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**PROHIBIT IMPORTATION OF CERTAIN AGRICULTURAL
COMMODITIES TO WHICH ECONOMIC POISONS HAVE
BEEN APPLIED**

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**HEARING
BEFORE THE
SUBCOMMITTEE ON
DEPARTMENTAL OPERATIONS**

**OF THE
COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES
NINETY-FIRST CONGRESS**

SECOND SESSION

ON

H.R. 15560 and H.R. 16576

JUNE 8, 1970

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PROHIBIT THE IMPORTATION OF CERTAIN AGRICULTURAL COMMODITIES TO WHICH ECONOMIC POISONS HAVE BEEN APPLIED

MONDAY, JUNE 8, 1970

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON DEPARTMENTAL OPERATIONS
OF THE COMMITTEE ON AGRICULTURE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 1302, Longworth House Office Building, Hon. Eligio de la Garza, chairman of the subcommittee, presiding.

Present: Representatives Poage, chairman of the full committee, de la Garza, chairman of the subcommittee, and Kleppe.

Also present: Mrs. Christine S. Gallagher, chief clerk; Lacey C. Sharp, general counsel, and L. T. Easley, staff consultant.

Mr. DE LA GARZA. The subcommittee will come to order.

(H.R. 15560 by Mr. Poage and H.R. 16576 by Mr. Nelsen are similar bills, the text of which follows:)

H.R. 15560, 91st Cong., 2d sess.

A BILL To amend the Federal Insecticide, Fungicide, Rodenticide Act, as amended (7 U.S.C. 135-135k), to prohibit the importation of certain agricultural commodities to which economic poisons have been applied and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Federal Insecticide, Fungicide, Rodenticide Act, as amended (7 U.S.C. 135-135k), is amended by adding at the end of section 10 the following: "Notwithstanding any other provision of law, when the use of any economic poison, as that term is defined in this Act, in connection with the production, processing, or handling of any agricultural commodity is prohibited or limited under any Federal statute, the importation of such agricultural commodity shall be prohibited from any country unless the President has determined that such country has at least equal restrictions with respect to the use of such economic poison and the provisions (including penalties and forfeitures) of section 545 of title 18, United States Code, are made applicable in enforcing the provisions of this sentence."

Mr. DE LA GARZA. Mr. Chairman, we would invite you to sit with the subcommittee because Dr. Bayley, the Department's spokesman today, has no written statement, in case you want to listen in and cross-examine.

The CHAIRMAN. Mr. Chairman, I want to appear as a witness on behalf of this bill after you have heard from the Department. I am here in the capacity of a witness and not as a member of the committee this morning.

Mr. DE LA GARZA. We will still afford you the privilege if you would like to cross-examine.

The CHAIRMAN. Thank you, sir.

Mr. DE LA GARZA. We will now hear from Dr. Ned D. Bayley, Director of Science and Education, U.S. Department of Agriculture.

STATEMENT OF DR. NED D. BAYLEY, DIRECTOR, SCIENCE AND EDUCATION, U.S. DEPARTMENT OF AGRICULTURE

Dr. BAYLEY. Thank you, Mr. Chairman, we are pleased for an opportunity to comment on H.R. 15560, which would amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. The bill would amend the act by adding the following sentence at the end of section 10:

Notwithstanding any other provision of law, when the use of any economic poison, as that term is defined in this Act, in connection with the production, processing, or handling of any agricultural commodity is prohibited or limited under any Federal statute, the importation of such agricultural commodity shall be prohibited from any country unless the President has determined that such country has at least equal restrictions with respect to the use of such economic poison and the provisions (including penalties and forfeitures) of section 545 of title 18, United States Code, are made applicable in enforcing the provisions of this sentence.

The introduction of this bill brings out into the open certain important and fundamental issues regarding the inequity of regulations imposed on our domestic agricultural products as compared to regulations on imported products.

On the surface, these regulations appear to be the same. The Food, Drug, and Cosmetic Act, sections 408 and 409, provides for the establishment of tolerances for pesticides on or in food or feedstuffs. The act provides for the seizure and destruction of agricultural commodities that contain pesticide residues in excess of established tolerances. Where no tolerance has been established, commodities carrying residues in excess of established working levels are also subject to seizure and destruction. The provisions of this act are applied to domestic and imported food and feedstuffs in a like manner. I cite these regulations as an example of their apparent equity.

This equal treatment is real in terms of consumer protection. Compliance with established residue levels is determined by sampling and analysis of both imported and domestic products. The results of these analyses show similar residue levels for the food products available to consumers, whether imported or domestically produced. Such equity has been accomplished without detrimental impact on international trade through the working relations of the 65 member countries cooperating in the United Nations' FAO-WHO food standards program. Despite procedural differences in the regulations among these countries, there is sufficient similarity in their standards and tolerances to allow importing countries to meet our regulations and for our exporters to meet theirs without seriously interfering with trade. However, restrictions are applied to the use of pesticides for reasons other than food residues, such as harmful effects to humans from nonfood exposure or harmful effects to birds and other forms of wildlife; the impact of the restrictions on the production of imported products is negligible under existing regulations. On the other hand, elimination or restriction of registered uses of pesticide chemicals for these reasons could result in increasing the cost of producing some agricultural commodities in the United States.

Should countries importing products into the United States fail to eliminate or restrict such pesticide uses as may be imposed on U.S. producers, they may be able to ship their products into our country at lower cost than we can produce them domestically. Furthermore, the quality of our U.S.-produced products could be impaired by pests less effectively controlled than in other countries. This inequity would obviously place our American producers at a competitive disadvantage in our own markets. It not only is a threat to the livelihoods of a large number of Americans, but also could tempt producers in other countries to continue or even increase their use of pesticides that would despoil the environment.

The necessity to avoid such complications is one of the reasons why we in the Department have insisted on a chemical-by-chemical and use-by-use consideration of restricting pesticides, rather than accepting the precipitous proposals of some that all uses of certain chemicals be banned without further study.

We want to explore carefully as a basis for our actions those alternative pest-control methods which can eliminate serious side effects such as inequity to American producers as much as possible. We believe our approach is in the interest of the agriculture producers, the general public, and the environmentalists. However, we may not be able to accomplish our goal for all uses and commodities, and the potential inequity of certain restrictions on U.S. producers as compared to importers cannot be discounted. Unfortunately, H.R. 15560, while it surfaces an important issue, also provides a solution which would require one of two procedures for its effective enforcement.

One procedure would be the employment of a prohibitively large field force operating overseas to inspect the restrictive regulations and their enforcement by other countries, and to determine if those countries had restrictions equal to ours.

