between these new revolvers and those already passed upon.

The certified copies of the several records are therefore received for the purpose of more perfectly applying the decisions of the district courts to the particular

matters there in issue.

II. ARE THE SPANISH REVOLVERS UNFAIR SIMULATIONS OF THE SMITH & Wesson Product?

The answer to this question involves a thoroughgoing, if somewhat tedious, comparison of complainant's firearms with each of the several Spanish revolvers

alleged to be simulations.

It can hardly be denied that Smith & Wesson revolvers present a visual appearance that is more or less distinctive. But what is the precise degree of this distinctiveness, and particularly what are the elements on which it depends, are matters by no means equally clear. Nor can it be regarded as beyond question that an ordinary purchaser, having no other guide than a recollected image of the Smith & Wesson firearms, would accept another revolver as a genuine Smith & Wesson merely because of a general physical resemblance. It becomes necessary, therefore, to analyze the supposed distinctive appearance with a view to discovering the elements which unite to produce it.

The testimony shows that since 1896, Smith & Wesson have manufactured several styles and calibres of a side-swing cylinder hand-ejector revolver to all of which they have sought to give a characteristic uniform appearance associated in the public mind with the name of the maker. It must be remembered, how-ever, that the Smith & Wesson revolver is but one model of a general type, all models of which have a more or less common historical background and must, for functional reasons, employ certain common features. (Colt's Patent Fire-

arms Mfg. Co. v. Wesson, 122 Fed. 90, 95, affirmed 127 Fed. 333.) Some of these common features are to be found, for example, in the side-swing revolver of the Colt model. (Sample revolver, Exhibit No. 14.) In comparing any two side-swing revolvers of different makes, it is by no means easy to say how far the total visual appearance of either is dependent upon general contour and functional features essential to a revolver of that type, and how far on special nonfunctional details which are embroidered, so to speak, on the basic form and shape and unite with it to create a distinctive impression. Complainant's testimony indicates a number of features relied on as giving the Smith & Wesson arms a characteristic and distinctive appearance. These features are given in the following list, to-orthor with a brief peature of the testimony in the second control of the s

gether with a brief note of the testimony explanatory of each.

1. Shape of stock.—Claimed to be an exclusive feature of Smith & Wesson revolvers (Trans. 125); "not any more functional than any other handle of any other shape put on the end of a revolver," an arbitrary design adopted when

Smith & Wesson began manufacture. (Trans. 224.)

2. General contour of frame and trigger guard.—The trigger is cut in one piece with the frame.

- 3. Shape of front end of frame.—The front portion is so molded as to conform with the lines of the barrel and ejector-rod.

4. Squaring off of barrel on under side.
5. Front cylinder lock.—Complainant's testimony is to the effect that this feature is found only in Smith & Wesson arms and imitations thereof. (Trans. 119, 120.) Complainant claims that it is distinctive in appearance and nonfunctional to the extent that it could be differently designed and yet function equally well. (Trans. 120.)

6. Thumb piece.—This moves forward to open the action, that is, to release the rlinder. (Trans. 119.) The characteristic thing about the thumb piece is its tape and position; any other shape could be used. (Trans. 119.) Release by cylinder. shape and position; any other shape could be used. (Trans. 119.) pushing forward is a function common only to Smith & Wesson arms and imitations thereof. Other revolvers have thumb piece that pulls back as, for example, the Colt. English guns have different shaped thumb piece. (Trans. 119.)

7. Hollow rivet in hammer nose.—This rivet could equally well be solid and has

in fact been so made upon specifications. (Trans. 120.)
8. Cylinder lug. (Trans. 120.)—Shape is nonfunctional. (Trans. 121.)
9. Mottling of hammer and trigger.—Hammer and trigger case hardening and mottling of Smith & Wesson arm is done by intricate, expensive process. Results could be equally well obtained in cheaper manner giving either black or gray finish. (Trans. 120.)

10. Checking of stock.—The stock is crosshatched in a special design, including an elongated, open or flat diamond around screw head. Whether checking, in general, is functional is a matter of opinion; the United States Government insisted on a smooth grip while the British and Canadian Governments took a checked grip. (Trans. 298.)

11. Gold monogram.—For many years Smith & Wesson revolvers had been

known by gold monogram at head of stock; but the fact that stocks can be taken off made the trade-mark less permanent than desired; the trade-mark was therefore placed under the thumb piece. (Trans. 121.) Gold monogram was abandoned about two years ago, partly to make stock wide at top and give better grip, and partly because all imitations had monograms. (Trans. 121.)

Fifteen revolvers of Spanish manufacture, of which 14 are shown by samples and 1 by photograph only, are claimed by complainant to be simulations, in respect of distinctive visual appearance, of the arms manufactured and sold by Smith & Wesson (Inc.). Of the 15 revolvers, 4 are manufactured by Orbeat Hermanos, 4 by Beisteguis Hermanos, 2 by the Sociedad Alfa, 2 by Guisasola, 1 each by Trocaola Aranzabal y Cia, Garate Anitua y Cia, and Manuel Escodin.

1. For comparison with the Smith & Wesson revolver, let us take in the first instance a revolver manufactured by Orbea Hermanos and imported by the respondent Galef. This revolver is identified as commission Exhibit I. It was respondent Galer. This revolver is identified as commission Exhibit I. It was plaintiff's Exhibit Galef Revolver No. 2 in Wesson et al. v. Galef, the first of the suits in the District Court for the Southern District of New York. It is also represented in complainant's photographic Exhibit F. Complainant contends that this revolver exhibits at least nine of the characteristic Smith & Wesson features, namely: (1) Shape of stock, (2) General contour of frame and trigger guard. (3) Shape of front and of frame at the valer. guard. (3) Shape of front end of frame at the yoke. (4) Squaring off of underside of barrel over ejector rod. (5) Lock at front end of extractor rod. (6) Thumb piece. (7) Hollow rivet in hammer. (8) Cylinder lug. (9) Mottling of hammer and trigger. (Trans. 136.) A blue print was offered in evidence (Exhibit 15), from which it appears that measurements taken of the Smith & Wesson revolvers and this Orbea Hermanos revolver (Exhibit I) showed similar dimensions, in thousandths of an inch, covering substantially all parts of the gun. The barrel of the Spanish revolver is threaded in the same manner as the Smith & Wesson, and was found, upon trial, to fit perfectly into the Smith & Wesson frame. There is testimony to the effect that the thread in the frame originated with Smith & Wesson. (Trans. 141–143.)

In Wesson et al. v. Galef, which involved this Orbea Hermanos firearm, a preliminary injunction was granted which, by consent of the defendant, Galef, was

later made perpetual.

Independently of the determination reached in that suit, it seems to us not only that this revolver is shown to be a deliberate imitation of the Smith & Wesson product, but that it presents so complete a reproduction of its visual appearance, both in detail and in general effect, as readily to be mistaken by purchasers for the genuine article. The almost obvious fact of simulation in the instance of this weapon may perhaps serve as a point of departure for further comparisons.

We may next consider a .38-caliber revolver manufactured by Orbea Hermanos and represented by commission Exhibit No. 29. The same revolver was considered in Wesson et al. v. Galef, Wesson et al. v. Gluck trading as Import Trading Co., and Wesson et al. v. Newmark et al., trading as Paramount Trading Co., all in the United States District Court for the Southern District of New York. These three cases were heard together and disposed of in one opinion.

(Wesson et al. v. Galef, 286 Fed. 621.)

With the exception of a pearl handle, which according to the testimony is also furnished on Smith & Wesson revolvers on special order, this revolver seems to present the nine features in which the first Orbea Hermanos revolver (Exhibit I) was found to simulate the appearance of the Smith & Wesson revolver. Neither in Exhibit I nor in Exhibit No. 29 does anything appear on the left-hand side of the frame—which may be called the near side, at least for a right-handed purchaser—indicating the identity of the maker. At the top of the stock in both arms there is a circular gilt monogram of substantially the same size and color as the gilt monogram used on the older type of Smith & Wesson. The letters, to be sure, are "OH" and not "SW"; but it seems highly probable that a purchaser making only a casual inspection would have any general impression of identity confirmed rather than dissipated by the general appearance of this monogram, notwithstanding the difference in the letters. On the right-hand or off side of the frame of the Orbea weapon now being considered there is an engraved trade-mark—a circle containing the letters "OH" in a rather confused monogram. On neither side of the frame is there anything to show that the article is produced in Spain. On the inside tang of the stock, at a point very likely to be covered by the fingers of an examining purchaser, appears in very small letters the following legend: "Orbea Hnos., Eibar, Spain."

Independently of the determination reached in Wesson et al. v. Galef, we are

Independently of the determination reached in Wesson et al. v. Galef, we are of opinion that this revolver, commission Exhibit No. 29, while not so clearly shown to be a deliberate imitation of the Smith & Wesson revolver, is never-

theless a substantial simulation of it.

It may be added that there is testimony to the effect that the purchaser of this revolver forwarded it to the Smith & Wesson factory for repairs, describing it as "one of your Spanish revolvers." (Commission Exhibit No. 28. Trans. 209.)

The next revolver for consideration is one also manufactured by Orbea Hermanos and represented by commission Exhibit 30. This revolver was con-

sidered in the three suits above-mentioned.

This revolver exhibits the same features that were imitated in the structure of other Orbea Hermanos arms already considered. (Commission Exhibit I; Commission Exhibit No. 29.) An additional feature, however, should be noted. At the point on the left or near side of the frame, where the corresponding Smith & Wesson arm shows its trade-mark, Orbea Hermanos have placed their trademark. Both trade-marks are monograms inclosed in a small circle, with the word "trade" engraved above and the word "mark" engraved below. In both the domestic and the foreign arm, the monogram consists of two intertwined letters; "SW" in the one case and "OH" in the other. Although in this model, Orbea Hermanos have placed their trade-mark where it is more likely to be observed, the net effect of the mark actually used, however, is such that a trade-mark which might possibly have served to distinguish the article to an eye accustomed to see the Smith & Wesson trade-mark in that same place, really

serves, through its apparently studied resemblance, to further the illusion of identity.

We are of opinion that this Orbea Hermanos revolver, commission Exhibit

No. 30, is an unfair simulation of the Smith & Wesson product.

The fourth Orbea Hermanos weapon is represented by commission Exhibit J. In the suit in which respondent Galef was enjoined from placing this article on sale, it was designated as plaintiff's Exhibit Paulson's Galef Revolver No. 1. Except for the nickel-plate finish, this arm is not to be distinguished from the first Orbea Hermanos arm considered above, commission Exhibit I. Further discussion seems unnecessary. Both commission Exhibit I and commission Exhibit J are close immitations of the Smith & Wesson style, of which commission Exhibit K is a sample.

2. The four revolvers of the manufacture of Beistegui Hermanos will next be

*compared with revolvers of complainant's manufacture.

The first of these is represented by commission Exhibit A. By the designation, plaintiff's exhibit, defendant's Revolver No. 2, this revolver was the subject of injunction suits of Wesson et al. v. Galef; Wesson et al. v. Newmark et al. trading as Paramount Trading Co.; and Wesson et al. v. Gluck, trading as Import Trading Co., all in the Southern District of New York. This revolver embodies Trading Co., all in the Southern District of New York. This revolver embodies all of the nonfunctional features relied upon by Smith & Wesson to distinguish its arm and may in fact be described as "a Chinese copy." In addition, on the left-hand or near side of the frame, in the same place where the Smith & Wesson trade-mark appears, is an engraved trade-mark upon the Beistegui gun, Exhibit A. True, the letters "BH" appear in place of the usual "SW." However, the monogram is of the same size and appears on the same position upon the weapon and is so similar in all other respects that, as was said with reference to Orbea Exhibits No. 29 and No. 30, a casual purchaser would get the impression of identity, notwithstanding the difference in the letters. On the right-hand side of the frame appear the words "Made in Spain" in very small letters. This marking is so inconspicuous as to pass unnoticed without the most minute inspection. At no place upon the arm is the name of the Spanish maker indicated other than by The comments the monogram which, as has been pointed out, is not distinctive. made with reference to Orbea gun, Exhibit No. 29, are applicable here.

Arthur Desellier, a witness called by complainant, testified that he wrote a letter (Exhibit 34) to the Paramount Trading Co., one of the defendants in the injunction suits brought by complainant, in which he ordered a Smith & Wesson revolver. The order was filled by sending him a Spanish revolver, Exhibit A.

(Trans. 364, 365.)

It would seem that this revolver, Exhibit A, is a substantial simulation of the Smith & Wesson revolver, independently of the determination reached in Wesson et al. v. Galef.

Commissioner's Exhibit E, also manufactured by Beistegui Hermanos, will The sample revolver here in evidence was an exhibit in the next be considered. suits of Smith & Wesson (Inc.) v. Lago, and Smith & Wesson (Inc.) v. Unwin, trading as Unwin Trading Co. This revolver, Exhibit E, is substantially the same as the Beistegui weapon already considered, namely, Exhibit A, and like it embodies all prominent features of the Smith & Wesson arm. The monogram "BH," as on Exhibit A, also appears on Exhibit E at the top of the stock and prominent ide of the force. It should be read, however, that on the left upon the near side of the frame. It should be noted, however, that on the left side of the barrel, Exhibit E, is marked "Made by Beistegui Bros.; Eibar, Spain." In the same place, complainant's revolver has the words "Smith & Wesson." In all other features, however, it would seem that Exhibit E resembles the complainant's revolver so closely that the marking above referred to, which is on

the rounded surface of the barrel, is not in itself a sufficient mark of distinction.

The third Beistegui revolver, Exhibit L, was the subject of injunction suits Wesson et al. v. Galef; Wesson et al. v. Newmark, trading as Paramount Trading Co.; and Wesson et al. v. Gluck, trading as Import Trading Co., all in the District Court for the Southern District of New York.

This revolver embodies substantially all the nonfunctional details relied upon by Smith & Wesson to impart to their arm a distinctive visual appearance. Slight differences may be noted, however. The base of the stock is slightly beveled and upon the top of the barrel appears the marking "Beistegui Hermanos, Eibar, Espana." The Beistegui monogram, already discussed under Exhibits A and E, appears at the top of the stock and on the left side of the frame.

At the hearing before the commission in this proceeding, one William Desellier an employee of Smith & Wesson, testified that at the request of his brother, also an employee of the company, he sent a letter (Exhibit 35) to the Paramount Trading Co., one of the defendants in the injunction suits brought by complainant, ordering a Smith & Wesson gun, and that his order was filled by sending him the Spanish revolver, Exhibit L. (Trans. 367, 368.)

In this revolver, as in the other exhibit revolvers manufactured by Beistegui Hermanos, conscious imitation of complainant's revolver is indicated by the studied adoption of all distinctive nonfunctional features in detail, and, independently of the decision in the injunction suits above referred to, it would seem to be an unfair simulation of the Smith & Wesson revolver.

