

VIEWPOINT

CRANBERRIES II--

GOVERNMENT BY PUBLICITY

(Taken from Chemical Week * November 28, 1959)

THE CRANBERRY CRISIS goes on and on. And while it is no longer the front page news it was, a comment made last week by Health, Education & Welfare Dept. Secretary Arthur Flemming makes necessary a second viewpoint on the subject.

Last week he released a four-page statement in which he defended the steps that he took as being required of him under the law.

This statement may indicate the basic error in current administration of the federal Food, Drug & Cosmetic Act. There is no question that the law gives H-E-W and the Food & Drug Administration the right to seize adulterated foods in interstate commerce, but this is not the worry for companies subject to FDA regulation.

Their basic worry is the misuse of "government by publicity." Let's look at it specifically as it affects cranberries, and generally as it affects the safety of the nation's food supplies.

On the specific level, of the 337 lots of cranberries on which test results had been announced on the day this column went to press, only four were shown to contain any aminotriazole. (And to get the actual weight of the herbicide that caused carcinogenic reactions in rats, a person would have to eat 2 qts./day for 23 years; to get the same percent of body weight, a person must eat more than 15,000 lbs./day for a comparable period.)

To us, the discovery that 80,000 lbs. of the 4.8 million lbs. of cranberries tested has even this low level of adulteration does not constitute a matter of wide public concern. The fact that Secretary Flemming and his publicity men created the uproar they did is most assuredly a misuse of "government by publicity."

The general question of the safety of the nation's food supply is more complex. Unwarranted scares such as this make it ever more difficult for food producers to keep the public's deserved confidence.

The physical problems of testing millions of pounds of cranberries do point up one lesson: FDA would be woefully understaffed if a real emergency were to occur. Unfortunately, many of FDA's difficulties in getting an adequate field staff resulted from legislative opposition. Most notable was the situation when a constituent of Rep. John Taber, then chairman of the House Appropriations Committee, was barred from shipping canned beetroot balls -- on the grounds that consumers would be deceived into thinking they were canned baby beets. FDA had money trouble while he remained chairman.

Significantly, a member of the appropriations subcommittee that passes on FDA budgets is Rep. Melvin Laird, of Wood County, Wis. Wood County is a major cranberry growing area.

Should the chemical industry support a boost in the size of FDA's staff? We're sure the answer should be "Yes." But the danger that the next lightning bolt of "government by publicity" will hit at a chemical producer, rather than at a farm group, makes it difficult to generate much enthusiasm.

/s/ H. Johnson

Editor-in-Chief

Last week he released a four-page statement in which he defended the steps that he took as being required of him under the law.

This statement may indicate the basic areas of current administration of the Federal Food, Drug & Cosmetic Act. There is no question that the law gives the Food & Drug Administration the right to seize adulterated foods in interstate commerce, but there is not the worry for companies subject to FDA regulation.

Their basic worry is the matter of "government by publicity." Law's fear is that publicity as it affects manufacturers, and generally as it affects the safety of the nation's food supplies.

On the specific issue of the 1977 law on strawberries on which last week's article has been published on the day after the law was passed, only food was shown to contain any adulteration. And to get the actual weight of the legislation that would have been required to take a product off the market, it would have cost \$100,000 per year to get the most product of food which a single state had more than 17,000 lbs. per year for a considerable period.

To ask the Congress that 50,000 lbs. of the 5.5 million lbs. of strawberries tested had even this low level of adulteration was not only into a matter of wide public concern. The fact that Secretary Manning and his publicity men created the uproar they did is most certainly a sign of "government by publicity."

The central question of the safety of the nation's food supply is more complex. Government action such as this is a very serious difficulty for food producers to keep the public's confidence.

The physical problems of testing millions of pounds of strawberries do point up one lesson. FDA would be woefully understaffed if a real emergency were to occur. Unfortunately, many of FDA's difficulties in getting an adequate field staff resulted from legislative opposition. But still the situation when a constituent of Rep. John E. Fogarty, then chairman of the House Appropriations Committee, was turned down whipping around behind his back -- as the industry that consumers would be involved with thinking they were eating baby food. FDA had spent double while he received his money.

Significantly, a number of the agricultural subsidiaries that operate in FDA markets in San Mateo County, El Dorado County, and Fresno County are all currently growing crops.