The other alternative would be to abandon the import of agricultural products which are produced with the aid of pesticides. Such a ban could seriously interfere with international trade. We do not, however, have a suitable proposal to present to you as a solution to the problem of unequal restrictions on domestic and imported products. We also recognize that there are inequities on requirements for domestic products as compared to imports in addition to those related to pesticides. These involve meat and poultry inspection, and a variety of market-quality regulations. Many of these have the potential of giving favored treatment to foreign-produced production. They all need review.

We propose, therefore, that the Secretary of Agriculture establish a blue ribbon task force to study the problem of domestic and import requirements on agricultural products and to make recommendations for their solution. This task force would consist of persons with expertise and experience in agricultural production and trade, in market-quality standards and regulation, and in public health requirements for consumer protection. The report of the task force would be completed not later than January 1, 1971, and made available to your committee. An alternative to this would be to expand the instructions of the Williams Commission on the study of trade policies to include these agricultural problems as well as other similar problems with nonagricultural products. We believe that such action

is the most constructive that can be taken in view of the magnitude and importance of the problem, and the difficulties inherent in developing a solution.

Acknowledging that H.R. 15560 has brought to public attention one of a group of important issues in the import requirements for agricultural products as well as other products, we suggest enactment of this bill be delayed until the recommendations of a task force such as we propose can be considered. There was not sufficient time prior to the hearings on this bill to obtain the advice of the Bureau of the Budget.

That concludes our statement. If you have any questions, I will be more than glad to answer.

Mr. DE LA GARZA. Thank you very much, Dr. Bayley. I will yield to the Chairman if he has any questions.

The CHAIRMAN. How long have you had a request for a report?

Dr. BAYLEY. Sir, I really do not know.

The CHAIRMAN. I know it has been about 6 months. The request was sent up right after the bill was introduced. The bill was introduced in January. How much time do you have to have to give us a report? When you give us that kind of statement, that you did not have sufficient time to give us a report, then somehow or other I lose confidence in all the rest you said, Dr. Bayley, because I know that the Department has had plenty of time to give us a report. They have had 6 months to give us a report. They have not given us any report. It is not because of lack of time that they did not give us a report. It was because they did not want to give us a report; wasn't that it?

Dr. BAYLEY. No, sir.

The CHAIRMAN. You think they want to give us a report.

What do you think that report would be, then?

Dr. BAYLEY. This report would be essentially what I gave you this morning.

The CHAIRMAN. In other words, it would not say anything; it would not be for or against.

Dr. BAYLEY. The report would indicate the importance of this issue.

The CHAIRMAN. We know the importance. We do not have to be told the importance. We did not ask the Department about the importance. We asked them about whether they thought this bill ought to be passed or not.

Dr. BAYLEY. Our report is that we believe action on the bill should be delayed until we can really find some other solution.

The CHAIRMAN. Then why not send us a report and tell us you are against the bill? This proposition is one of preventing action, and that is all you are trying to do, to prevent the committee from doing anything. You are trying to find some way in which you can prevent this committee from taking any action. Isn't that right?

Dr. BAYLEY. We are asking that the action on the bill be delayed, yes, sir.

The CHAIRMAN. You did not make any such request, did you—maybe you did—let me rephrase that question. Did you make such a request of the administration when they ordered that we not use DDT in the United States, and when they limited the use of 2,4,5T?

Dr. BAYLEY. Mr. Chairman, the administration has not ordered that we eliminate the use of DDT in the United States. We are restricting uses and proceeding to study this on a use-by-use basis. The same is true of 2,4,5T, where we are proceeding on a restricted use basis.

The CHAIRMAN. If I want to get rid of flies in my dairy, I cannot use DDT, can I?

Dr. BAYLEY. This for some years has been true, Mr. Chairman, yes.

The CHAIRMAN. You limited it a great deal more about 3 months ago, did you not?

Dr. BAYLEY. Not in regard to the use for agricultural purposes except in relation to tobacco.

The CHAIRMAN. Except in relation to what?

Dr. BAYLEY. In relation to its use on tobacco. The action that was taken last November was to issue a notice of cancellation of the uses of DDT for shade trees, for aquatic uses, and for home and garden use, except those related to public health, and for use on tobacco.

The CHAIRMAN. What about tobacco that is grown in the Philippines? What about the use of DDT there?

Dr. BAYLEY. This is the action which we, of course, could not influence.

The CHAIRMAN. You would be able to influence it if you had this bill, wouldn't you? That is exactly what this bill gives you the authority to do—to influence that—isn't that right?

Dr. BAYLEY. Yes. There is no question but what this bill would have an impact upon the practices of importers. The question that we have not been able to resolve is to come up with a means of enforcing this other than a certification based on a statement from the Philippine Government, for example, or any other government—I do not want to single out the Philippines—that they do have such restrictions and are enforcing them in the same way we do. We do not believe that this type of certification would be adequate to accomplish the purpose intended.

The CHAIRMAN. In other words, you cannot use it in the United States. Isn't that the situation today?

Dr. BAYLEY. I have to keep the record straight: at the present time there have been appeals to our action in regard to DDT, which have delayed the finality of the action.

The CHAIRMAN. What about the situation regarding its use in the dairy farm for flies?

Dr. BAYLEY. For a good many years this action has been in effect.

The CHAIRMAN. What about Holland and New Zealand?

Dr. BAYLEY. The residues that occur in milk or milk products are subject to inspection and analysis as they are imported into this country. This is the same basis on which we enforce the use of DDT around dairy farms in this country. We check the amount of residues in the supply of the food. From the standpoint of food residues the imports are treated in the same manner as our own. This is what I indicated in my earlier testimony. We get into the problems that are really serious only as to make restrictions that do not relate strictly to food residues.

The CHAIRMAN. As to these residues, what imports have you ever stopped from foreign countries because of the residues?

Dr. BAYLEY. I would have to refer to the Food and Drug Administration, who enforce this, to provide records as to what imports they have stopped.

The CHAIRMAN. Have they stopped any?

Dr. BAYLEY. I cannot answer that question, sir, with any factual information.

The CHAIRMAN. Let us get this straight. If in fact DDT is poisonous for use either in dairies or tobacco in the United States, it is poisonous if it is used in Holland or New Zealand or the Philippines, is it not?

Dr. BAYLEY. I hope we are being careful with the use of the word "poisonous" because the action that the Department of Agriculture has taken in regard to DDT was based on its impact on the environment and not because of its danger to human health. DDT has probably been studied more than any other chemical in regard to its implications to human health. The information as provided to us at this time from HEW and from other Government agencies is that the main evidence of deleterious effects on human health have been related to some enlargements in the liver which would occur if you ingested tremendous amounts of any toxic substance. These are not necessarily permanent injuries and would occur only under very extreme situations. What I am trying to point out is that when we took the action we did in the fall in regard to DDT it was primarily on environmental bases.