The remaining revolver manufactured by Beistegui Hermanos is commission's This revolver, designated as plaintiff's Exhibit Defendant's Revolver, Exhibit M. affidavit of Woodberry, was involved in the Unwin and Lago suits above-

mentioned.

This revolver, as in the case of the three Beistegui weapons already considered, embodies practically all the nonfunctional features of the Smith & Wesson revolver. It is true that the stock is slightly more curved and there are some differences in marking. On the left-hand side of the barrel of Exhibit M are engraved in small letters "Made by Beistegui Bros., Eibar, Spain." On the left-hand side of the frame appears "Made in Spain." The monograms appearing upon this weapon are slightly different from the Beistegui monogram appearing upon Exhibits A, E, and L, already discussed. Upon Exhibit M a different style of lettering is used and the engraved monogram appearing on the near side of the frame is placed to the right and higher than the Smith & Wesson trademark appearing on complainant's revolver. However, the trade-mark upon Exhibit M, while in a different position and a different style of lettering, is inclosed in a circle with the word "trade" above and the word "mark" below and is quite similar in appearance and effect to the Smith & Wesson trade-mark.

The effect of the combination of practically all the nonfunctional features of

the Smith & Wesson revolver can hardly be said to be overcome by the marks just described. To borrow the apt phrase of Judge Hand, "they will distinguish

when attention is drawn to them; but they will not drawn attention by themselves."

3. The revolver of the manufacture of Garate Anitua y Cia may next be considered. (Commission photographic Exhibit No. 7.) A revolver of this model was under consideration in Smith & Wesson (Inc.) v. American Novelty Co., in the District Court for the Northern District of Illinois.

No sample of this revolver was produced in evidence before the commission. A photograph affords the only means of passing upon its likeness or unlikeness to revolvers of complainant's manufacture. Judged in this way, the Garate Anitua firearm appears to embody nine of the distinctive features relied upon by Smith & Wesson, namely: (1) Shape of stock. (2) General contour of frame and trigger ard. (3) Shape of front end of frame. (4) Shape and position of thumbece. (5) Hollow rivet in hammer nose. (6) Front cylinder lock. (7) Cylingr lug. (8) Mottling of hammer and trigger. (9) Checking of stock.

The gold monogram at the top of the stock or the older Smith & Wesson are lived in the control of the cylingram of the control of the cylingram at the control of the cylingram of the cylin guard. piece. der lug.

revolvers is not repeated on this Garate Anitua y Cia weapon. The top of the

As photographic Exhibit No. 7 represents only the left or near side, there is nothing to show what markings, if any, may be on the right or off side of the revolver. So far as can be seen, there is nothing to indicate the manufacturer or country of origin but the words "Made in Spain" inscribed in rather small letters on the left-hand or near side of the frame below the thumb piece. As in the case of the Beistegui weapon, commission Exhibit M, the combination of so many characteristic details of the Smith & Wesson arm renders this not very legible inscription of little avail as a distinguishing mark.

4. Commission Exhibit No. 9 is a sample of a revolver manufactured by Trocaola Aranzabal y Cia. This revolver does not appear to have been the subject of any of the several injunction suits brought by complainant. The petition filed by Smith & Wesson (Inc.), in this investigation charges Trocaola Aranzabal y Cia with unfair competition in respect of this firearm, which is identified by a photograph annexed to the petition and marked "C." According to the testimony of the witness Walker, the sample revolver, in evidence as commission Exhibit No. 9, was purchased at retail in New York by one of complainant's agents. (Trans. 110.)

Commission Exhibit No. 9 combines all the features which unite to give the Smith & Wesson product its distinctive visual appearance. Although the word "Spain" in minute letters appears in an obscure position on the off-side of the gun, at no place does the name of the manufacturer appear. At the top of the stock upon a gold background there is found a monogram consisting of the letters "TAC" imposed one upon the other. The monogram is of the same size and in the same position as that appearing upon revolvers of complainant's and in the same position as that appearing upon revolvers of complainant's

manufacture and a casual inspection might not disclose the difference. A similar monogram is engraved on the near side of the frame, below the thumb piece in the same position that Smith & Wesson places its trade-mark. This monogram consists of the letters "TAC" inclosed in a circle with the word "trade" and "mark" below. The engraved trade-mark upon Exhibit 9 is slightly larger than that appearing upon the Smith & Wesson guns but we are unable to convince ourselves that these monograms, appearing in the same place, would be enough to arrest the attention of an ordinary buyer and remove the impression almost certainly created by the reproduction of so many characteristic details.

5. Two of the revolvers complained of are of the manufacture of the Sociedad Alfa. They are represented by commission Exhibits No. 10 and No. 11.

Neither of these revolvers was the subject of any of complainant's injunction suits. The sample, commission Exhibit No. 10, was purchased from a mail-order house by agents of Smith & Wesson (Inc.). (Trans. 111.) This revolver presents all the nonfunctional features characteristic of the Smith & Wesson product save the gold monogram at the top of the stock. As previously pointed out, this ornamental feature has been discontinued, being replaced by a circular slightly convex wooden boss forming part of the stock itself in newer Smith & Wesson arms. This feature is substantially reproduced in the Alfa arm. On the near side of the frame, below the thumb piece in the place where Smith & Wesson impose their trade-mark, letters composing the word "Alfa" are inclosed in a complex monogram fashioned within a circle with the word "trade" above and the word "mark" below. The mark is not of a character likely to arrest attention. It is merged in the general impression. On the inside tang of the stock in very small letters appear the words "Made in Spain." As was said in discussion of the Orbea revolver, Exhibit No. 29, any marking at this place upon the weapon is likely to be covered by the fingers of a purchaser examining: the weapon.

The other Sociedad Alfa revolver in evidence before the commission, Exhibit 11, is identical, in practically all physical aspects, with Exhibit 10 just considered. Further comment on these seems unnecessary. Exhibit 11 was purchased at retail from Freeman & Freeman, 1 Union Square, New York City, by an agent of complainant. The only noticeable difference in appearance is that on the right hand or off-side of the frame of Exhibit 11 there appears the marking "Made by Sociedad Alfa, Eibar, Spain."

It must be conceded, we think, that the marking of the name of the maker and foreign place of manufacture tends, in some degree, to negative the impression of identity resulting from the use of so many of the physical features combined in the Smith & Wesson product. The world, it must be remembered, is free to use these features, nonfunctional as well as functional, provided the effect is not such as to mislead the purchaser as to the source of manufacture. A plain declaration, sufficiently striking to arrest attention, may go far toward removing the possibility of confusion. We cannot but think, however, that in the present instance the legend, in the position where it is found, is not likely to challenge the attention of any but an unusually cautious purchaser. If inspection be more or less casual, such an inscription on the offside of a revolver is apt to be lost in the general impression of similarity.

6. There are two revolvers in evidence of the manufacture of Guisasola Hermanos, Eibar, Spain, namely, commission Exhibits G and No. 42. Exhibit No. 42 will first be considered.

Exhibit No. 42 of the manufacture of Guisasola Hermanos, Eibar, Spain, was

Exhibit No. 42 of the manufacture of Guisasola Hermanos, Elbar, Spain, was not the subject of an injunction suit. This revolver is a sample of a shipment of 900 Spanish revolvers withheld from delivery at Fort Worth, Tex., under instructions of the Secretary of the Treasury, dated July 5, 1924. (Trans. 504.) The Guisasola weapon, Exhibit No. 42, embodies at least eight of the characteristic features of the Smith & Wesson, namely, shape of the stock, shape of front end of frame, squaring off of barrel on the underside, front cylinder lock, thumb piece, cylinder lug, mottling of hammer and trigger, and checking of stock

Exhibit No. 42 has a slightly different shaped thumb piece, coming to a point stead of being squared off as on a Smith & Wesson arm. The hollow rivet in instead of being squared off as on a Smith & Wesson arm. The hollow rivet in the hammer nose is not reproduced, nor is the flat diamond around the screw head in the middle of the stock. On the left side of the frame and near the place head in the middle of the stock. On the left side of the frame and hear the place where the Smith & Wesson trade-mark appears is a monogram consisting of the letters "GH" inclosed in a large "C" with the word "trade" above and the word "mark" below. At no place on the arm does the name of the Spanish maker appear. On the top of the barrel in plain letters appears "Made in Spain" and on the right-hand side of the barrel appears "Eibar (España) Año

1924." In addition, on the frame in front of the cylinder, on the cylinder itself and on the barrel appear proofing marks of the Spanish Government. The gold monogram is not reproduced at the top of the stock; but save for the absence of the flat diamond, the stock is identical with the stocks on later Smith & Wesson The monogram, while seen on close inspection to be different, is not sufficiently distinctive to draw attention. It can not warn a purchaser against the effect of so many resemblances. The same may be said for the slight irregularity in the shape of the thumb piece. The Spanish proofing marks might draw attention, but an ordinary purchaser would not know what they were nor what they were intended to represent and therefore they are of no aid in establishing the weapon as one of foreign make. The marking on top and to the right of the barrel might easily pass unnoticed and the absence of the name of the maker might easily be explained by an unscrupulous dealer.

We now pass to the other revolver of the manufacture of Guisasola Hermanos, This revolver was included in the three injunction suits commission Exhibit G. in the District Court for the Southern District of New York decided in Wesson et al. v. Galef et al. (286 Fed. 621). This firearm displays six of the characteristic features of the Smith & Wesson product, namely, shape of front end of frame, squaring off of barrel on the underside, front cylinder lock, thumb piece, hollow rivet in hammer nose, and mottling of hammer and trigger. But there are differences also to be noted. The thumb piece is of a different knurling, is placed differently, and is differently shaped from that on a Smith & Wesson. Exhibit G, the stock is of different shape, is shorter, is colored black instead of the usual brown, and has a small plain circle around the screw insert in the the usual brown, and has a small plain circle around the screw insert in the middle, and not the flat diamond found in the Smith & Wesson. At the top of the stock the Smith & Wesson revolver, as now made, is plain. On Exhibit G at the top of the stock appears a large monogram consisting of the letters "GH" inclosed in a large circle and with an ornamental edging ending in a point, extending down the middle of the stock. The trigger on Exhibit G is of a different shape from the Smith & Wesson. The cylinder on Exhibit G revolves to the right while a Smith & Wesson turns to the left. The notches on the cylinder are consequently different. The left side of the frame, where the Smith & Wesson monogram is found is here plain. On the right or off side of the frame of Exhibit G appears a monogram consisting of the letters "ILG" inclosed in a Wesson monogram is found is here plain. On the right or on side of whe frame of Exhibit G appears a monogram consisting of the letters "JLG" inclosed in a diamond with the word "Trade" above and the work "Mark" below. No marking appears at this point on the right side of the frame of a Smith & Wesson. of the maker at no place appears.

Arthur Desellier, a witness called by complainant, testified that he wrote a letter, Exhibit No. 33, to the Import Trading Co., ordering a "Smith & Wesson .32, with the longest barrel you make, the price is \$17 and \$0.25 for parcel post which makes \$17.25, I am sending you." The order was filled by sending him the Spanish revolver, Exhibit G. (Trans. 364.)

Applying the principles of law that we regard as controlling here, Judge Hand reached the conclusion that unfair competition had been established in respect of this arm manufactured by Guisasola Hermanos, Exhibit G.
7. The last revolver to be considered is that manufactured by Manuel Escodin,

of Eibar, Spain, commission Exhibit 31.

This revolver has not been the subject of any injunction suits. It is a sample gun from a shipment of revolvers imported by J. L. Galef, an importer of New York City, detained in customs custody under authority of the Treasury order of July 5, 1924, and later released under bond. Exhibit 31 embodies six of the features relied upon by Smith & Wesson going to make up the distinctive visual appearance of their goods, namely, shape of the stock, general contour of frame and trigger guard, thumb piece, front cylinder lock, mottling of hammer and trigger, and checking of stock. But the following differences must also be noted. The thumb piece, while in the same position, is elongated and brought to a point instead of the squaring off common to the Smith & Wesson weapon. The stock is of the same shape and checking, but the characteristic flat diamond in the middle of the stock is not found. The top of the stock is flat instead of convex as on the Smith & Wesson. The hollow rivet in the hammer nose is not found; the rivet is solid. The cylinder lug is pointed on the right side where the Smith & Wesson cylinder lug is rounded. The frame in front of the cylinder has been enjoyed as alleghtly appearance instead of height shape to the given a slightly concave appearance instead of being shaped to conform to the outline of the ejector rod as in the Smith & Wesson. The underside of the barrel above the ejector rod is round, whereas the Smith & Wesson is squared off to harmonize with the lines of the ejector rod.

There is much difference in the marking. On the left side of frame at the place where the Smith & Wesson trade-mark usually appears is a large heraldic place where the Smith & Wesson trade-mark usually appears is a large heraidic shield mounted with a helmet and plume, apparently the trade-mark of J. L. Galef, the importer. On the top of the barrel appears "Manuel Escodin, Eibar, Spain, 1924 model revolver." On the frame in front of the cylinder and on the barrel appear Spanish proofing marks. On the inside tang of the stock appears "Eibar, 1924." Some of these differences are of little consequence. As to the Spanish proofing marks, the remarks made with respect to similar marks appearing on the Guisasola revolver, commission Exhibit 42, may be repeated, namely, that while easily noticed they are meaningless. The marking on the inside tang of the stock "Eibar, 1924," is in very small letters and in such a position that it would probably be covered by the fingers of anyone taking the gun in his hand would probably be covered by the fingers of anyone taking the gun in his hand to examine it.

The general principles of law applicable to facts such as those just reviewed appear to be well settled. Competition is unfair that is carried on by inducing people to purchase one's goods in the belief that they are of another's manufacture. (Hanover Milling Co. v. Metcalf, 240 U. S. 403, 412; Elgin Nat. Watch Co. v. Illinois Watch Co. 179 U. S. 665, 674.) The means employed for this purpose are obviously many and vary with the character and circumstances of the particular business. (Int. News Service v. Associated Press. 248 U. S. 215.)

Laying out of view infringement of trade-mark and wrongful appropriation of an established firm name, unfair competition accomplishes simulation chiefly in two ways: First, by imitating the external dress or "get-up" of the merchandise by the use of similar words, marks, signs, symbols, or devices; second, by giving a deceptive similarity to the merchandise itself. In any given instance, of course, elements of both kinds may be found either concurring to produce the same effect

or, on the other hand, tending to neutralize each other.