The CHAIRMAN. I do not quite understand what you mean by "primarily with regard to an environmental basis." If I understood it, you took it because there was residue left—

Dr. BAYLEY. Because there was residue left in the environment that was affecting fish and wildlife, and other types of animals—birds particularly.

The CHAIRMAN. Are you telling us now that DDT is not harmful to human beings?

Dr. BAYLEY. I would never go that far, sir. Every one of these economic poisons is put out in order to kill something. So there is no such thing as saying absolutely that these are not harmful to human beings. What we are saying is that under the uses which are registered and the instructions involved with those uses we do not believe that the continued registered use of DDT in certain areas is harmful to human beings. The tolerances which have been developed for certain food products by the Food and Drug Administration are set up to keep these levels below harmful amounts.

The CHAIRMAN. In other words, you are saying that you do not see any real reason for prohibiting the use of DDT as far as human health is concerned in the United States.

Dr. BAYLEY. As long as it is used in accordance with the instructions related to the registered uses. That is our position at this point.

The CHAIRMAN. Portland cement would be poisonous if you ate a quart of it every morning.

Dr. BAYLEY. That is right, so would table salt, sir.

The CHAIRMAN. Of course. Obviously you can kill people with most anything. Just common dirt will do it.

Dr. BAYLEY. This is why in our registration procedures we indicate the particular uses and the level at which these should be applied and the precautions that should be taken in order to assure that all

of these economic poisons are used in the manner that is not harmful to public health.

The CHAIRMAN. Since we cannot agree, I am going to make a statement of fact that to the extent that any of these poisons are hurtful to human beings in the United States, they are just as hurtful when used abroad. If you disagree with that, I want you to say so.

Dr. BAYLEY. I agree with that statement. Go ahead.

The CHAIRMAN. To the extent that they are not hurtful to human beings in the United States, but their use is prohibited in the United States, you give a tremendous advantage to the foreign producer who is privileged to use them. Do you disagree with that?

Dr. BAYLEY. No, I would elaborate on it, Mr. Chairman. But go ahead.

The CHAIRMAN. Then the question arises: Should we give that advantage to the foreign producer? Is there any moral or economic basis for giving him that advantage?

Dr. BAYLEY. Mr. Chairman, the item that is omitted in your statement is the set of values related to the environment that is nonhuman. It is part of the fact that we must consider injuries not only to human beings, but to useful vertebrates, which would be farm animals and dogs and cats and fish; nonvertebrates, which are shrimp and a good many of the aquatic animals; and useful plants, which are plants that have value. So the restrictions we make under the law as related to these nonhuman effects are the primary ones which can produce the inequities you speak of. We are in agreement that such inequities can occur.

The CHAIRMAN. Then I do understand you to say that primarily what we are trying to protect is life other than human life?

Dr. BAYLEY. No, sir. The human life comes first in all our priorities of protection.

The CHAIRMAN. But you do not know of any harmful effect on human life as the result of using these economic poisons?

Dr. BAYLEY. No. I did not say that. We were talking only about DDT.

The CHAIRMAN. Yes, DDT and 2,4,5T.

Dr. BAYLEY. I did not say that on 2,4,5T.

The CHAIRMAN. Have you found any effect on human life of 2,4,5T?

Dr. BAYLEY. To the extent that one can extrapolate from research data on animals, which has been the primary basis for understanding the harmful effects on human life for a good many years, yes, there is some suggestion that 2,4,5T, in highly concentrated dosages, could affect human health.

The CHAIRMAN. That is because after a good many years of study and no finding of any production of cancer in rats, that when they gave a rat 150 times as much as any economic use of the poison could possibly produce, they thought it might produce cancer in the rat; isn't that correct?

Dr. BAYLEY. No, sir. Your implications regarding the high dosage are correct. I merely want to make sure the record is straight. The administration was made to nine mice with doses of 150 milligrams per kilogram of body weight of 2,4,5T. The result was that 37 percent of the young born to these nine mice had deformities; specifically, cleft palates. This is the information. The reason we took the specific

action we did is that these data suggest that deformities could occur in unborn young—mice and mammals, as well as human beings—if they are exposed to highly concentrated dosages of 2,4,5T. So the action we took was primarily to protect women of childbearing ages against exposure to such dosages.

We believe this action was in the public interest. We were very careful to prescribe our action according to the data that was presented to us.

The CHAIRMAN. As you said a while ago, if you would give to the rat that much common table salt, it would probably produce something of the same type.

Dr. BAYLEY. I do not know whether a mouse would eat that much table salt or not.

The CHAIRMAN. I don't know, either.

Dr. BAYLEY. It is true that there are a lot of compounds involved. We have to take our action based on the data that is available to us.

The CHAIRMAN. Have you ever made any effort to discover what table salt or baking powder or baking soda, when injected in those kinds of doses, would do? Is it probable that they would produce something of that kind?

Dr. BAYLEY. I would not consider that probable with all of the compounds you listed. I anticipate that a large number of compounds will be reviewed for this action as the research potential develops over the years. We do not know which compounds will be studied. You recognize that the information regarding 2,4,5T was developed in a study which was primarily focused on trying to screen potential causes for human ailments and was not necessarily just a test to find out the level at which toxicity would occur in a pesticide such as 2,4,5T. We can expect that the medical researchers, because of their obligation to public health, will be exploring a large number of compounds, and table salt and some of these other compounds you mentioned may be some of them.

The CHAIRMAN. Thank you, Mr. Chairman.

Mr. DE LA GARZA. Dr. Bayley, I do not know if I understood you. You said you were recommending to the Department that they appoint a blue ribbon task force, or they are going to appoint one.

Dr. BAYLEY. The Secretary of Agriculture is ready to commit himself to appoint this blue ribbon task force or to consider the alternative of expanding the instructions to the Williams Commission.

Mr. DE LA GARZA. If we follow the route of appointing a committee to study the matter, I would most respectfully but strongly recommend that he consider having members of this committee appointed.

Dr. BAYLEY. Thank you. I will be glad to mention that to him.

Mr. DE LA GARZA. I hope we will not hear that this abridges on the Executive authority, because these types of joint committees are formed daily. The President just sent one to Vietnam composed of various and sundry groups that do not infringe on the Executive powers.

Dr. BAYLEY. I assure you that we fully recognize the interest of this committee in such a task force.

Mr. DE LA GARZA. Let me ask you this question. I did not quite get the reasoning, if I understood you correctly, that if you impose

restrictions on the use of insecticides to a foreign producer, it will cause an economic detriment to the domestic producer. Is that what you said?

Dr. BAYLEY. We said it could. It is possible that if we imposed restrictions on the use of a pesticide in this country, because such restrictions are essential, this could increase either the losses to our domestic producers and therefore increase their costs, or could force them to go to a more expensive alternative means of controlling the pest that would increase their cost.

I am not willing to say this will occur in all cases, but the possibility is there that it could occur in some.

I think an illustration of this has to do with the recent action that was necessary in regard to alkyl mercury compounds for seed treatments. There was a real potential hazard to human health, sufficient that we considered it an imminent hazard and took immediate action on it.

We realized that this action would force farmers to treat their seeds with some other means which might not be as effective in controlling the diseases as the alkyl mercury compounds. This is an illustration. If other countries have the advantage of these compounds that ours do not because of public health reasons, they could produce at less cost per unit of product than ours. This is the issue that is raised, and we believe it is a real one. Does that help you?

Mr. DE LA GARZA. I do not think you understood me or I understood you.

Dr. BAYLEY. I am sorry.

Mr. DE LA GARZA. I understood you to say, and you are saying it in a different way now, that if you apply the same restrictions applicable here to the foreign producer, and if he has to abide by the same restrictive use of the insecticide, I cannot see how this will be detrimental to the domestic producer.

Dr. BAYLEY. That is not what I said.

Mr. DE LA GARZA. Then I understood you incorrectly.

Dr. BAYLEY. I did not say that. It is only if he operates under different rules and regulations, which are more lenient than ours, that this inequity would occur.

Mr. DE LA GARZA. I have an example where in my association with foreign producers I have heard from them that they would favor something like this. I will give you an example why. About 2 years ago, I believe, some melons coming in from Mexico, or cantaloup, were stopped at the border because they had too much something in the way of an insecticide. This almost evolved into an international incident because we had sold this compound to Mexico. A major American oil company was exporting this compound from the United States to Mexico and it was being sold there. Then it was used on a crop, and then we stopped it at the border. They had to burn it or dump it. You may be acquainted with the incident.

All we heard from them, or at least I, who have to suffer the problem of living on the border with another country was, "Why don't we have the same regulations? Why don't you publish the same regulations so that we can abide by them and we won't have this problem on the border?"

Dr. BAYLEY. The regulations regarding residues on agricultural products coming into this country are published, are known, and do apply to imports. If the importers are not aware of them, it is a matter of ignorance rather than the fact that the regulations are not in effect.

Mr. DE LA GARZA. This was beyond the point of ignorance because there was a big shipment there. There was some confusion because this compound was sold from the United States and then we could not bring it back. Let me ask you, how do you check now for agricultural commodities?

Dr. BAYLEY. The Food and Drug Administration handles this surveillance work by taking samples of imported products as well as domestic products and analyzing them for the pesticide residues that occur on them. This is the way it is done at the present time. They have seizure powers and other authorities to work with when they find products that are in violation of the tolerances.

Mr. DE LA GARZA. Then you have the ability now to check every item that is coming in, or the Food and Drug Administration does?

Dr. BAYLEY. I do not want to suggest that every item is checked. I have to point out that I used the word "samples." Not every item is checked as it comes in.

Mr. DE LA GARZA. Then you need further cooperation from the foreign government in order to protect our domestic consumer.

Dr. BAYLEY. The information we have to date is that in terms of consumer protection the levels of pesticide found in the food supply are not of danger to the public health of this country. That involves both the materials produced in the country and those that are imported.

Mr. DE LA GARZA. That is not what we read in the newspapers or from the Department.

Dr. BAYLEY. I am sorry, but you did not hear this information from our Department. This comes from other sources.

Mr. DE LA GARZA. About the use of DDT?

Dr. BAYLEY. In terms of its having harmful effects on public health, our Department has not released such information.

Mr. DE LA GARZA. There was a big story where the Secretary of Agriculture said DDT will be taken off the market.

Dr. BAYLEY. Not because of the danger of food residues or public health. This is because of the environmental impacts on nonhuman targets.

Mr. KLEPPE. If the gentleman would yield for a question, on this FDA activity, do they follow the same line of inspecting and checking on imported products as they do on domestic products?

Dr. BAYLEY. It is my understanding this is true. I think they should be asked this specifically to understand the details of their operation.

Mr. KLEPPE. Do you know if their authority for such inspection is covered under the same legislative authority?

Dr. BAYLEY. It is my understanding that their authority is covered under the Food, Drug and Cosmetics Act.

Mr. KLEPPE. Both for products being shipped into our country and domestically grown?

Dr. BAYLEY. To the best of my understanding that is correct. However, they should be asked specifically. I do not have all the authorities they operate under with me here.

Mr. DE LA GARZA. Thank you very much, Dr. Bayley. We appreciate your being here. We will appreciate it if you carry our message back to the Department.

The CHAIRMAN. Mr. Chairman, might I ask Mr. Bayley one more question here? Do you know what the FAO is doing in this field in trying to coordinate the methods for the use of pesticides and their limitations in various countries?

Dr. BAYLEY. Yes. I have some material on this which I can present for you. In 1961 a Joint Food and Agricultural Organization-World Health Organization food standards program was proposed. In response, the Joint FAO-WHO Codex Commission was established. This Commission is intended to guide and promote the elaboration and establishment of definitions and requirements for foods, to assist in harmonization and, in doing so, to facilitate international trade. There are 65 member countries represented on the Commission, including 25 European countries, Canada, and the United States.

Under this Commission there is a Codex Pesticide Residue Committee on which the United States has two members: one from the Department of Agriculture and one from the Department of Health, Education, and Welfare. This committee meets regularly to consider pesticide residue tolerance in the member countries.

A cooperative government-industry committee is actively engaged in the preparation of the required documentation for consideration of these joint FAO-WHO committees. The recommendations of these committees form the basis of the actions proposed by the Codex Pesticide Residue Committee.

A rather extensive list of proposed international tolerances for pesticide residues are under consideration at various stages by the member governments. I think that gives you a basis for the organizational structure which they have.

The CHAIRMAN. I am afraid it does. I am afraid it gives us the understanding that they have done exactly what you suggest: they appointed a commission, and it has not done anything further. You will say, of course, that the FAO has no power to impose sanctions, but it does. It spends a good many millions of dollars a year in these countries of the world. I think we can quickly determine whether they are doing anything more than talking and appointing commissions. If you know, have they ever withheld funds from any country because that country failed to carry out the recommendations of the committee?