It is obvious that cases of the first class present much less difficulty than the second. For in its nature an outward sign, such as a name, mark, label, or device, is a short cut designed to produce a direct response on the part of the purchaser and to obviate all further inquiry or inspection. In the matter of the outward dress or "get-up" of merchandise, there is, moreover, a wide field open for arbitrary selection. When a new manufacturer reproduces the names, marks, labels, symbols, or other outward signs which a manufacturer of established reputation has given his goods, there arises an almost irresistible inference of intent to deceive. There is also a strong probability that the imitation, if at all close, will be successful in producing the confusion which can inure only to the advantage of the imitator. For such outward signs are habitually accepted as conclusively denoting the things sought for. The natural and easily foreseen consequence of this kind of misrepresentation is the substitution of one of the things for the other. And this inference holds good although the imitative dress or "get-up" may extend to instrumentalities employed in a business other than the merchandise itself. Any taxicab painted yellow, for example, may readily be mistaken for the cab of an established company already serving the public with yellow taxicabs. The obvious consequence is to "mislead and divert the patrons." For the prevailing color cuts short all further inquiry. (Yellow Cab Co. v. Creasman, 185 N. C. 551; 28 A. L. R. 109. Yellow Taxi Operating Co. v. Martin, 91 N. J. Eq. 233.) And so with the store dressing cases where customers, because of the appearance given the show windows or front of a shop (frequently an adjoining one), are led to enter one man's place of business in the belief that it is another's. (Summerfield Co. v. Prime Furniture Co. 242 Mass. 149.)

The situation is different with regard to alleged deceptive similarity in the body of the merchandise itself. Here the field of arbitrary choice is limited by the nature and structure of the article. "Unfair competition is not established by proof of similarity in form, dimensions of general appearance alone." Co. v. Pearl Co. 133 Fed. 160, 162.) Names, labels, and signs being short cuts, identity of the things denoted is at once accepted. But where simulation is in the thing itself—especially where the article is one of more or less complexity the mental processes involved in the transaction of purchase are by no means so simple. It is necessary to be on one's guard against assuming that mere general

similarity is likely to be an effective means of substitution.

In dealing with competition alleged to be unfair in this respect, there are two

dangers which impose a special caution.

First is the danger that the trier of the fact will assume that a reaction really ersonal to himself is necessarily that of the purchasing public. This risk obvi personal to himself is necessarily that of the purchasing public. ously diminishes with the accumulation of evidence of actual confusion.

evidence of that kind is not easy to secure; nor does the law proceed on the notion that relief must wait until the injury shall have been consummated. A court of equity often finds itself under the necessity of determining the question of unfair competition without any substantial proof of actual confusion on the part of the purchasing public. In such cases it has only its own judgment that the two articles are so alike that purchasers will probably be led to accept one for the other. (Yale & Towne Mfg. Co. v. Alder, 154 Fed. 37, 38.) The bases necessary for such an inference are often difficult to establish. In the first place, a type or standard of purchaser must be postulated. Next, a certain measure of knowledge of the genuine article must be assumed and attributed to the standard-ized purchaser. Finally, there must be determined the degree of attention which would commonly be bestowed upon the purchase of articles of the class in question. When evidence of actual confusion is wanting, the trier of the fact must depend for all these factors upon his own subjective impressions. It is difficult to affirm, especially in the case of articles not frequently or habitually purchased, what degree of familiarity with any particular manufacturer's make is to be assumed on the part of the "ordinary" or the "unwary and ignorant" purchaser; or how far such purchaser would accept an offered article by reason of its general correspondence with his recollected image of one previously known. We shall have occasion to return to this point in considering the two revolvers, commission Exhibit G and No. 31.

A second danger in this class of cases is that monopoly may be prolonged un-It may well happen that during the life of a patent a manufacturer may give an article a form which comes to be identified in the public mind not merely with the name of the maker but with the general notion of the article itself. Upon expiration of the patent there passes to the public the right to make the article in the form in which it was made during the patent. (Singer Mfg. Co. v. June Mfg. Co., 163 U. S. 169, 175; William H. Keller (Inc.) v. Chicago Pneumatic Tool Co., 298 Fed. 52, 56, 59.) And this right, as Judge Hand observes "extends as much to what are called nonfunctional elements as to functional control of the control o (Wesson v. Galef, 286 Fed. 621, 623.) But where the first manufacturer has given the article a particular form and appearance by combining various elements into a general whole which has come to be identified with the thing itself, it becomes exceedingly difficult for others to exercise their right to make use of all or any of these elements without at the same time giving the article the appearance resulting from the collocation of these elements by the original manu-In other words, others entering the field of manufacture are confronted with the dilemma either to make the article substantially in the form used by the first manufacturer or to give it a novel shape and appearance to which the public is so unaccustomed as practically to preclude any new producer's enjoying the general right to manufacture upon the termination of the patent monopoly. To concede the right to use each and every structural element, but upon the condition that the elements shall be so combined as to produce an ensemble strikingly different from that to which purchasers are accustomed may be tantamount to closing up the field of competition which expiration of the patent was supposed to open—and this without any real purpose on the part of the new manufacturers to make their goods pass as the goods of somebody else. When we proceed from structural elements to artistic adornment, to marks and names and signs, the matter stands on a different footing. Similarity or dissimilarity here may be the determinative and distinguishing sign.

With these principles and dangers in mind, we have endeavored in considering how far, if at all, these imported revolvers fall within the scope of section 316, to see whether the general right to manufacture can be preserved in harmony with the right of the original producer not to have his business taken away from him through other people's goods being sold as his. Some of the reported cases have been thought, even by the judges who decided them, to have carried "the doctrine of unfair competition to its utmost limit." (Rushmore v. Manhattan doctrine of unfair competition to its utmost limit." (Rushmore v. Manhattan Screw & S. Works, 163 Fed. 939, 942; 19 L. R. A. N. S. 269, 272.)

Applying the legal principles above indicated to the 15 Spanish firearms here in question, we have been constrained to hold that the 13 revolvers first considered are unfair simulations of the Smith & Wesson revolver. As pointed out in the course of the detailed description, some of the imported arms give evidence of direct intention to deceive. Others, whether designed or not to be passed off as the Smith & Wesson product, combine so many of its characteristic details with its general form and contour as to result in a substantial reproduction of the visual effect produced by the Smith & Wesson revolver. With respect to these 13 revolvers, we are of opinion that an ordinary person, giving such attention as

a purchaser usually gives to a transaction of this kind, would be likely to be led into purchasing any one of these revolvers as and for a revolver of the manufacture

With respect to the two revolvers last considered, the matter is not so clear. A mere comparison with the Smith & Wesson product does not indicate that either of these revolvers would probably be mistaken for a genuine Smith & Wesson, unless perhaps we are to postulate a type of purchaser somewhat below the ordinary and attribute to him an unusual degree of inattention to the business in hand. We do not feel at liberty to assume that people purchasing revolvers are in general of a different class from the ordinary purchaser. Nor, despite some language in the books about the "careless, credulous, and ignorant," do we think that any other standard can be applied except the standard of the ordinary man bestowing upon the matter the degree of attention commonly

given to the purchase of articles of like value and significance.

But when the type of purchaser has been postulated, what degree of previous familiarity with the Smith & Wesson revolver are we to attribute to him? This point does not seem always to have received the attention it deserves. plain that many purchasers, having heard of the Smith & Wesson as a domestic make of recognized excellence, will buy it upon its reputation when identified by the maker's name, whether they are able to distinguish the article or not. Such purchasers may be put out of view. The question is what familiarity is to be ascribed to those persons who would be likely to purchase because of their own acquaintance with the Smith & Wesson? If such a purchaser has previous familiarity enabling him to carry a mental picture of the visual appearance of the Smith & Wesson revolvers, are we to assume that he will not also have a recollection enabling him to note the presence or absence of the various elements which go to make up that general visual aspect? If so, then we run the risk of making mere general resemblance the test, thereby precluding the manufacture of revolvers different in many particular features, because of likeness perhaps in general contour. The recollected image of the Smith & Wesson revolver attributable to the purchaser must be taken as including some recollection of its constituent elements.

nstituent elements.
We must therefore ask ourselves such questions as these. Would such a purchaser be likely to note the shape of the thumbpiece? The existence or non-existence of a hollow rivet in the hammer? The design of the cross hatching on the stock? If so, would he not also note differences in these points? would he not also note other features equally striking? Would he not obs the stock? Would he not observe, for instance, that in the Escodin revolver the underside of the barrel above the ejector rod is round, whereas in the Smith & Wesson arm it is invariably squared off at that point to harmonize with the line of the ejector rod? And will not a

cumulation of these differences negative the supposed resemblance?

Furthermore, if we are to assume purchasers relying upon their own previous knowledge of or familiarity with the Smith & Wesson article, will not such purchasers note things equally visible but which go somewhat deeper than mere arms-length appearance of the weapon. Neither of the weapons now being considered has the safety locking device characteristic of the better American arms. In the Smith & Wesson weapon, the forward movement of the latch or thumbpiece, which releases the cylinder and permits it to swing out, simultaneously locks the hammer. This safety device prevents premature discharge while the cylinder is only partially inserted in the recess of the frame and until it is completely swung back, centered and locked in firing position. That neither Exhibit G nor Exhibit No. 31 has this safety locking device is apparent as soon as the thumbpiece is moved forward. Now the forward-moving type of thumbwith its characteristic shape is one of the features claimed to give the Smith & Wesson its distinctive appearance. In the present point, the imported weapons are not only inferior articles to the Smith & Wesson but they are different articles; and the difference is such as would likely to be observed by anyone having a previous acquaintance with the Smith & Wesson product.

Equally important with these differences in structural features which tend to eliminate the supposed distinctive appearance, are the marks and signs which evidence the manufacturer's willingness not only to market his product as his own, but constitute distinguishing marks for any purchaser exercising an ordinary degree of attention. The essence of the matter is deception. It must be evident that the effect of a general resemblance resulting from the use of sundry characteristic elements is susceptible of being rebutted by definite proof of distinguishing marks such as would be likely to prevent an ordinary purchaser from believing

that he was getting goods of the complainant's manufacture. After full consideration we are of opinion that commission Exhibit No. 31, at least is sufficiently

distinguished.

Despite many differences, commission Exhibit G lacks an emphatic and early distinguishing sign. Nowhere does the name of the maker appear on clearly distinguishing sign. Exhibit G. It is true that this revolver shows the monogram, consisting of the letters "JLG" inscribed in a diamond with the word "trade" above and the word "mark" below, but this trade-mark is placed on the right or off side of the frame and, as in the case of other revolvers considered, might easily escape the attention of an ordinary purchaser. In resolving our doubts with respect to this exhibit, we have been influenced, perhaps, by the view taken of it by Judge Hand.

Commission Exhibit 31, on the other hand, in addition to the important differences noted in respect of elements making up the visual appearance, is distinctly marked on the left or near side of the frame, the very place where the Smith & Wesson trade-mark usually appears, by a large heraldic shield, the trade-mark of the importer Galef. On the top of the barrel appears "Manuel Escodin, Eibar, Spain, 1924 model revolver."

This revolver has not been the subject of litigation in any court of general jurisdiction, and there is no evidence of actual confusion on the part of any purchaser. Such evidence as there is tends to show a desire on the part of the respondent Galef to secure a Spanish revolver which would meet a demand for a lower-priced article, and to that extent compete with the Smith & Wesson, or other superior American arms. While making use of a number of features open to the manufacturing public, this revolver does not appear to be calculated to pass as a Smith & Wesson. Recalling the danger in resting a conclusion of probable deception upon a comparison of two articles without anything else to show the likelihood of purchasers being actually deceived, we do not find it possible to hold, as against the foreign manufacturer and all importers, that the form and structure of the article constitute an unfair method of competition

within the meaning of section 316.

In reaching the conclusions here stated, it is hardly necessary to say that we have constantly borne in mind that section 316 is a part of the public law. The unfair methods of competition there declared unlawful must work injury to one or more individual producers, but in the view of this statute the effect on the individual is incidental and secondary. For the purpose of section 316 is not to protect complainant's business as such, but to safeguard an industry of the The considerations upon which the machinery of the statute is United States. set in motion must therefore be considerations primarily of a public nature. Failure to secure the desired exclusion from entry of a foreign revolver leaves Smith & Wesson (Inc.), with all its private rights intact. Refusal to set section 316 in motion withdraws nothing from the domain of the courts of general juris-

diction.

Section 316, it is true, proceeds on the notion that the term "unfair competition" has a legal significance. For that reason recourse must be had to the principles and terminology of the general common law in order to apply the words of the statute to its subject matter. Hence it is that the question of unfair competition is substantially the same as that dealt with in courts of general But the operation of section 316, and the remedies it employs, are jurisdiction. different in their nature and intention. Section 316 operates directly upon importations. If refusal of entry is ordered on account of simulation in the article, the effect is practically an embargo. As previously pointed out, such an order operates upon the article itself no matter who may be the importer or consignee, and no matter what may be the methods employed by any consignee in the

sale and disposition of the article.

In applying section 316 the situation of the Tariff Commission, therefore, is quite unlike that of a court of equity. A court of equity can and will use practical precautions to prevent a defendant from successfully diverting the plaintiff's custom while at the same time permitting the defendant to carry on his lawful business by any appropriate method. (Summerfield Co. v. Prime Furniture Co. 242 Mass. 149.) A court of equity retains full control of the subject matter. Not only can it grant relief upon such equitable terms as it sees fit, but it can mold its unjunction from time to time to meet changing conditions. fied article is sought to be placed upon the market, the court can itself determine whether the new article is within the scope of its former ruling. For it

has and retains jurisdiction in personam.

The Tariff Commission can do none of these things. When it has found and reported that unfair methods of competition exist in the importation of a given article because the article unfairly simulates one of domestic manufacture, its function is substantially exhausted. The execution of the order grounded on the commission's findings is not in its hands but in the hands of the officers of the customs. If, in holding the articles complained of to be simulations, the commission seeks to lay down a general description covering what it conceives to constitute an unfair simulation, there is always the possibility that administrative officers applying the general description will extend it beyond the scope contemplated by the commission. Unlike the case of a judicial decree, it is for others to interpret the conclusions of the commission and there is no speedy and effectual remedy for a misinterpretation.

These considerations lead to the view that, just as a court of equity will sometimes refuse an injunction and remit the complainant to his action to establish actual injury from a proven substitution of another's goods, so the Tariff Commission may well decline to set in motion the extraordinary remedies of section 316 where it is not satisfied upon a mere comparison of the articles that purchasers will be decired by the implicative long. Indeed it has been becaused by chasers will be deceived by the similarity alone. Indeed it has been observed by an English court that injunction ought not to be granted without some evidence that the article is likely to deceive other than that afforded by a comparison of the original and infringing articles. (London Omnibus Co. v. Lavell, L. R. 1901) (C. A.), 1 Ch. 135, 139, 140.) If the facts ultimately show actual substitution, the domestic manufacturer has at least his accustomed and regular forum.

III. Do the Circumstances Shown in Connection with the Importation or the Sale of These Revolvers, Taken in Conjunction With Their Physical Appearance, Establish Unfair Acts in Importation and Sale OF SUCH ARTICLES?

In connection with the description of the several revolvers, attention has been drawn to certain items of evidence offered to show that some of these imported revolvers have in fact been passed off as the product of Smith & Wesson. law recognizes that an article, although not so perfect a reproduction of the original as in itself to produce confusion in the mind of the purchaser, may nevertheless be so designed as to lay a foundation for, and practically to induce false representations on the part of dealers. It seems desirable, therefore, to consider these several items of evidence together and in their total effect.

We confess that we are not impressed with the extent or weight of the evidence We confess that we are not impressed with the extent or weight of the evidence offered to show actual passing off of the Spanish revolvers as the manufacture of Smith & Wesson. One of the principal items is the testimony of Gorman, an employee of the Western Union Telegraph Co. at Atlanta, Ga. This witness testified that in the early part of 1922 he went to a pawn shop at Atlanta to exchange an old breakdown revolver for a Smith & Wesson. The clerk showed him change an old breakdown revolver for a Sintin & Wesson. The cierk showed that a revolver, identified as an Orbea Hermanos revolver, commission Exhibit No. 30. The witness, noticing the letters "OH" and "Spain," remarked: "This is not a Smith & Wesson;" but the clerk assured him that the revolver was made in Spain by Smith & Wesson during the war on account of cheaper material and labor cost. Gorman purchased the revolver on these representations, and that is the property of the party of the country of the party of the country of the party of the night or the next showed it to a friend who examined it closely. As a result of this conversation, witness being in doubt whether he really had a Smith & Wesson revolver, wrote that company stating that the gun looked "just like a Smith & Wesson," but also calling attention to the marks and inquiring whether the revolver was made by them.

Attention has already been drawn to the testimony of the brothers Arthur and William Desellier.

At the instance of Smith & Wesson, the witness Arthur Desellier, one of their employees, sent a letter to the Import Trading Co. (Gluck) ordering a Smith & Wesson revolver for \$17, and in reply received the Guisasola revolver, com-

wesson revolver for \$17, and in reply received the Guisasola revolver, commission Exhibit G. (Trans. 362, 364.)

The same witness, again at the instance of Smith & Wesson, wrote to the Paramount Trading Co. requesting them to "send me one of the Smith & Wesson, 32 with the longest barrel you make." The Paramount Trading Co. (Newark) filled this order by sending Desellier the Beistegui revolver, commission Exhibit A. (Trans. 365.)

William Desellier also are applicated for the Smith
William Desellier, also an employee of Smith & Wesson, testified that at the request of his brother, he wrote a letter to the Paramount Trading Co.

stating that his "brother bought a Smith & Wesson 32 of you last month," adding "and i want a 38 with a long barel i think your advertizement said 18 dollars and 50 cts and he sent 25 cts for postage." The Paramount Co. filled this order by sending a Beistegui revolver, commission Exhibit L. (Trans. 367, 368.)

While the testimony of the Deselliers shows the willingness of two dealers

to take dishonest advantage of an apparent confusion in the mind of an intending purchaser, it is not evidence than any purchaser mistook one article for the other.

The brothers Desellier were acting as agents of complainant. The assumption

The brothers Desellier were acting as agents of complainant. underlying the three letters that the revolvers advertised at \$17 or \$18 were Smith & Wesson revolvers, is something that did not arise spontaneously in the minds of the writers from a comparison of the articles themselves or advertisements of them with the genuine article, but was placed there by those who naturally had

a keen interest in discovering anything approaching simulation.

In our judgment, it would be stretching the law to say that the Spanish manufacturers are chargeable with the independent falsehoods told by dealers for the purpose of palming off Spanish revolvers as the Smith & Wesson product upon supposedly credulous and ignorant purchasers. For it is not possible to affirm that such independent misrepresentation is the natural and probable consequence of the physical resemblance of the weapon. But if such misrepresentations could be imputed to the Spanish manufacturer whose revolvers were concerned in the transaction, they can not be imputed to the manufacturers of other revolvers. If this evidence indicated that ordinary purchasers had in fact been confused as to the identity of the articles, that their first reaction at the sight of any one of them was belief that it was a Smith & Wesson and not, as in the case of Gorman, doubt, it would be independent evidence of actual confusion tending to supplement comparison of the things themselves. But in our judgment, none of the evidence has this effect. As we have already found that the first 13 revolvers are in their form and structure unfair simulations, the question is of little importance, except in relation to commission Exhibit G. One of the Desellier letters refers to this Guisasola firearm. But for the reason already indicated, we are unable to hold that dishonest conduct of the dealer is the natural consequence of resemblance between that article and a Smith & Wesson. In point of fact, it is one of the Spanish firearms which least resembles a Smith & Wesson revolver and perhaps could not have been passed off as such without deliberate fraud.

With respect to commission Exhibit 31, there is no evidence whatever of

actual palming off. Nor is there any evidence indicating a purpose on the part of the foreign manufacturer to market this article otherwise than for what it really is and at prices indicating to the ordinary purchaser that the article is presumptively of a grade inferior to the Smith & Wesson product. True it is that advertisements are offered indicating that certain dealers advertised that the revolvers they offered at \$17 and \$18 were worth \$35, which figure was shown to be the price of Smith & Wesson revolvers at that time. But a false advertisement by a dealer is not in itself evidence against the manufacturer; nor is the fact, if it be a fact, that a rough cut bears a general resemblance in outline and contour to a Smith & Wesson, equivalent to proof that the article itself simulates the collocation of elements supposed to create the distinctive appearance. If the picture deceives, it does so because of its general resemblance to a Smith & Wesson. But it is not claimed that a general resemblance constitutes an unfair

simulation.

Findings of fact will be made in accordance with the views here expressed. As to the revolvers found to be simulations, it is obvious that the provisions of section 316, subdivision (e), providing for the imposition of an additional duty (not more than 50 per cent) "which will offset such method or act," affords no remedy for an unfair method or act which consists in passing off one article for An increase in duty could not offset the injury or put an end to the unfair method or act. It seems necessary in cases of this character, to employ that clause of subdivision (e) which provides that the President, in what he shall find "are extreme cases of unfair methods or acts," may "direct that such articles as he shall deem the interests of the United States shall require, imported by any person violating the provisions of this act, shall be excluded from entry into the United States. Accordingly the recommendation of the commission will be tothat effect.

JULY 14, 1925.

FINDINGS OF FACTS AND RECOMMENDATIONS

In the investigation of the alleged unfair methods of competition and unfair acts in the importation and sale of revolvers simulating revolvers of the manufacture of Smith & Wesson (Inc.), instituted on the 3d day of June, 1924, pursuant to the authority of section 316 of the tariff act of 1922, the United States Tariff Commission, on consideration of the complaint, answers evidence and exhibits in said investigation, makes the following findings of fact and recommendations.

FINDINGS

The United States Tariff Commission finds as follows:

1. That the industry in the United States engaged in the manufacture of re-

volvers and pistols is efficiently and economically operated.

2. That complainant, Smith & Wesson (Inc.), is a corporation organized and existing under the laws of Massachusetts, having its principal place of business at Springfield in that State. Since 1856 it and its predecessors have been engaged in the manufacture and sale of revolvers as their principal product.

3. That the product manufactured by complainant became widely known throughout the United States and in foreign countries, and acquired a reputation for excellence. Such revolvers have had, and still have, a large sale at home and

4. That before 1896 the Colt's Patent Fire Arms Manufacturing Co. manufactured a revolver of the side-swing cylinder hand-ejector type.

5. That in or about 1896 complainant's predecessors began the manufacture

of a side-swing cylinder hand-ejector revolver, the type in issue.

6. That said revolver was designed to have a distinctive visual appearance, arising from the incorporation in the structure of a collocation of details or elements of design and surface ornamentation, which in respect of their particular form are nonfunctional in character, viz:

(1) Shape of stock.

(2) General contour of frame and trigger guard.

(3) Shape of front end of frame.

(4) Squaring off of barrel on underside above ejector rod.
(5) Thumb piece releasing cylinder and locking hammer.

(6) Particular design of front cylinder lock.

Hollow rivet in hammer nose.

Shape of cylinder lug.

(9) Mottling of hammer and trigger.

(10) Checking of stock.
(11) Gold monogram at top of stock (discontinued on later models).

7. That the model represented by commission Exhibit C was adopted in 1905 by complainant's predecessors, and since that time the general outline of complainant's revolvers of this type has been uniform. Ninety per cent of complainant's business is in the manufacture and sale of said type of revolver.

8. That by reason of the large sale of revolvers and pistols manufactured by complainant since its organization, a good will and reputation for its products has been established; and that since 1905 the visual appearance resulting from the collocation of elements aforesaid of complainant's revolvers of said described type, represented by commission Exhibit C, has been identified in the minds of dealers, and to a large extent of the public, with the trade name of complainant and its predecessors in interest.

9. That in or about 1920 the importation of revolvers of said type, manu-

factured at Eibar, Spain, was begun.

10. That in or about February, 1922, the complainant's predecessors in business, Harold Wesson et al., trustees, doing business as Smith & Wesson, brought suit in the District Court for the Southern District of New York against District of New York against. L. Galef, Aaron Newmark, et al., trading as Paramount Trading Co., and Emil Gluck, trading as Import Trading Co., said suits being numbered E 23–119, E 23–120, E 23–121, respectively, on the docket of said court. That in each of said suits the defendant was charged with infringement of trade-mark and unfair competition in trade by reason of the sale of Spanish revolvers having the said distinctive visual appearance of plaintiff's revolvers. Said three cases were heard together on contested motions for preliminary injunctions, and in or about March, 1922, said court enjoined each of said defendants from selling said Spanish revolvers, which said injunctions are now in full force and effect. The opinion of said court is reported as Wesson et al. v. Galef et al., 286 Fed. 621.

11. That the said Spanish revolvers, the subject of said suits, were manufactured by Beistegui Hermanos, Guisasola Hermanos, and Orbea Hermanos, all of Eibar, Spain, and are represented by commission Exhibits A, G, I, J, L, No. 29 and No. 30, offered in evidence in this proceeding.

12. That in or about January, 1923, complainant brought suit in the District Court for the Northern District of Illinois against the American Novelty Co., of Chicago (No. 3253), charging infringement of trade-mark and unfair competition in trade by reason of the sale of Spanish-made revolvers having the said distinctive visual appearance of the plaintiff's revolvers. In said case a restraining order was issued, and subsequently defendants consented to the granting of a perpetual injunction, which said injunction is now in full force and effect.

13. That said Spanish revolvers, the subject of said last-mentioned suit, were manufactured by Garate Anitua v Cia., of Eibar, Spain, and are represented by photographic Exhibit No. 7 offered in evidence in this proceeding.

14. That in or about March, 1923, complainant brought suits in the District Court for the Southern District of New York against Gabriel Unwin, trading as Unwin Trading Co., and James B. Lago, Spanish consul at New York City (Nos. 26–123 and 26–124), charging infringement of trade-mark and unfair competition in the sale of Spanish revolvers, having the said distinctive visua appearance of plaintiff's said revolvers. Said two cases were heard together on contested motions for preliminary injunctions, and in both cases preliminary injunctions were issued restraining the sale of revolvers complained of. Subsequently, final decrees granting perpetual injunctions were issued by consent of the parties, which injunctions are now in full force and effect.

15. That said Spanish revolvers, the subject of said last-mentioned suits, were manufactured by Beistegui Hermanos, of Eibar, Spain, and are represented by commission Exhibits E and M offered in evidence in this proceeding.

16. That in or about March, 1924, complainant brought suit in the District Court for the Eastern District of Pennsylvania against Rosen and Margolies, copartners trading as The Rosen-Margolies Co. (No. 2981), charging infringement of trade-mark and unfair competition in the sale of Spanish revolvers having ment of trade-mark and unfair competition in the sale of Spanish revolvers having the same visual appearance as the revolvers the sale of which was enjoined by the courts in the suits against Galef, Paramount Trading Co., Import Trading Co., Unwin, and Lago, hereinbefore mentioned. Photographs of revolvers manufactured (a) by Guisasola Hermanos, subject matter of the Import Trading Co. suit, (b) by Beistegui Hermanos, subject matter of the Paramount Trading Co., the Unwin Trading Co., and the Lago suits, (c) by Orbea Hermanos, subject matter of the Galef suit, and (d) by Garate Anitua y Cia., subject matter of the American Novelty Co. suit, were filed with the bill of complaint and were before the court in said case. A preliminary injunction issued, and subsequently, by consent of the parties, a final decree was entered granting a perpetual injunction against the sale of said revolvers.

17. That on all the revolvers whose sale was enjoined in said suits the identity of each foreign manufacturer is indicated either or both by initials or names and

by the place, or by place and country, of manufacture.

18. That in the injunction suit against Galef, Galef consented to a perpetual injunction, and complainant agreed that Galef might sell revolvers indicated by four photographs annexed to an agreement, here in evidence as commission Exhibit 39, as not unfairly competitive. One of said four makes of revolvers was subsequently imported by Galef without objection from complainant.

19. That none of the four revolvers, which complainant and Galef agreed (as shown by Exhibit 39) might be imported as not infringing complainant's rights, has a front cylinder lock, and each has a thumb piece radically different from

the thumb piece on complainant's revolvers.

20. That in or about 1922 the monogram "S&W" in gold at the top of the stock was discontinued on complainant's revolver of said type and a convex, plain, circular surface substituted therefor.
21. That since that time a convex or concave, plain, circular surface has been

substituted for the gold monogram at the top of the stock on revolvers of Spanish

manufacture of said type.

22. That Exhibit 14, a revolver of the side-swing cylinder hand-ejector type, manufactured by the Colt's Patent Fire Arms Manufacturing Co., has features distinguishing it from complainant's revolvers of the same general type. Colt revolver has no front cylinder lock; the cylinder turns in the opposite direction; the thumb piece is of different shape and position and pulls back instead of pushing forward; the stock is of different shape, ornamentation, and checking; the rivet in the hammer nose is solid and not hollow; the cylinder lug is of different shape; the barrel is cylindrical rather than squared off on the bottom above the ejector rod, and there is no mottling on the trigger and hammer.

23. That the revolver manufactured by Beistegui Hermanos of Eibar, Spain, and represented by commission Exhibit A, save for a slight difference in the stocks, that on Exhibit A being shorter and more curved, is substantially a reproduction of the revolver manufactured by complainant, represented by commission Exhibit B. That the markings appearing upon said Exhibit A are not distinctive. Trade-marks and inscriptions only are used which close inspection show to be different, but which are so placed and are of such a size that the ordinary purchaser would get the impression of identity with the Smith & Wesson trade-marks, notwithstanding said differences.