Dr. BAYLEY. I do not want to be misunderstood. The task force which we are suggesting would not be one which would do away with the need for legislation, but it is primarily for the purpose of making recommendations regarding legislation which could address itself to this total problem of import requirements on agricultural products.

We were not trying to do away with the need for legislation.

The CHAIRMAN. In other words, they have not secured any action whatever, have they?

Dr. BAYLEY. The continuing commission in FAO is working primarily on the basis of cooperation among countries, and has not established itself as a policing agency at all. That is correct.

The CHAIRMAN. That is what we are trying to do right here: to establish somebody as a policing agency. As I understand it, the Department said, "No, don't do that. Let us talk some more. Let us

appoint some more commissions. Let us talk about this thing." The Secretary has the power to appoint a committee now, does he not?

Dr. BAYLEY. Yes.

The CHAIRMAN. He could have done it since the day this bill was introduced in January. Of course, he could have done it before. He could have done it any day since. He does not have to come to this committee to get any authority to appoint a committee.

Dr. BAYLEY. That is correct.

The CHAIRMAN. So if he really felt this was the solution, why didn't he appoint a committee a long time ago instead of waiting until we call you up here to talk about this?

Dr. BAYLEY. May I say that the advisability of appointing such a task force not only in terms of pesticides but in terms of the wider group of products has been under consideration. It was not a decision that we wanted to make lightly.

The CHAIRMAN. I know, and we want to urge you to make a decision. Since you have not made a decision all these months, this committee wants to try to get something done. We are sick and tired of this proposition of new commissions and new committees and new discussions.

Dr. BAYLEY. I accept that concern and understand it.

The CHAIRMAN. Thank you.

Mr. DE LA GARZA. Thank you very much, Dr. Bayley.

We will now be very happy to hear from our colleague, Dr. Melcher.

STATEMENT OF HON. JOHN MELCHER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MONTANA

Mr. MELCHER. Mr. Chairman, the bill before the committee, requiring that farm products imported into the United States should be grown under the same standards as ours in regard to pesticides, herbicides, and other agricultural poisons, should be passed. I was happy to join the chairman as one of its sponsors and appreciate his taking the leadership in introducing it.

Others will make the case for this bill, which involves both protection for our consumers and equity for our agricultural producers.

There is a great deal we do not know about the effects of various agricultural chemicals on human beings. Our Government is pursuing a policy of barring those not proved harmless. The same policy should be applied to the imported meats, cheese, butterfat in various mixes, or any other products coming in from abroad.

I would like to make the additional point that this bill alone, like the requirement that foreign meat inspection be equal to ours, is not self-enforcing, and that it is about time we took steps to see that enactments like this one are adequately enforced.

I recently made a statement on the House floor about the inadequacy of our foreign meat inspection. We have exactly 15 "foreign review officers" who travel abroad to make sure that 1,100 plants licensed to export meat to the United States maintain inspection "equal" to ours. They aren't even able to get around to all plants once a year.

As of April 30, we had 8,602 people, including 1,314 veterinarians and 5,426 food inspectors who work full time, plus 862 part-time veterinarians and inspectors, watching 3,879 slaughter and food pro-

essing plants here in the United States. This includes about 1,062 plants which slaughter. Our checks on "equal" inspection abroad are obviously inadequate, and tolerance of less than equal procedures appears to be pretty liberal.

During my investigations of foreign meat inspection I discovered that 9½ percent of mutton and lamb imported from Australia was rejected at our ports after inspection of samples constituting less than 1 percent of the total shipments. I intended after the statement to follow up on this extremely high figure, but before I did the Department of Agriculture suspended importation of any Australian mutton slaughtered after May 15, until the Australians correct slaughtering and inspection procedures. There had been recognized deficiencies at Australian sheep-slaughtering plants for several years. Department officials, after numerous jawboning attempts to get compliance, finally enforced our regulations by shutting off entry to our country. The patience of the Department in this instance was remarkable and is not the usual procedure with domestic plants. Theoretically, the foreign plants should have had inspection equal to ours from January 1, 1968, on. Obviously, the Australian plants have not had it.

We have little idea what goes on in any of these foreign packing plants 364 days out of 365 each year. Our only real check is about 75 man-years of inspection of tiny samples of the 1.6 billion pounds of imported meat as it arrives on our docks each year.

As a veterinarian, I regard this sampling procedure as wholly inadequate, and I have introduced a bill to require piece-by-piece inspection of imported meat, after thawing, in the United States. This will be much less expensive than maintaining inspectors in 1,100 foreign plants to be certain that on-line inspection is equal.

But chemical analysis of all meat coming into the United States for economic poisons will be extremely costly—I believe considerably more so than stepped-up foreign oversight over chemical use in the countries involved.

It is obvious that a careful watch on chemical use in the exporting nations will be necessary.

I have recently reviewed issues of the Brisbane, Australia, publication Queensland Country Life, which is greatly concerned with cattle tick control.

On May 7 the paper headlined the fact that formulation of Dursban and Nexagan so strong that they would kill cattle had failed to kill ticks and that emergency action by the government was needed.

Both Dursban and Nexagan are trade names which give no clue to the nature of the poisons.

An advertisement in an earlier issue of the paper for Coopathon, a cattle-tick poison, carried a reproduction of a can of the substance. The label was clearly marked "poison," but the active ingredients could not be determined.

These papers may be of interest, so I am submitting them for the committee files.

We are obviously going to need officers in the exporting countries, advised and familiar with the formulations used under trade names, and the extent and nature of the use of those formulations, if the act proposed here today is given real meaning. Legislations on meat inspection or economic poisons will do little good unless we see to their enforcement.

I hope the committee will pass this bill, Mr. Chairman, and then as soon as time permits that we can get into the problem of enforcement, not only of its provisions, but of our imported-meat inspection standards, on which I have a proposal pending.

I might add, Mr. Chairman, that it is becoming increasingly apparent that we are facing an American industrial-foreign import complex of some magnitude. We find there is some question on the chemical used in this country, so we restrict its usage in the U.S.A. All too often we are finding out that the industry making the banned chemical is one of our own American industries and, having lost their market here, they pursue the market abroad.

While the chemical is banned domestically, we import it right back to our country in foodstuffs.

Thank you, Mr. Chairman, for the opportunity to testify.

MR. DE LA GARZA. Thank you very much, Dr. Melcher. Are there any questions?

THE CHAIRMAN. I would like to commend Dr. Melcher on an excellent statement. I concur with him.

MR. MELCHER. Thank you, Mr. Chairman.

MR. DE LA GARZA. Mr Kleppe?