24. That the revolver manufactured by Beistegui Hermanos of Eibar, Spain, represented by commission Exhibit E, save for marking, is a substantial reproduction of the revolver of complainant's manufacture, represented by commission

Exhibit F; but it differs in the following particulars:

On the left side of the barrel of Exhibit E is plainly marked "Made by Beistegui Bros., Eibar (Spain), 38 Long Cartridge." On the Smith & Wesson arm appears "Smith & Wesson." On said Exhibit E appears a circular trade-mark and a gold monogram in the same place and of the same size as those appearing upon said Exhibit F. The marking on the left side of the barrel is not a sufficient distinction to offset the close simulation in other respects of the revolver manu-

factured by Smith & Wesson (Inc.).

25. That the revolver manufactured by Beistegui Hermanos of Eibar, Spain, and represented by commission Exhibit L, save for marking and a slight beveling at the base of the stock, is a close simulation of the revolver manufactured by complainant, represented by commission Exhibit C. On the top of the barrel of Exhibit L appears "Beistegui Hermanos, Eibar (Espana)." A circular trademark and a gold monogram, hardly distinguishable from such marks on com-plainant's revolvers, also appear. The mere marking of the name in small plainant's revolvers, also appear. The mere marking of the name in small letters on the top of the barrel is not sufficient to overcome the close simulation

on the part of the maker of said gun.

26. That the revolver manufactured by Beistegui Hermanos of Eibar, Spain, and represented by commission Exhibit M, is a close simulation of the revolver of the manufacture of complainant, represented by commission Exhibit D. The stock is shorter and more curved. On the left side of the barrel appears "Made by Beistegui Bros., Eibar (Spain), 32 Long Ctg." On the left side of the frame appears "Made in Spain" and a circular trade-mark inclosing the letters "B H." The effect of the combination of practically all of the features of the Smith & Wesson revolver is not overcome by the markings just described.

27. That the revolver of the manufacture of Orbea Hermanos, of Eibar,

Spain, represented by commission Exhibit I, embodies practically all features of the revolver manufactured by complainant, represented by commission In addition, the evidence shows this particular gun is identical in dimensions of parts with revolvers of the manufacture of complainant. differences in marking appear, but they are not sufficient to overcome the apparent deliberate imitation, both in detail and in general effect, of the Smith & Wesson revolver.

28. That the revolver manufactured by Orbea Hermanos, of Eibar, Spain, represented by commission Exhibit J, except for the nickel-plated finish, is not to be distinguished from the Orbea Hermanos gun, represented by commission Exhibit I, already held to be an unfair simulation of the product of Smith &

29. That the revolver manufactured by Orbea Hermanos of Eibar, Spain, represented by commission Exhibit 29, with the exception of the pearl handle, which the evidence shows is also furnished on Smith & Wesson revolvers on special order, is substantially like commission Exhibits I and J, already con-As in the case of said exhibits, commission Exhibit 29 has sidered and disposed of. slight differences in marking. Such differences are not sufficiently distinctive to challenge the attention of the ordinary purchaser in such a manner as to indicate clearly that said exhibit is not of the manufacture of Smith & Wesson.

30. That the revolver manufactured by Orbea Hermanos, of Eibar, Spain, represented by commission Exhibit 30, is substantially similar to the revolvers manufactured by said Spanish maker, already considered, namely, commission Exhibits I, J, and 29. The stock of said Exhibit 30 is black with a black monogram at the top, instead of the brown stock with the gold monogram, appearing on the Smith & Wesson arms. There are slight differences in marking, as in the guns already referred to. This Orbea revolver, commission Exhibit 30.

can not be distinguished from said Exhibits I, J, and 29.

31. That the revolver manufactured by Guisasola Hermanos, of Eibar, Spain, represented by commission Exhibit G, embodies fewer features of the Smith

& Wesson and is more different than any of the revolvers involved in the injunction suits brought by Smith & Wesson. The differences may be noted as follows:

Stock.—The stock is of different shape, is shorter, is colored black instead of the usual brown, and has a small plain circle around the screw head in the middle and not the flat diamond found in the Smith & Wesson product. At the top of the stock the Smith & Wesson arm as now made is plain. Commission Exhibit G has a large monogram consisting of the letters "GH" inclosed in a large circle with an ornamental edging ending in a point extending down the middle of the stock.

Trigger.—The trigger is of different shape.

Cylinder.—The cylinder on Exhibit G revolves to the right while a Smith & Wesson turns to the left; the notches on the cylinder are consequently different.

Thumb piece.—The thumb piece is of a different knurling, is placed differently

and is differently shaped than on a Smith & Wesson.

Marking.—There are differences in marking such as the absence of any monogram upon Exhibit G upon the left side of the frame where the Smith & Wesson mark usually appears. On the right side of the frame of Exhibit G appears the trade-mark of J. L. Galef, consising of the initials "JLG" inclosed in a diamond with the word "trade" above and the word "mark" below. On the inside tang of the stock in very small letters appears the word "Spain."

The name of the maker at no place appears on said Exhibit G, and in view of the decision of the court in Wesson et al., v. Galef et al. (286 Fed. 621), we think this gun an unfair simulation of the Smith & Wesson product.

32. That the revolver manufactured by Guisasola Hermanos, of Eiber, Spain represented by commission Exhibit 42, is a sample of an importation in July, 1924, of a shipment of revolvers at Fort Worth, Tex., which were withheld from delivery to the importer or importers under instructions from the Treasury Department pursuant to the President's action under section 316 (f). Said revolver, represented by commission Exhibit No. 42, is substantially like the revolver of the manufacture of Smith & Wesson, represented by commission Exhibit No. 41. Slight differences may be noted as follows:

Diamond.—The flat diamond in the middle of the stock is not reproduced. Thumb piece.—The thumb piece is broght to a point instead of being square as in

the Smith & Wesson product.

Hollow rivet.—The rivet in the hammer nose has been made solid.

Marking.—On the left side of the frame of Exhibit 42 appears a trade-mark consisting of the letters "GH" inclosed in a large "C," with the word "trade" above and the word "mark" below. On the right-hand side of the barrel appears "Eibar (España) Año 1924." In addition, on the frame in front of the cylinder and on the barrel appear proofing marks of the Spanish Government. On the top of the barrel in plain letters appears "Made in Spain" but the name of the

Spanish maker at no place appears.

That said Exhibit No. 42 differs only in details from the modifications in the nonfunctional features of the Spanish revolvers, the sale of which was enjoined

by the courts as unfairly competitive with complainant's revolver.

33. That the revolver manufactured by Garate Anitua y Cia of Eibar, Spain, represented by commission photographic Exhibit No. 7, appears to embody most of the distinctive features of the Smith & Wesson arm; no sample of this revolver

was produced in evidence.

34. That the revolver of the manufacture of Trocaola Aranzabal y Cia, of Eibar, Spain, represented by commission Exhibit 9, purchased at retail in New York City by one of the complainant's agents, combines all the features which unite to give the Smith & Wesson product its distinctive visual appearance. There are minor differences in marking but the name of the Spanish maker at no place appears. Such differences in marking are not sufficient to overcome the impression of identity created by reason of such close simulation in all other

35. That the revolver of the manufacture of Sociedad Alfa, of Eibar, Spain, represented by commission Exhibit No. 10, purchased at retail in the United States by complainant's agents, embodies all the distinctive features of the Smith & Wesson product. Such differences in marking, as a close scrutiny discloses, are not of a character likely to arrest attention, but are merged in the

general impression.

36. That the revolver of the manufacture of Sociedad Alfa, represented by commission Exhibit No. 11, purchased at retail in the United States by complainant's agents, making allowance for the difference in caliber, is substantially identical with the revolver manufactured by Sociedad Alfa, represented by commission Exhibit No. 10, already considered. The marking on the right side of the frame "Made by Sociedad Alfa, Eibar (Spain)," while tending to negative in some degree the impression of identity resulting from the use of so many of the features of complainant's product is not likely to challenge the attention of the features of complainant's product, is not likely to challenge the attention of any

but the most cautious purchaser.

37. That subsequent to said injunction suits and at Galef's request, Spanish manufacturers submitted to him certain designs with a view to the manufacture of revolvers of the type in question which might be imported and sold in the United States in fair competition with complainant's revolvers. Exhibit No. 31 is a revolver made by Manuel Escodin from the design that was adopted. An importation of 173 revolvers of this design was withheld from delivery to the importer under instructions dated July 5, 1924, from the Treasury Department pursuant to the action taken on June 3, 1924, by the President under section 316 (f) of the tariff act of 1922 and published as Treasury Decision 40297.

38. That said revolver of the manufacture of Manuel Escodin, represented by

commission Exhibit No. 31, differs from a revolver of the manufacture of complainant, represented by commission Exhibit No. 41, in the following particulars:

Stock.—Exhibit No. 31 is slightly shorter, smaller, and narrower. The cross hatching on Exhibit No. 31 is all over the handle to the center screw head and concave on the top, while Exhibit No. 41 has a flat diamond around the screw head and is convex at the top.

Thumb piece.—Exhibit No. 31 is elongated and brought to a point, while Exhibit No. 41 is square. Both are in the same position and operate the same.

Front cylinder lock.—Exhibit No. 31 is larger.
Frame in front of cylinder.—Exhibit No. 31 has a slightly concave appearance, while Exhibit No. 41 is shaped to conform to the outline of the ejector rod.

Hollow rivet in hammer nose.—In Exhibit No. 31 the rivet is made solid; in Exhibit No. 41 it is hollow.

Trigger guard.—Exhibit No. 31 is inserted in the frame; Exhibit No. 41 is part of the frame.

Underside of barrel.—Exhibit No. 31 is round; Exhibit No. 41 is flat with two

grooves so that the ejector rod fits snugly into the shape. Frame.—In Exhibit No. 31 the frame is all one piece; Exhibit No. 41 has a removable plate visible on the off side.

Button on ejector rod.—Exhibit No. 31 is slightly different shaped.

Cylinder lug.—Exhibit No. 31 is pointed on the right side; Exhibit No. 41 is rounded.

Rear sights.—Exhibit No. 31 is small, circular, with a groove running the full length of the top of the frame. On Exhibit No. 41 the sight is moon-shaped, with a much wider groove.

Locking device.—Exhibit No. 31 does not contain the safety locking device

common to Smith & Wesson.

MARKING

Trade-mark.—On left side of frame, Exhibit 31, appears a large heraldic shield, Trade-mark.—On left side of frame, Exhibit 31, appears a large heraldic shield, surmounted by a helmet and plume. On Exhibit No. 41 appears the Smith & Wesson trade-mark composed of the letters "SW" intertwined, inclosed in a circle with the word, "Trade" above and the word "Mark" below.

Barrel.—On left side of barrel, Exhibit No. 31, appears "38 Special CTG." On Exhibit No. 41 appears "Smith & Wesson."

On top of barrel, Exhibit No. 31, appears "Manuel Escodin, Eibar, Spain, 1924 Model Revolver." On Exhibit No. 41 appears "Smith & Wesson, Springfield, Mass. U. S. A." with patent dates.

On right side of barrel Exhibit No. 31, no marking appears. On right side of

On right side of

On right side of barrel, Exhibit No. 31, no marking appears. On barrel, Exhibit No. 41, appears "38 Smith & Wesson Special CTG."

Proofing marks.—On the cylinder, on the frame in front of the cylinder and on the left side of the barrel of Exhibit No. 31 appear proofing marks of the Spanish Government. No such marks appear on Exhibit No. 41.

Right side of frame.—Exhibit No. 31 is plain. Exhibit No. 41 has "Made in

Inside tang of stock.—On Exhibit No. 31 in small letters appear "Eibar 1924."

No mark at this point on Exhibit No. 41.

In addition to the above noted differences there are various details such as shape and position of screws which it is believed are so minor as not to require mention.

That the above-noted differences distinguished said revolvers of the manufacture of Manuel Escodin from the revolvers of complainant's manufacture so that an ordinary purchaser exercising ordinary care would not take the one for the

39. That the Spanish manufacturers of the revolvers represented by the exhibits in this investigation copied the functional features of complainant's revolvers to the exclusion of functional features of any other make and of any

functional features original with such manufacturers.

40. That the use by subsequent manufacturers of the functional features of complainant's revolvers in combination involves the duty so to distinguish their products from complainant's as not to lead retail purchasers into purchasing such other revolvers in the belief that they are obtaining complainant's revolvers.

41. That such requirement was not met by the manufacturers of Spanish revolvers covered by paragraphs numbers 23 to 36, inclusive.

- 42. That the adoption by subsequent manufacturers of the most prominent features of the dress or ornamentation of complainant's revolvers with modifications, which do not change the general effect and which to casual observation look like complainant's, does not distinguish such revolvers from complainant's revolvers so that an ordinary purchaser not having the two makes of revolvers side by side before him for comparison would not be deceived into accepting the
- one for the other.

 43. That the importation into the United States of the Spanish revolvers manufactured by Beistegui Hermanos of Eibar, Spain, represented by communications of the spanish revolvers manufactured by Beistegui Hermanos of Eibar, Spain, represented by communications of the spanish revolvers manufactured by Beistegui Hermanos of Eibar, Spain, represented by the mission Exhibits A, E, L, and M, or the sale thereof in the United States by the owner, importer, consignee, or agent of either, constitutes an unfair method of competition and unfair act, the effect or tendency of which is to injure or destroy an industry efficiently and economically operated in the United States, and is therefore unlawful within the meaning of section 316 of Title III of the tariff
- act of 1922.

 44. That the importation into the United States of Spanish revolvers, manufactured by Guisasola Hermanos, of Eibar, Spain, represented by commission Exhibits G and No. 42, or the sale thereof in the United States by the owner, importer, consignee, or agent of either, constitutes an unfair method of commission and unfair act the offset or tendency of which is to injure or destroy petition and unfair act, the effect or tendency of which is to injure or destroy an industry efficiently and economically operated in the United States and is therefore unlawful within the meaning of section 316 of Title III of the tariff
- act of 1922.

 45. That the importation into the United States of Spanish revolvers, manufactured by commission factured by Orbea Hermanos, of Eibar, Spain, represented by commission Exhibits I, J, Nos. 29, and 30, or the sale thereof in the United States by the owner, importer, consignee, or agent of either, constitutes an unfair method of competition and unfair act, the effect or tendency of which is to injure or destroy an industry efficiently and economically operated in the United States, and is therefore unlawful within the meaning of section 316 of Title III of the tariff
- act of 1922.

 46. That the importation into the United States of Spanish revolvers manufactured by Sociedad Alfa, of Eibar, Spain, represented by commission Exhibits Nos. 10 and 11, or the sale thereof in the United States by the owner, importer, consignee, or agent of either, constitutes an unfair method of competition and unfair act, the effect or tendency of which is to injure or destroy an industry efficiently and economically operated in the United States, and is therefore unlawful within the meaning of section 316 of Title III, of the tariff act of 1922.