MR. KLEPPE. Thank you, Mr. Chairman. I would like to compliment Dr. Melcher for his statement because he has some information on a subject that has been very near and dear to our hearts, those of us who come from the cattle country, because of the Foreign Meat Import Act. We have known some of these things but I think you have put it in very clear-cut language. I appreciate the information in your statement.

MR. MELCHER. Thank you, Congressman.

MR. DE LA GARZA. Thank you very much, Dr. Melcher.

MR. MELCHER. Thank you, Mr. Chairman.

MR. DE LA GARZA. We will now be happy to hear from Mr. McMillan.

STATEMENT OF C. W. McMILLAN, EXECUTIVE VICE PRESIDENT, AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION

MR. McMILLAN. Thank you very much.

I do have a brief statement I would like to read for the record if you would not mind, please.

MR. DE LA GARZA. We would be happy to hear from you, sir.

MR. McMILLAN. My name is C. W. McMillan, executive vice president of the American National Cattlemen's Association. Our organization is the spokesman nationally for the producers and feeders of beef cattle. In addition to thousands of individual members, our association has associate members in the form of 44 State cattlemen's and cattle feeders' associations and 14 national breed associations.

The domestic beef cattle industry is dedicated to the production of ample supplies of wholesome beef, reasonably priced, for the U.S. consumer. To this end, we utilize a variety of agricultural chemicals, including many that are required to be registered under the Federal Insecticide, Fungicide, and Rodenticide Act. This means that there are limitations as to the quantity, specific use, and withdrawal prior to slaughter of many of them in the growing and feeding of beef animals.

Where tolerances for residues are established, there are upper limitations as to that which can be present in the fat of meat. For example, in spite of the fact that there has been only one approved use of DDT as a back rub for beef cattle, if my information is correct, today, use of DDT is being banned for almost every formerly approved use in the United States. The presence of DDT occurs in the fat of meat inadvertently by the animals having ingested feed or from some other source containing DDT.

Some other nations exporting beef into the United States, however, do continue to permit the use of DDT on or near beef cattle and some of that meat might eventually find its way into the United States. The same thing is true with other pesticides. Not long ago, I reviewed some USDA figures on tests conducted on imported beef. It was interesting to learn that most residues, some of which are not permitted use in the United States, were running fully twice as high on the average from pesticide residues found in U.S.-produced beef fat.

Digressing from my statement, I would like to compliment Dr. Melcher for his statement and the facts and figures that he put forth. He specifically mentioned in his statement a chemical known as Nexagan. I happen to have an article out of the Queensland Country Life, dated May 21, 1970, in which they are talking about the use of Nexagan-S, a chemical that is apparently being used to overcome the resistance cattle ticks have built up over the years in Australia.

Most of these cattle ticks occur in northern Queensland, an area of Australia which is a major beef exporter to the United States. The recommendation of the manufacturer, which happens to be Monsanto Australian, Ltd., is that, in order to combat those cattle ticks that have developed a resistance, cattlemen should double the strength above that which had formerly been recommended.

On top of that they should be dipped at least every 10 days in order to control ticks.

I have taken the liberty to check into this particular compound and find that it is an organic phosphate which is not registered for use in the United States. Organic phosphates, however, are used in the United States and they are used in what is commonly referred to as systemic form. This is one where the material circulates through the animal's system and metabolizes itself out of the animal so that within certain limitations of a withdrawal period there is none of the residue of the pesticide left in the animal.

These withdrawal periods, depending upon the particular organic phosphate in question, are anywhere from 30 to 120 days prior to slaughter.

My only point in raising this issue at this time is that if these animals are being dipped every 10 days, with the pesticide that is not even registered for use in the United States, I do not see how physically they could withdraw these animals if they are slaughtered. I am not saying that there is this actual situation taking place, but there is always the question of whether those animals would, in fact, contain the residue in meat that might find its way to the United States.

As in the case of meat inspection, the consumers of the United States are entitled to expect at least equivalent standards of inspection of agricultural chemical use on imported foods as those produced in

the United States, just as standards are established for food produced in the United States. Anything short of these same standards is creating a sham upon the citizens of the United States.

For the protection of the U.S. consuming public, we feel it is mandatory that legislation such as that introduced by Chairman Poage in H.R. 15560 or Mr. Nelsen in H.R. 16576 be enacted. Similar legislation is pending before the House Committee on Ways and Means, introduced by Mr. Talcott in H.R. 16567. There is no reason why a special exemption should be granted those nations desiring to export beef to the United States when the residues of nonpermitted chemicals or tolerances of chemicals might be far in excess of that produced in the United States. We think that the consumers' welfare must be kept in mind. Since we also are interested in seeing that domestically produced beef is safe, no beef should be given entry to the United States if it falls below those U.S. standards.

Thank you very much, Mr. Chairman.

Mr. DE LA GARZA. Thank you very much, Mr. McMillan.

Mr. Chairman.

The CHAIRMAN. No questions.

Mr. DE LA GARZA. Mr. Kleppe.

Mr. KLEPPE. No questions.

Mr. DE LA GARZA. Thank you very much.

Mr. McMILLAN. Thank you.

Mr. DE LA GARZA. Is there anyone who has not submitted a request who would like to be heard for or against this legislation?

STATEMENT OF REUBEN L. JOHNSON, DIRECTOR OF LEGISLATIVE SERVICES, NATIONAL FARMERS UNION

Mr. JOHNSON. I am Reuben L. Johnson, director of legislative services for National Farmers Union. I would like for the record to show that my organization is in support of the legislation before the subcommittee.

Mr. DE LA GARZA. Thank you very much.

STATEMENT OF ROBERT FREDERICKS, DIRECTOR, LEGISLATIVE ACTIVITIES FOR THE NATIONAL GRANGE

Mr. FREDERICKS. I am Robert Fredericks, director, legislative activities for the National Grange.

We would like to support the Chairman's bill and similar legislation to further protection of the American consumers.

Mr. DE LA GARZA. Thank you very much.

The record will so reflect it.

Is there anyone else that might wish to be heard?

STATEMENT OF A. E. MERCKER, EXECUTIVE SECRETARY VEGETABLE GROWERS ASSOCIATION OF AMERICA

Mr. MERCKER. My name is Albert E. Mercker, executive secretary of the Vegetable Growers Association of America, and we heartily support this bill.

However, you may not go far enough. We do not know what kind of germs, bugs that may be on vegetables that are imported in the

fresh state and carried over the border. We should have sanitary regulations or know something about the sanitary regulations of the help in these packinghouses packing fresh vegetables and shipping them to the United States, but we do not have that. I fully realize it would be a tremendous job.