 47. That the importation into the United States of Spanish revolvers, manufactured by Trocaola Aranzabal y Cia, of Eibar, Spain, represented by commission Exhibit No. 9, or the sale thereof in the United States by the owner, important constituted are constituted of the confirmation o
- importer, consignee, or agent of either, constitutes an unfair method of competition and unfair act, the effect or tendency of which is to injure or destroy an industry efficiently and economically operated in the United States, and is therefore unlawful within the meaning of section 316 of Title III of the tariff
- act of 1922.

 48. That the importation into the United States of Spanish revolvers, manufactured by Garate Anitua y Cia, of Eibar, Spain, represented by commission Exhibit No. 7, or the sale thereof in the United States by the owner, importer, constitutes an unfair method of competition and unfair act, the effect or tendency of which is to injure or destroy an industry efficiently and economically operated in the United States, and is therefore unlawful within the meaning of section 316 of Title III of the tariff act of 1922.

49. That the importation into the United States of Spanish revolvers manufactured by Manuel Escodin, of Eibar, Spain, represented by commission Exhibit No. 31, or the sale thereof in the United States by the owner, importer, consignee, or agent of either, is not an unfair method of competition or unfair act, and is therefore lawful within the meaning of section 316 of Title III of the tariff act of 1922.

RECOMMENDATIONS

The United States Tariff Commission makes the following recommendations

Inasmuch as the imposition of an additional duty (not exceeding 50 nor less than 10 per cent. of the value of such articles) designed "to offset such method or act," would afford no protection against unfair methods of competition that or act, would allord no protection against unfair methods of competition that consist in the importation of revolvers unfairly simulating the product of a domestic manufacturer, the United States Tariff Commission recommends that the President employ the other remedial action provided by subdivision (e) of section 316 of the tariff act of 1922 and direct that the following named articles found to be unfair simulations of the articles manufactured by Smith & Wesson (Inc.), shall be excluded from entry into the United States, namely

1. Revolvers of the manufacture of Beistegui Hermanos, of Eibar, Spain, substantially as represented by commission Exhibit A in this investigation.

2. Revolvers of the manufacture of Beistegui Hermanos, of Eibar, Spain, substantially as represented by commission Exhibit E in this investigation.

3. Revolvers of the manufacture of Beistegui Hermanos, of Eibar, Spain, substantialy as represented by commission Exhibit L in this investigation.

4. Revolvers of the manufacture of Beistegui Hermanos, of Eibar, Spain, sub-

stantially as represented by commission Exhibit M in this investigation.

5. Revolvers of the manufacture of Orbea Hermanos, of Eibar, Spain, substantially as represented by commission Exhibit I in this investigation.

6. Revolvers of the manufacture of Orbea Hermanos, of Eibar, Spain, sub-

stantially as represented by commission Exhibit J in this investigation.

7. Revolvers of the manufacture of Orbea Hermanos, of Eibar, Spain, substantially as represented by commission Exhibit No. 29 in this investigation.

8. Revolvers of the manufacture of Orbea Hermanos, of Eibar, Spain, substantially as represented by commission Exhibit No. 30 in this investigation.

9. Revolvers of the manufacture of Guisasola Hermanos, of Eibar, Spain, substantially as represented by commission Exhibit G in this investigation.

10. Revolvers of the manufacture of Guisasola Hermanos, of Eibar, Spain, substantially as represented by commission Exhibit No. 42 in this investigation.

11. Revolvers of the manufacture of Garate Anitua y Cia, of Eibar, Spain, substantially as represented by commission Exhibit No. 7 in this investigation.

12. Revolvers of the manufacture of Trocaola Aranzabal y Cia, of Eibar, Spain, substantially as represented by commission Exhibit No. 9 in this investigation. 13. Revolvers of the manufacture of Sociedad Alfa, of Eibar, Spain, sub-

stantially as represented by commission Exhibit No. 10 in this investigation.

14. Revolvers of the manufacture of Sociedad Alfa, of Eibar, Spain, substantially as represented by commission Exhibit No. 11 in this investigation.

The United States Tariff Commission further recommends that the following articles, in the event that the order of the Treasury Department issued on July 5, 1924 (Treasury Decision 40297), has been applied to all or any of the same, be released from the operation of said order, and that any and all future importations of such revolvers be permitted entry, namely, Revolvers of the manufacture of Manuel Escodin, of Eibar, Spain, substantially

as represented by commission Exhibit No. 31 in this investigation.

Respectfully submitted.

THOMAS O. MARVIN, Chairman. HENRY H. GLASSIE, ALFRED P. DENNIS, A. H. BALDWIN, Commissioners.

Commissioner Costigan took no part in the decision. JULY 14, 1925.

APPENDIX 3. FINDING OF THE PRESIDENT ON THE CUSTOMS DUTIES ON SUGAR

The sugar investigation was initiated in 1923 when the average New York wholesale price of granulated sugar was 8.4 cents per pound as compared to the pre-war five-year average (1909-1913) of 4.9 cents per pound. The abnormally high price of sugar in 1923 furnished reasonable grounds for complaint and sug-

gested remedial action through reduction of the tariff on raw sugar.

The Tariff Commission in a divided report of three to two, the sixth member of the commission not sitting in the inquiry, recommended in a report dated July 31, 1924, a reduction in the sugar tariff. The wholesale price of refined sugar was quoted in New York August 4, 1924, at 6.37 cents per pound, or more than 2 cents

below the 1923 average price.

The enormous world crop of the 1923-24 season pointed to declining prices. This tendency was confirmed by a huge increase in world production during the

current crop year.

Wholesale New York price for granulated sugar May 7, 1925, was 5.48 cents per pound, as compared to May 8, 1924, 7.3 cents per pound, and an average for the year 1923 of 8.4 cents per pound.

Similarly the current price, New York, of raw sugar-4.27 cents per pound compared with 5.78 cents per pound one year ago and the five-year post-war average (1919–1923) of 7.38 cents per pound.

The current price of $2\frac{1}{2}$ cents per pound, duty unpaid, on raw sugar is below the average of pre-war prices. Only in the slump years of excessive production, such as 1921 and 1913, have the prices of raw sugar sunk to such low levels. As compared to pre-war commodity prices, sugar is relatively one of the cheapest articles on the American market. Refined sugar approximately back to pre-war prices stands out in contrast with the general food price index which is estimated

at approximately 50 per cent above pre-war.

The American farmer receives advice on every hand to diversify his crops. He proceeds to do so by going in for sugar-beet culture, protected from the competitive impact of cheap Cuban labor by a tariff duty of 1.764 cents per pound on Cuban raws. The American farmer is thus in process of building up a great home agricultural industry which at once improves the farmer's soil, enables him to diversify crops and tends to release the American people from dependence upon the foreigner for a major item in the national food supply. The farmer is entitled to share along with the manufacturer direct benefits under

our national policy of protecting domestic industry.

Money must be found to meet the appropriations voted by representatives of the American people. It is estimated that the sugar import duty yielded the National Treasury last year (1924) \$135,099,106 out of a total revenue from all imports of merchandise of \$545,231,859. To make the proposed reduction would cost the Treasury about \$40,000,000 each year.

In the past decade (1915-1924) the sugar duty has yielded revenues averaging slightly over 25 per cent of the total revenues for all imported merchandise.

Great Britain, a negligible producer of sugar, derived 28 per cent of the total customs revenues of 1923 from the import tax on sugar. The British sugar duty has ranged from as high as 4.835 cents per pound in 1918 to the present duty of

2.33 cents per pound.

I have given exhaustive consideration to the reports submitted by the majority and minority members of the Tariff Commission as the result of their investigation into the difference between the cost of production of domestic and imported sugar. I have secured additional information upon some points from the commission and other departments. The majority members consider these differences in the costs of production as compared to Cuban amount to 1.2302 cents per pound while the minority members consider they exceed the present duty of 1.7616 cents per pound as applicable to Cuba. These divergent conclusions are the result of different interpretations of the same basic data, approached with equal conscientiousness on both sides.

The ultimate duty of determining this matter rests upon me. the members of the Tariff Commission, after honest and painstaking investigation, have been unable to agree, and in fact differ widely in their conclusions is itself enough to show the difficulties of decision and the doubts in which it is

involved.

It is obvious from the reports that there is a wide variety of conclusions which can be obtained, peculiar in this industry, by alternative methods of interpretation of the same basic data. This appears to me to be fundamentally due to

the wide fluctuations in the costs of production in different years and in different parts of the industry for which averages have been taken. These variations have been as much as 200 per cent and in itself seems to indicate that a longer period of more stable conditions is desirable before conclusions. For instance, in arriving at a conclusion from the data in hand it is possible to base interpretations either upon the six-year period which embraces in its first four years a time of great distortion of costs due to inflation and deflation, or it is possible to base conclusions upon either two or three most recent years. It is also possible to arrive at different conclusions based on whether we compare costs of different regions during the time of production or during the time of marketing of the products. It is also possible to vary conclusions by the different methods of interpretation involved in advantages and disadvantages of competition. Furthermore, as the beet sugar industry is the one for which we must have utmost solicitude, it is possible to vary conclusions by the adoption of that industry as the standard or by the inclusion of all other forms of domestic and insular production, and to still further vary them by adoption of the costs of the beet industry in particular States.

The majority of the commission assumes such combinations of these factors as to produce an average difference of cost between our domestic production and Cuban production of 1.2302 cents per pound. If on the other hand we exclude the first four years of the period averaged, we would on different interpretations of the other factors involved arrive at estimates varying up as high as 1.9812, the present duty on Cuban sugar being as said, 1.7616 cents per pound. Even on the six-year average a difference of opinion as to the other factors involved creates variables in estimates from 1.2307 to 1.6702. After full consideration of all the facts shown in the reports of the members of the Tariff Commission I do not find that differences in cost of production are sufficiently established under present conditions to warrant any change from the present

duty.

There are economic features of broad national importance, having the greatest bearing upon the welfare of our farmers and our consumers of sugar which are worthy of careful consideration before any steps are taken to disturb present conditions. Our agricultural production to-day is badly ill-balanced. We produce great surpluses of wheat and some other commodities, for which over a term of years we find a market abroad only with difficulty and loss, and at the same time we produce an insufficiency, and are thus forced to import some other agricultural commodities, of which sugar is by far the most important, and in which at times there are world shortages in supplies. Our export farmers are subject to fortuitous circumstances in other parts of the world over which we can have no control, and our consumers of sugar are likewise affected in both

supplies and price by fortuitous circumstances of foreign production.

It is important that as a Nation we should be independent as far as we may of overseas imports of food. Further, it is most important that our farmers, by diversification of their production, shall have an opportunity to adjust their crops as far as possible to our domestic rather than foreign markets, if we would attain higher degrees of stability in our agriculture. I am informed by the Department of Agriculture that the land in our country which could be planted with sugar beets if protection to the industry is continued, is capable of producing quantities of sugar far in excess of our domestic requirements. While we can not expect to arrive at complete direct or indirect displacement of our excessive wheat acreage by an increase in sugar beet planting, yet in so far as this may be brought about it is undoubtedly in the interest of American agriculture and, therefore, of our people as a whole. Furthermore, such diversification with sugar beets has great technical values in agriculture for its gains to fertility and other advantages. Already beet production is expanding in such wheat growing States as North Dakota.

These general views were supported by the representatives of agricultural organizations who met in conference at my request during the past winter. In calculation of cost of production in the sugar-beet industry, the Tariff Commission has of necessity adopted average costs. An average at once implies that certain portions of the industry must be producing at higher than average costs. Due to this fact a reduction of duty as recommended by the majority of the commission would appear from the figures furnished by the commission to leave 20 to 40 per cent of our present beet acreage without the full measure of protection that the difference in costs of production would require. This would result in a retrogressive rather than a progressive step toward diversification in those higher cost areas and they embrace the whole industry in certain States. It means inevitable further increase of such agricultural produce in which we have already

a surplus.

I am also impressed with the fact that there is a general tendency for consolidation of control in price and distribution in many commodities upon which we are dependent for import. I do not say that such foreign combinations in restraint of trade exist in sugar at the present time but the whole tendency of the development of foreign sugar production is in the direction of larger holdings. In the long run there lies in this, therefore, certain dangers to the consumer which can only be safeguarded by an assurance of competitive domestic supplies. Our annual consumption of sugar has increased by about 1,000,000 tons in the last decade until it has reached 103 pounds per person yearly. The interest of the consumer will in the long run be served only by the ample supply of the product. This can only be assured by the maintenance of our beet-sugar industry. It must be borne in mind that the retail price of sugar to the consumer during the past six years has varied, due to the changes in the volume of supply and demand, from $6\frac{1}{2}$ to 26 cents per pound. The proposed reduction of duty amounts to one-half cent per pound and did the consumer benefit by all of it temporarily (and from the forces in motion even this is unlikely) he would in the long run be more likely to suffer from much larger rise in prices due to the shortening of supplies.

It appears to me that these views are well supported by our actual experience since this subject came under discussion. One year ago the wholesale price of refined sugar was about 7½ cents per pound. To-day it is about 5½ cents per pound, being a decrease of over 25 per cent and the price to-day is scarcely over pre-war, whereas all other foodstuffs are 50 per cent higher than pre-war. I do not believe that we can maintain such reasonable prices if we destroy our domestic

industry.

Giving due weight to the above considerations, affirmative action has been postponed upon the sugar report submitted some months ago by the United States Tariff Commmission. If through decreased production or other conditions the world market should be relieved of the weight of sugar now pressing upon it, and the consumer should again be compelled to pay the abnormally high prices complained of in 1923, the change in conditions might warrant a reconsideration of the present decision to postpone action upon the recommendation offered in the majority report of the United States Tariff Commission.

APPENDIX 4. LETTER FROM THE PRESIDENT IN REFERENCE TO THE COM-MISSION'S REPORT WITH RESPECT TO COTTON WARP-KNIT FABRIC GLOVES

THE WHITE HOUSE, Washington, October 3, 1925.

Gentlemen: Your report on cotton warp-knit fabric gloves has been received and considered.

Before the war this industry did not exist in this country, but sprung up after foreign imports were cut off, reaching a production in 1919 of 1,500,000 dozen

pairs.

After peace was made imports began which took the place of domestic production in spite of a tariff of 35 per cent under the law of 1913. In 1922 the tariff duties were increased so that in 1923 three-fourths of the imports coming in were under section 915, paying an average duty of 63 per cent. At the present time all imports are under section 1430, which works out to a duty of 75 per cent. By 1924 production had declined from 1,500,000 dozen pairs to only 68,000 dozen pairs.

In the trade these gloves are a low-priced substitute for the expensive silk and leather gloves. The report of your commission suggests increases that may run as high as 125 per cent on American valuation or 112½ per cent on foreign valuation. The bulk of imports are of short length gloves retailing at about \$1 per pair. In the opinion of the trade the increases in duty suggested would raise

the price to \$1.50 per pair.

Under the circumstances which apply to the industry, I do not feel warranted at this time in increasing the import duty on cotton warp-knit fabric gloves.

Very truly yours,

CALVIN COOLIDGE.

UNITED STATES TARIFF COMMISSION, Washington, D. C.

APPENDIX 5. CORRESPONDENCE WITH THE PRESIDENT RELATIVE TO THE INVESTIGATION BY THE COMMISSION WITH RESPECT TO WALL POCKETS

UNITED STATES TARIFF COMMISSION, Washington, October 1, 1925.

To the PRESIDENT:

The United States Tariff Commission respectfully submits the following report of its investigation of the differences in costs of production of wall pockets in

the United States and in the principal competing foreign country, for the purposes of section 315 of Title III of the tariff act of 1922.

Prior to the World War, which shut off for the time the importations of wall pockets from Germany, which is the main source of such importations, these products were not manufactured in the United States. In 1914 one company made those pockets in New York City and subsequently this company was bought by the Buffalo Art Manufacturing Co., the firm which is the applicant before the commission for an increase of duty. The latter firm, as far as can be ascertained, has been for some time the sole manufacturer of wall pockets in this country, and although enjoying a considerable volume of business during the war, has now practically ceased manufacturing. In the oral hearings it was indicated that the number of persons now employed is almost negligible. At no time, as disclosed from the record before the commission, has the manufacture of wall pockets in the United States been profitable to this company.

It is evident that the wall-pocket industry has been essentially a war-fostered one and that under normal conditions the advantages of the foreign producer in this business are so great as to preclude the possibility of favorable competition by the American manufacturer except under an excessive rate of duty. It is further believed that no serious public interest would be served by an attempt to restore this industry by such an increase in the rate of duty in view of the fact that the single firm now interested in the manufacture in question has never been able to develop the business profitably even under the exceptionally favor-

able conditions existing during the war period.

The cost data collected in the investigation indicate that the difference between foreign and domestic costs of production, under the exceptional circumstances above stated, is greater than the duty fixed in the tariff act of 1922. If the President so desires, these cost data will be submitted in detail.

The conclusion, however, is reached that on the basis of the data before the commission it is not justified in indicating any action to change the existing rate

of duty on wall pockets.

THOMAS O. MARVIN, Chairman. ALFRED P. DENNIS, Vice Chairman. HENRY H. GLASSIE, A. H. BALDWIN, E. B. Brossard, Commissioners.

Owing to absence from Washington, Commissioner Costigan has not been able to participate in the drafting of this report.

> THE WHITE HOUSE, Washington, October 3, 1925.

MY DEAR MR. CHAIRMAN: I have received your note of October 1, submitting the findings of the commission in the investigation, for the purposes of section 315 of the tariff act of 1922, of the costs of production in the United States and in the principal competing foreign country of wall pockets, and approve the conclusion of the commission in the matter.

Very truly yours,

(Signed)

CALVIN COOLIDGE.

Hon. Thomas O. Marvin, Chairman United States Tariff Commission, Washington, D. C.

APPENDIX 6. LIST OF PUBLICATIONS OF THE TARIFF COMMISSION

The scope of the commission's work since its organization in 1917 is briefly outlined by the following list of subjects investigated and reported upon to December, 1925:

ABBREVIATIONS

*= Printed edition exhausted.
**= Not specially provided for, or not provided for eo nomine.
FL= Free list.
In prog. = Work in progress.
Ms. = Manuscript (typewritten).
M. S. = Miscellaneous series (unnumbered).
n. s. p. f. = Not specially provided for.
P. = Printed.
T. I. S. = Tariff information series.
W. M. = Reports to Ways and Means Committee (unnumbered).
R. P. = Reports to President of investigation under sec. 315.

		Tariff a	act of 1913	Para-	
Subject	Status	Sched- ule	Para- graph	graph of act of 1922	Report No.
Abrasive materials (report)	P				B-3
Acetaldehyde			. 5	2	
Acetic acid	- P	FL	387	1	Ā-2
Acetone and acetone oil	P	A	3	3	A-2
Acids:	P	FL	207		م ا
AceticAcetic anhydride	- 5	FL	387	1	A-2 A-2
Arsenic and arsenious	- 5	FL	387	1.1513	FL-6
Benzoic		A	**1		LT-0
Boric	P	A	i	27,28	A-1
Carbolic (see phanol)	-	A	1 -	1	A-1
Carbolic (see phenol) Chromic	P	FL	387	1501	A-18
Citric	P	A	1	1 1	A-10
Diethylbarbituric			**1	**5	R. P.
Formic	p	A	ĺ	**1	A-i
Gallic	P	A	l î	i	A-1
Glycerophosphoric	P	A	18	26	A-6
Н		A	23	27	
Hydrochloric	P		387	1501	FL-1
Hydrocyanic	- p	FL	387	**1	FL-î
Hydrofluoric	P	FL	387	1501	FL-i
Lactic	P	A	l Ti	1	Ā-1
Muriatic	P	FL	387	1501	FL-1
Nitric	. P	FL	387	1501	FL-1
Oleic	_ Ms	A	l **1	27	
Oxalic	- P	A	1	1	A-1. R. P.
Phosphoric Phosphoric	P	FL	387	1	FL-1
Phthalic		FL	387	27	FL-1
Prussic (hydrocyanic) Pyrogallic	. P	FL	387	**1	FL-1
Pyrogallic	- P	A	1	. 1	A-1
Pyroligneous	. P	FL	387	**1	A-2
Salicylic	_ In prog _	A	1 1	27, 28	
Silicic	. P	FL	387	**1	A-18
StearicSulphuric, or oil of vitriol	_ Ms	A	**1	1	
Sulphuric, or oil of vitriol	- <u>P</u>	FL	387	1501	FL-1
Tannic	P	A	1	1	A-1
Tartaric	P	A	1	1	_A-1
Valerianic	P	FL	387	1501	FL-1
		I B I A	387	1501	FL-1
Acids of paragraph I and related materials	P		i		
Acids of paragraph 1 and related materials pro-	P				A-1
Acids of paragraph 1 and related materials pro- vided for in the tariff act of 1913.	P		200	25 1500	
Acids of paragraph 1 and related materials pro- vided for in the tariff act of 1913. Aconite	P	FL	388	35, 1502 **1209	A-7, FL-9
Acids of paragraph 1 and related materials pro- vided for in the tariff act of 1913. Aconite	P P	FL	481	**1302	A-7, FL-9 FL-14
Acids of paragraph 1 and related materials pro- vided for in the tariff act of 1913. Aconite	P P P	FL	481 34	**1302 42	A-1 A-7, FL-9 FL-14 A-4 B-19
	P P P	FL FL	481	**1302	A-7, FL-9 FL-14

List of publications by the United States Tariff Commission, Washington, December, 1925—Continued

		Tariff act of 1913		Para- graph	Report
Subject	Status	Sched- ule	Para- graph	of act of 1922	No.
Agricultural staples and the tariff:	_				
Wheat and wheat flour	P	FL	644	729	T. I. S20
Oats and oatmeal	P P	G	192 188–190	726 722	T. I. S20 T. I. S20
Flaxseed or linseed	P	Ğ	212	760	T. I. S20
Barley and barley malt Flaxseed or linseed Flaxseed or linseed oil	P	A	45	54	T. I. S20 T. I. S20
Potatoes	P	FL	581	769	T. I. S20
Hay	P	g	205	777	T. I. S20 C-14
Air riflesAlabaster, manufactures of	P P	C	132 98	1414 233	B-11
Albata	P	č	145	**380	Č-19
Albumen, dried egg	P	A	4	713	G-11
Alcohol:			****		
Ethyl (nonbeverage or industrial)	Ms P	FL	**237 393	4 4	
Methyl or wood Propyl	Ms		**33	4	A-2
Alcoholic compounds, n. s. p. f	P		16	24	A-5
Aldehyde ammonia	Ms	A	**5	2	
Aldol	Ms	A	**5	2	
Alizarin assistants	P P	A	45 110	56	A-11 C-7
Almond oil:	F	0	110	305	C-1
Bitter	P	A	46	1631	A-11
Sweet	P	A	45	1632	A-11
Almonds	P	G	223	754	G-34
AloesAlthea root	P P	FL	**27**477 544	35, 1502 35, 1502	A-7 FL-2
Alum	<u>P</u>	A	6	6	A-3
Alumina, hydrate of	P	A	6	**6	A-3
Aluminum:	_				
Alloys Bars, plates, sheets, strips, and rods	P P	C	143	374	C-16 C-16
Compounds		¥	143	374 6	A-3
Hollow ware	P	Ĉ	134	339	C-16
Hollow wareHydroxide or refined bauxite	P	À	6	6	A-3
Leaf	P	C	146	382	C-18
Manufactures, n. s. p. f. Crude		FL	134, 167	339	C-16 C-16
Sulphate	P	A	411	374 6	A-3
Amber:				•	11.0
Gum	<u>P</u>	A	36	11	A-9
Manufactures of	P	N	367	1438	N-19
AmbergrisAmberoid, gum	P	A	49 36	61 11	A-14 A-9
American valuation as the basis for assessing duties ad valorem, information concerning	P				W.M.
(report). Ammoniacal gas liquor	P	A	7	**1459	A-3
Ammonium:			'	1200	21.0
Carbonata	P	A	7	7	A-3
Chloride (muriate)	P	A	7	7	A-3
Chloride (muriate) Liquid anhydrous Nitrate	F	FL	7 395	7 7	A-3 A-3
Nitrate Perchlorate	P	FL	395	7	A-3
			7	1 7	A-3
Sulphate Amyl acetate Amyl alcohol	P	FL	395	7	A-3
Amyl acetate	P	A	29	**38	A-7
Amyl nitrite	P	A	33 29	**38	A-9 A-7
Anchors and parts of, iron or steel	P	Ċ	106	319	Ĉ-5
Anchovies	P	G	**216	**721	G-19
Angles, iron or steel	P			312	C-3
Aniline, oil and salt				27	XT 10
Animal hair, n. s. p. f	P P	F L	503	1586	N-12 A-11
Anise-seed oil	P	A	46	1631	A-12
Annatto	P	FL		1509	A-8
Annual reports:	TD#		1	1	35.0
First Second	P				M.S.
Third	P		1		M. S. M. S.
Fourth	P		l		M. S.
	p		l		M. S.
Fifth	÷				
Sixth	P				M.S.
SixthSeventh	P P				M.S.
Sixth	P			27	

List of publications by the United States Tariff Commission, Washington, December, 1925—Continued

		Tariff s	et of 1913	Para-	Domout
Subject	Status	Sched- ule	Para- graph	graph of act of 1922	Report No.
Antimonial lead (type metal)	P	C, FL.	160, 637	393	C-17
Alloys	P	C, FL	154, 572	**376	C-17
Ore and stibnite containing Oxide, salts, and compounds	P	FL	396 144	1508	C-17 C-17
Regulus or metal and matte containing	P	ğ	144	376	C-17
Antitoxins, vaccine virus, and all other serums.	P	FL	400	1510	FL-2
Anvils of iron or steel	P	C FL	118 401	325 1640	C-9 FL-5
ApatiteApples, green or ripe and dried	P	G	217	734	G-20
A pricot kernels	P	G	223	760	G-34
Arabic or senegal gum	P	A FL	36 564	11 1509	A-9 A-8
Argols	P	A	8	1509	A-0 A-1
Arrowroot	P	FL	402	1511	G-33
Arsenic	P	FL	403	379	FL-6
Arsenic and arsenious acid	P	FL	387 403	1, 1513 1512	FL-6 FL-6
Arsenic, sulphide ofArt squares, wholly or in part of wool	P	K	303	1117	K-6
Art, works of	P	N, FL	<i>§</i> 376, 611,	1449, 1705-\	N-24
Articles not enumerated but similar to articles enumerated.	P	N	1 652-657 386	1708/ 1460	N-27
Articles not enumerated or provided forArtificial silk:	P	N	385	1459	N-27
Manufactures of Spun	P	Ļ	319 **319	1213	Ļ-4
Tops.	P	Ľ	**319	1213 1213	L-4 L-4
Waste	P	L	384	1213	L-4
Yarns Asafetida	P	L	319	1213	L-4
Asbestos:	P	FL	405	35, 1502	A-7, FL-2
Manufactures of	P	N	367	1401	N-20
Unmanufactured	P	FL	406	1515	N-20
Ashes, wood and lye of, and beet rootAsphaltum	P	FL	407 534	1645 1609	A-16 FL-7
Attar of rose	P	A		1631	A-12
Aubusson carpets and rugsAutomobile equipment, electrical	P	K	293, 300	1116	K-6
Automobiles and parts	P	C	**167 119	**369, 399 369	C-31 C-10
Automobiles and parts	P	ŏ	**167	**399	C-13
Axles of iron or steel	P	C	121	323	C-10
Axminster carpets and rugs Babbitt metal	P	K	293, 300 **154	1116, 1117 393	K-6 C-17
Bagging for cotton or jute	P	FL	408	1019	J-7
Bag leatherBags:	P	FL	**530	1431	N-16
Jute or cotton	P	I, J	{266, 281, **284	921, 1018	J-9
Leather		,	360	1432	N-18
Paper	P	TMT	324	1305	M-4
Ball clay Balls and bearings, antifriction.	P	B	**76 106	**207 321	B-4 C-5
Balm of Gilead	P	C FL	409	**34, **1567	A-7, FL-2
Balsam:		1		1	·
Canada Copaiba	P P	A	9 9	10 10	A-3 A-3
Gurjun	P	A	**g	**10	A-3
Peru	P	A	9	10	A-3
ToluBalsams (see Drug industry, crude botanical)	P P	A	9	10	A-3 A-7
Bandings:	F				A-1
Cotton	P	I	262	**913	I-7
Silk	P	L	316	**1207	L-2
Band iron or steel	P	C, FL.	{107, 109, 509	309, 313, 314	C-4
Bargaining tariffs. (See Reciprocity and commercial treaties.) Barium:					
Carbonate	P	A	10	12	A-4
Chloride	P	Ā	10	12	A-4
Dioxide	P	A	10	**1562	A-4, R. P.
Metal	t	·	143	1502	C-16
Bariey and Dariey mait. (See Agricultural					
Metal Barley and barley malt. (See Agricultural staples and the tariff.) Barrel hoops, iron or steel	P	C	107	313	C-4

List of publications by the United States Tariff Commission, Washington, December, 1925—Continued