Mr. DE LA GARZA. Thank you very much, sir.

There being no one else, I understand we have a statement from the American Farm Bureau Federation which, without objection, will be inserted in the record.

(The letter and other statements submitted to the subcommittee follow:)

AMERICAN FARM BUREAU FEDERATION,
Washington D.C., June 8, 1970.

Hon. W. R. POAGE,
*Chairman,
House Committee on Agriculture,
U. S. House of Representatives,
Washington, D.C.*

DEAR Mr. CHAIRMAN: The voting delegates of the member State Farm Bureaus at the AFBF annual meeting, held in Washington, D.C., in December of 1969 considered the subject of agricultural chemicals a vital area for policy development.

The following policy on this subject was adopted by the voting delegates: "The continued use of agricultural chemicals is important to both farmers and consumers. Any curtailment of the safe and proper use of these products would result in higher food prices to consumers.

"Modern agriculture cannot provide adequate quantities of high quality food and fiber without the continued safe use of agricultural chemicals.

"However, consumers do have a vital interest in being certain that their health and welfare are protected by the safe use of these products. A continuing educational program among all users, with emphasis on the reading of labels and proper usage of chemicals, is essential.

"In recent months there has been a stepped-up campaign against the use of many agricultural chemicals. We believe that every effort must be made to inform the general public that usage of agricultural chemicals is subject to stringent federal and state regulation and that farmers are using these chemicals in accordance with federal and state laws.

"We strongly recommend that the total responsibility for registration of agricultural chemicals be retained by the U.S. Department of Agriculture. We urge the Secretary of Agriculture to emphasize to the general public the importance of the continued use of these products to farmers and consumers in providing adequate high quality food and fiber.

"We oppose a complete ban on the use of any agricultural chemical and recommend that continued use be determined on a product-by-product and use-by-use basis. The continued use of these products should be based on research and scientific data. The fact that some of these products may be persistent is not in itself sufficient reason for rejecting their continued use.

"We recognize that there may be problems in the use of agricultural chemicals as they relate to our environment. However, we strongly urge that their importance to food production and human nutrition be given proper recognition and consideration.

"The U.S. Department of Agriculture, the Cooperative Extension Service, and the state departments of agriculture should assist farmers and the public in obtaining a better understanding of the role of agricultural chemicals and the laws and regulations covering their usage.

"Farm Bureau should increase its leadership in this area so that the interests of farmers and the general public are adequately protected.

"We recommend that imported agricultural products be subject to the same restrictions on the use of agricultural chemicals and other standards as those which apply to domestically produced commodities.

"We support expanded biological pest control research to determine where biological pest control measures can be used as a practical and feasible substitute for chemical controls."

We note with interest two bills have been introduced in the U.S. House of Representatives, H.R. 15560 by yourself on January 27, 1970, and H.R. 16576 by Mr. Nelsen, that would "amend the Federal Insecticide, Fungicide, Rodenticide Act, as amended (7 U.S.C. 135-135k), to prohibit the importation of certain agricultural commodities to which economic poisons have been applied, and for other purposes."

Both bills have been referred to the Committee on Agriculture for consideration. Farm Bureau policy is in accord with the purpose of these bills as introduced, as expressed in the following statement:

"We recommend that imported agricultural products be subject to the same restrictions on the use of agricultural chemicals and other standards as those which apply to domestically produced commodities."

The American Farm Bureau supports the enactment of legislation as set forth in H.R. 15560 and H.R. 16576.

When hearings are held on these bills by the Committee on Agriculture we would appreciate this letter being made a part of the hearing record.

Sincerely yours,

MARVIN L. MCLAIN,
Legislative Director.

STATEMENT OF ROBERT G. LEWIS, WASHINGTON REPRESENTATIVE, WISCONSIN CHEESE MAKERS' ASSOCIATION

The Wisconsin Cheese Makers' Association endorses and urges passage of H.R. 15560, a bill by the Honorable W. R. Poage, Chairman of this Committee, which would amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to prohibit the importation of certain agricultural commodities to which economic poisons have been applied.

The prime purpose of the restrictions that are applied in the United States upon the use of DDT and other chemicals in agriculture is to protect consumers against the hazard of contamination.

The same protection to consumers also should be extended in respect to food products imported from other countries. The bill provides for a feasible way to accomplish this. It would prohibit imports of food from any country unless the President has determined that such country enforces anti-pesticide restrictions at least equal to those applicable in the United States.

Similar requirements are already being administered successfully to protect American consumers and domestic livestock industries against the dangers of contamination and disease that would arise from the importation of meat produced under inadequate sanitation and inspection procedures. Only those countries whose meat inspection and sanitation standards are certified by U.S. authorities are permitted to export meat products to the United States.

This legislation will contribute also to a secondary purpose of our ban on the use of 'hard' pesticides. That is, to avoid the accumulation of resistant synthetic chemicals in the general environment, where they become a menace to wildlife and the global ecology.

It will do this by serving as an inducement to other countries to improve their regulations pertaining to the use of these chemicals in order to qualify for the right to export agricultural products into the American market.

By helping to promote the adoption by other countries of American standards of care in the use of agricultural chemicals, this legislation will also have an important economic side-effect benefit for American agriculture. Compliance with the standards that are enforced in the U.S. raises the farmers' costs of production. By promoting the adoption of similar standards world-wide, as this bill would do, farm production costs in other countries will tend to resume their normal relationship to production costs in the United States.

STATEMENT OF PER BYE OHRSTROM, GENERAL MANAGER, SEA-BORN CORP.

Mr. Chairman and Members of the Subcommittee, my name is Per Bye Ohrstrom. I am General Manager of the Sea-Born Corporation, 3421 North Central Avenue, Chicago, Illinois.

Sea-Born Corporation is mindful of the initiative traditionally taken by the House Agriculture Committee on vital national and international matters affecting the agricultural community of our land and the American consumer, who depends

on agriculture for his very existence. We therefore commend any move designed to protect the American consumer against hazardous, toxic and harmful pesticides and chemicals in agricultural or horticultural use. The emergency nature of this situation has been tersely described as follows:

"Chemical pollution of our soil (as of our air and waters and wildlife) is growing worse. Fertilizers, herbicides, pesticides, chemicals of war threaten not just the good life, but life on this earth altogether." ("The Environmental Decade," House Report No. 91-1082, May 13, 1970, Committee on Government Operations, page 36.)

The widespread use of poisonous chemicals for both the home trade and for commercial use is, hopefully, being successfully curtailed or even eliminated where required. Yet the need for control of disease and insects will increase as increased population places an increased demand on our foods and fibers. This is readily apparent when we examine the population statistics. The growth in the United States increased from 13 million in 1830 to 123 million in 1930. By the year 1990, it is expected to reach 300 million.