		Tariff act of 1913		Para- graph	Report	
Subject	Status	Sched- ule Para- graph		of act of 1922	No.	
Bars:						
Steel	P	C	110 103	315 303	C-7 C-2	
Barytes:	*	0	100	500	02	
Crude	P	A	51	69	A-4, T .I. S18	
		12.000	"		1. S18	
Ground	P	A	51	69	T. I. S18	
	_				A-4, T. I. S18	
Barium chemical and lithopone industries Baskets:	P				T. 1. S18	
Bamboo, etc	<u>P</u>	D	175	409	D-4	
Leather	P	N	360	1432	N-18	
Bath mats	P	I	264	**910, 1022	I-8	
Batteries, electric	P	Ĩ	264	320 **921	C-31 I-8	
Batting, cotton	F	1	204	921	1-0	
Crude	P	FL	411	207	C-16	
Refined	P	A	6	6	A-3	
Bay rum	P	Ĥ	242	63	A-14	
Beads	P	N	333	1403	N-1	
Reans	P	C	104 197, 199	312 763	C-3 G-8	
Beans Beef and cattle industry (report)	P	Ğ	545, 619	701	W. M.	
Beeswax	P	FL	412	1458	FL-7	
Belgium, colonial tariffs. (See Colonial tariff						
policies.) Belladonna leaves and roots	ъ	A, FL	**27, **477	36	A-7	
Bell metal	P	FL	413	1519	C-19	
Bells	P	FL	413	1519	Č-19	
Belting and sole leather	P	F'L	**530	**1606	N-15	
Belting for machinery, cotton or other vegetable	P	I	262	913	I-7	
fiber. Belts and belting, silk	P	L	316	**1207	L-2	
Belts, cotton	P	Ĭ	262	**913	I-7	
Belts, leather	P	N	360	1432	N-18	
Benzidine	In prog	A	**23	27		
Benzoic acid	In prog	A	**1	27, 28		
Bergamot oil	P In prog	A	46 **23	1631 27, 28	A-12	
Beta-napthol Bicycles and finished parts of	P.	Č	120	371	C-10	
Billets, iron or steel	P	U, FL.	110, 613	303, 304	C-7	
Billiard balls	P	N	341	1413	N-7	
Bimetal sheetsBindings:	P	C	109	309	C-23	
Cotton	P	I	262	**913	I-7	
Silk	P	L	316	**1207	L-2	
Birch tar oil	P	FL	561	**59	A-12	
Birds: Game	Ms	G	410	711		
Song	Ms	g	416 416	711 711		
Bismuth	P	F L	418	377	FL-6	
Bitumen	P	FL	534	1609	FL-7	
Black pigments	P	A	53	73	A-15	
Blacksmiths' hammers, tongs, etc	P	A	11 122	13	A-5 C-9	
Blackstrap molasses	In prog_	Ĕ	177	326 502) C-9	
Bladders, integuments, tendons, and intestines	P	FL	419	1655	N-19	
of animals and fish sounds, n. s. p. f.	!		l .	1		
Bladders, manufactures of Blades, cutlery	P	<mark>й</mark>	367	1438	N-19	
Blanc fixe	P	C	128-130 51	354, 356–358	C-13 A-4	
Blankets and quilts, cotton	P	î 🕆	264	69 912	I-8	
Blanks, iron or steel	P	C, FL.	110, 613	304	Č-7	
Blasting caps.	P	N	346	1418	N-8	
Bleaching powder	P	A	12	14	A-5	
Blinds of bamboo, wood, straw, or compositions of wood.	P	D	175	409	D-4	
Blood char	P	FL	447	71	A-15	
Blood, dried, n. s. p. f	P	FL	420	1524	FL-5	
Bloodroot (see Drug industry, crude botanical)	P				A-7	
Blooms, iron or steel	P	C, FL	∫ 110, 518,	303, 304	C-2, C-7	
Blown glassware (see Glassware).		_,	1 613) 300,001	2,01	
Boards, sawed, planed, tongued and grooved	P	FL	647	403, 1700	FL-37	
Bobwhite quail	P			711	R. P.	
Boiler plate	P	g	105	307	C-4	
Boilers	P	C	127	**328	C-12	

List of publications by the United States Tariff Commission, Washington, December, 1925—Continued

		Tariff s	et of 1913	Para-	
Subject	Status	Sched- ule	Para- graph	graph of act of 1922	Report No.
Bolting cloth (silk)BoltsBone:	P	C	422 123	1525 330	L-3 C-11
Char	P	FL	447 423	71 1526	A-15 FL-5
Cotton	P	r	368 262	1439 **913	N-21 _I-7
Silk Bones, crude, burned, calcined, etc Bonnets, fur	I P	FL	316 423 354	**1207 1526 1427	L-2 FL-5 N-13
Bookbinder's leather Boots and shoes Borax, crude and unmanufactured	P	FL FL FL	**530 530 429	**1431, **1606 1607 1532	N-17 N18 A-1
Borax, refined Boric acid Bort	P	A A N	67 1 357	83 1 **1429	A-1, A-18 A-1 N-1, B-3
Botanical drug industry, crudeBottle capsBottles, glass	P	C	164 83, 84	391 217	A-7 C-28 B-9
Boxes: Containing oranges, etc Packing, empty	P	D	172 171	406 405	D-2 D-2
Paper, papier-maché, etc		M FL	324 648	1305, 1313 403	M-4 D-1
SawedBraces: Cotton	P	I	169 262 316	403 913 1207	D-1 I-7 L-2
Silk Brads, iron or steel Braid machines Brass old	TP	ाम .	554 165 430	331 372 1533	C-8 C-29 C-19
Braid machines Brass, old Brass rolling-mill products Brazil nuts Breecia:	Į.	l .	167 **226	396 755	C-19 G-34
Crude and dressed	P P	B B D	97 98 168	232 233 402	B-11 B-11 N-26
Refractory— Chrome Fire Magnesite Structural— Common Sand-lime Tapestry and front Vitrified	P	В	71	201, 1536	· B-1
Vitrified Bristles: Not sorted, etc Sorted, etc Bristlo board Britannia metal, old	P	FL M FL	432 337 328 572	1537 1408 1302, 1307 **393	N-4 N-4 M-1 C-17
British wool-manufacturing industry, a survey of (report). Brocades, metallic	P	- c	146	382	W.M. C-18
Bromine and compounds, n.s.p.f. Bronze metal leaf Bronze powders Broom corn Broom handles Brooms Bround Bround Bround	P P P	FL C FL FL	433 146 146 434 647 336	382 382 1538 **410 1407	FL-8 C-18 C-18 N-3 FL-37 N-3
Brushes, carbon electric	P	N B	336 81	1407 216	T I.S8 N-4 B-8 K-6
Brussels carpets and rugs	P	K A C	295 39 151 128	1117 36 346 354	A-7, A-10 C-20 C-13
Budding knives Building forms, iron or steel Building stones Bulb beams, iron or steel Bullions Bulgions Burgundy pitch	P	C B C FL	104 99 104 150 437	312 235 312 385 1540	C-3 B-11 C-3 C-18 FL-2
Burrstones: In blocks	P	FL	614 438	1675 234	B-3 B-3

List of publications by the United States Tariff Commission, Washington, December, 1925—Continued

***		Tariff a	act of 1913	Para-	
Subject	Status	Sched- ule	Para- graph	graph of act of 1922	Report No
Butter and butter substitutes	P*	G	195	709	G-7 T.I.S
Butyl alcohol.	P	A	**33 ** 5	4	A-9
Butyraldehyde Cabinet woods	Ms P	A.D,FL.		403	D-1
Cables (see Cordage).			100,010	100	
Cacao butter			232	775	G-32
Cadmium sulphide	P	FL	439 ••63	378 **68	FL-6 A-15
Cadmium sulphide Caffeine and compounds	P	A	13	15	A-5
Cajeput oil	P	FL	561	**59	A-12
Calcined magnesia	P	A	42	50	A-10
Acetate	P	FL	440	1541	A-2
Carbide	P	FL	440	16	FL-8
Chloride Cyanamid	P	FL	440 499	1541 1541	FL-8 FL-5
Metal	P	Č	143	**1562	C-16
Nitrate	1 70	ाका ।	440	1541	' A-18
Sulphate	P	A	51	76	A-15
Tartrate, crude Calendar rolls	P P Ms	A	8	9 1445	A-1
Calfskin leathers	Ms	F L/	**530	1431, **1606	
Calomel	P	A	14	17	A-5
Camomile oil		A	46 36	**59 52	A-12 A-9
Canada balsam	P	A	9	10	A-3
Candle wicking, cotton	P	I	262	913	I-7
Candy, sugar	P	E	180	505	E-2
Cane syrup	P In prog.		177 177	501 501, 502	E-1, R. P.
Canes and umbrellas	P	N	383	1456	N-27
Canned beans and peas	Ms	G	199 46	763, 767	G-8
Carbon:	F	A	40	1631	A-12
Brushes, disks, plates, and other manufac- tures.	P		81, 82	216	B-8, C-31
Electrodes for electric furnaces, etc	P	B	81	216	B-8, C-31 B-8, C-31
Pots, porous	P	B	81, 82 82	216 **216	B-8, C-31 B-8
Pots, porous Tetrachloride	P	Ā	19	10	Ã-6
Unmanufactured			81	{ **214, **216, **1459	} B-8
Carbons: .				(1459	'
Arc lamps	P	В	82	216	B-8
Electric lighting, composed of petroleum coke and of lampblack.	P	В	82	**216	B-8
Carbonized noils	Ms	FL	651	1105	FL-40
Card clothing Cardamom seeds	P	C FL	124 595	337 779	C-8 A-7, FL-2
Cardboard	P	M	328	1302	M-1
Caraboara, cut, ale-cut, etc	P	M	332	1313	M-4
Carpets (see also Floor coverings, Mattings, Rugs):					
Axminster	P	K	293, 300	1116, 1117	K-6
Brussels	P	K	295	1117	K-6
Chinille Axminster Ingrain	P	K	293 298, 299	1116 1117	K-6 K-6
Tapestry Brussels.	P	K	297	1117	K-6
Vegetable fiber	P	J	273, 302	1022	J-3
Velvet and tapestry velvet Wilton	P	J, K	296 294	1117	K-6 K-6
Wool, n. s. p. f	P	K	302, 303	1117 1117	K-6
Woven whole, for rooms, and oriental, Berlin,	P	K	300	1116	K −6
Aubusson, Axminster, and similar rugs.	P	N	346	1410	NT O
Cartridges, loaded and empty Car-truck channel of iron or steel	P	C	104	1418 312	N-8 C-3
Cascara sagrada. (See Drug industry, crude bo-	*		101	012	5-3
tanical.)	n	TAT			, -
Case leather	P P	FL	527 **530	19 1431	FL-15 N-16
Cash registers	P	FL	441	372	FL-3
Casks (See Store) and allered make 1	P	D	171	405	D-2
Casks Cassava. (See Starch and related materials.) Cassia oil	P	A	46	1631	A-12
Castor or castoreum	P	FL	442	61	FL-2
Cast-iron products	P	C	125	327	C-11

List of publications by the United States Tariff Commission, Washington, December, 1925—Continued

		Tariff act of 1913		Para-	Poport
Subject	Status	Sched- ule	Para- graph	graph of act of 1922	Report No.
Castings, steel	P	C	110	304	C-7
Castor oil	l P	A	45	54	A-11
Castoreum	P P	FL N,FL.	366, 443	61 1434	FL-2 N-19
Cattle and beef in the United States The cattle Industries of the United States and Canada.	P	FL		701 701	FL-25 M. S.
Cattle hair, n. s. p. f	P	FL		1586	N-12
Cattle hides	In prog	FL	506	1589	
Pough	P P	FL	648	401, 403, 1700	D-1
SawedCedrat oil	P	D	169 46	403 **59	D-1 A-12
Cellophane	P	Ĺ	**319	1213	L-4
Celluloid	P	Ā	25	31	A-6
Copper	P	FL	461	1556	C-19
Portland white nonstaining	P	B	.74 74	205 205	B-2 B-2
Keene's Portland, white, nonstaining Roman, Portland, and other hydraulic Census of dyes and coal-tar chemicals:				1543	B-2
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tured. Plate, cast, polishedPlate, rolled and rough	P	B	88 87	222 221	B-9 B-9

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Cotton Horsehide, pigskin, and cattle hide Leather Silk	P P P	FL	260 495 361-364 **317	915 1433, 1580 1433 1208	I-6 N-18 N-18 <u>L</u> -2
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ical.) Gramophones Granadilla: Rough	P	N	374 648	1444 403	N-23 D-1
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tions (report). Handkerchiefs: Cotton Linen Silk Handle bolts Hardware, umbrella Hare, skins of Harness and saddle leather Harness and saddlery.	P Ms P P P P	J L FL FL	141	918 1016 1209 1700 342 1579 **1606 1606,1436	I-5 J-6 L-2 FL-37 C-8 N-10 N-15 N-18

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Rottenstone Rough leather	P	FL	614 **530	1675 **1606	B-3 N-15
Rubber, india:					_
Crude Druggists' sundries	P	FL N	513 368	1594 **1439	FL-17 N-21
Hard, manufactures of	<u>P</u>	N	369	1440	N-21
Hard, manufactures of	P	N	368	1439	N-21 J-3
Ingrain	P		£298, 299,	}	K-6
Straw, grass, or other vegetable substances	P	J	303 272	1022	J-3
Wool or part wool, n. s. p. f	P	K	303	1117	K-6
Ruthenium Saccharin	P P	FL	517 179	1590 28	FL-20 E-2
Sacks of jute or cotton	P	I, J	£266, 281,	921, 1018	J-9
•	-	, ·	284	1436	
Saddlery		FL N	530	1606	N-15 N-8
Safety fusesSafflower extract	P	A	346 31	1418	N-8 A-8
Saffron extract. Sage. (See Drug industry, crude botanical).	P	A	31	39	A-8
Sago and sago nour	P	G	590	1654	G-33
Salep or salop	P	FL	592 591	**34 504	A-7, FL-2 FL-2
Salicylic acid and salts	În prog	Ā	î	28	
Sal soda. (See Sodium carbonates.)	T	a	f **216,) === ===	G 10-
Salmon industry	In prog P	G	**483 593	717, 718 83	G-19a FL-22
Salt cake. (See Sodium sulphate.) Saltpeter: Refined.	P	A		80	
Crude	P	FL	64 580	1646	A-18 A-18
:Salts: Antimony	P	C	144	8	C-17
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Tin Uranium		FL	65 638	90 1690	A-17 FL-22
.Sand and stone		FL	614	1675	B-3
Sand of iron or steel	P	FL	112 441	335 1542	B-3 FL-3
Sanguinaria. (See Drug industry, crude botani-	1	1 23	1	1012	120
cal.) Santonin and its salts	P	FL	594	81	FL-2
:Sardines	P	G	{ **216, **483	} 720	G-19a
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Satin white	P	A	51	76	A-15
In the log	P	FL	648	403	D-1
Sawed into boards	P	D FL	169 647	403 **410	D-1 FL-37
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Leek Mangel Onion Parsley Parsnip Pepper Radish	Ms Ms P Ms Ms Ms	G G G G G	595 595 595 595 595 595 595	762 762 762 762 762 762 762 762	17b
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