Thank you Mr. Chairman and Members of the Subcommittee for affording Sea-Born Corporation an opportunity to present its views on the important legislative proposals before you.

(Additional information about the Sea-Born Corporation and its product is available in the files of the committee.)

OHIO GREENHOUSE COOPERATIVE ASSOCIATION,
OFFICE OF THE SECRETARY,
Cleveland, Ohio, June 8, 1970.

MR. W. R. POAGE,
Chairman, House Committee on Agriculture,
House of Representatives, Washington, D.C.

DEAR MR. POAGE: It is our understanding that hearings will begin on Monday, June 8th, on H.R. 15560, regarding protection against pesticides on imported foods.

We would like to go on record as stating that we feel it is unfair competition to our industry unless imported foods are required to comply with the same rigid requirements and protective measures regarding pesticides, as we are on domestic foods, as listed in Federal Register Vol. 33, No. 247, Friday Dec. 20, 1968, pages 19023 thru 19026.

To protect consumers in the United States, imported fresh vegetables should meet all sanitary requirements of the United States and be free from infectious diseases, germs and fevers.

Tomato growers in the United States are required to produce fresh vegetables which meet the pesticide tolerances established by The Food and Drug Administration and which are known to be safe for human consumption. We feel that food imported from foreign countries should also be required to meet these same stringent requirements.

It might also be useful if these same tolerances could be established on a world wide basis, so that producers might have the opportunity to sell and ship food throughout the world.

Very truly yours,

ROGER RUETENIK, *President.*

CALIFORNIA OLIVE GROWERS AND CANNERS INDUSTRY COMMITTEE,
Lindsay, Calif., June 15, 1970.

HON. W. R. POAGE,
Chairman, Agriculture Committee,
House Office Building, Washington, D.C.

DEAR MR. POAGE: The California olive industry is vitally interested in your bill to limit the importation of food products to those that meet the standards of freedom from pesticidal contamination which are required of our domestic production. We did not know that a sub-committee hearing was to be conducted on this measure until we read about it in a press report. We would have gladly sent a supporting statement or testified if it could have been helpful.

May I briefly relate my qualifications for being concerned with this subject. After five years as a minor agricultural official in California, I was employed for 37 years as a research and development entomologist for the American Cyanamid Company, mainly in the Western United States, but including considerable work in Hawaii, Canada, Mexico, South Africa and other countries. My major work was

in the evaluation of agricultural pesticides, their effectiveness, toxicology, residues, safety precautions, use recommendations, labelling, and registration. This included primary work with the chlorinated hydro-carbon and phosphate ester insecticides.

I have been a citrus and olive producer for 50 years. I have been the chairman of the Olive Administrative Committee—administering the federal olive marketing order, since it was instigated in 1965. Likewise, the chairman of the California Olive Growers and Cannery Industry Committee. The objectives of the latter are to obtain some measure of protection against inequitable competition from processed olive imports.

Over a long span of years, forty to fifty percent of the table olives consumed in the United States have been imported from the Mediterranean countries while we have had a large surplus of domestically produced olives which we have not been able to market profitably, due mainly to the factors of the low cost of labor in foreign nations, antiquated tariff schedules (established in 1930), and government subsidies in the principal exporting countries. Imports of retail sized containers of processed olives have sharply increased during the past three years. Our domestic supplies remain in surplus, and our industry is confronted with rapidly accelerating supplies from new plantings, most of which are large tracts being planted in the Southern San Joaquin Valley by large corporate developers.

Our domestic industry is in constant jeopardy of loss of consumer acceptance that may occur at any time as the result of press reports of contaminated or of off-quality imported olives. Many consumers would care little where they were from.

Our good friend Congressman Bernie Sisk has done all that he could to help us. He has with the help of others, introduced bills in the current and past sessions of Congress to include olives in Section 8e of the Agricultural Marketing Act. This would make it possible that we might get some help from the Department of Agriculture and F.D.A. in reducing this hazard to consumer acceptance by requiring that imports more nearly conform with the quality and purity of our domestic olive products. No doubt you are familiar with the factors blocking the passage of this simple and equitable amendment. He did succeed in getting his research amendment, H.R. 14810, thru both houses for us. We have not yet learned if it has been signed by the President.

Governmental records and scientific literature are replete with the evidence that table olive and olive products produced in major countries that are exporting them to the United States, do not exercise the surveillance enforced on our domestic olives.

Some time ago the Foreign Trade Administration of the Government of Greece informed our Food and Drug Administration that they could not export their olive products to this country and meet our tolerance of one part per million of parathion. They were informed by F.D.A. that they could bring their olive products in provided they did not exceed three p.p.m. This is three times the maximum tolerance we are allowed. I have a record of this in my files.

Some years ago a chemist from the University of Portugal, while spending a year at the Oregon Agricultural College to learn how to conduct analyses of insecticidal residues in olives and in olive oil, told me that they knew that their olive products in Portugal contained several times our permitted tolerance for parathion.

The major insect pest of olives in all of the Mediterranean countries is the olive fruit fly, *Dacus olea*. As the fruits mature they become infested with the olive fly maggots, or larvae. The production of olives suitable for table olive processing or good yields of fully matured olives for oil, requires one or more applications of insecticides, applied relatively close to the time of harvest. In the late summer and fall, when the fruits contain some oil, the pesticides most generally used are in part absorbed by the oil where they do not hydrolyze and are very persistent. For many years, parathion was widely relied upon to control the olive fly. It has been quite generally replaced by dimethoate, another phosphatic insecticide, being quite similar in its persistence in the oil in olives. The latter carries a U.S.D.A. tolerance of 2 p.p.m. in most fruits on which its use is permitted in this country. It is not used on olives here and we have no tolerance for its residues in olives.

Some years ago, when parathion was more widely used on olives, the authorities in Italy endeavoring to influence raising the U.S. maximum tolerance for its residues from one p.p.m. to something like 25 p.p.m., instigated extensive studies at the University of Florence. These were conducted by Giancarlo Pepeu under the direction of M. Aiazzi-Mancini. The latter was the director of the Institute of Pharmacology and Toxicological Clinic of the University of Florence. A 19 page

report on this investigation, entitled "Toxicological Study of Parathion Present in Comestible Olive Oil", included 72 references to other scientific literature on this subject. From page 7 of this report, I quote the following paragraph:

"The fact that the physical property of Par. (parathion) is its strong liposolubility obviously leads to the suspicion that the Par. adhering to the olive can penetrate through the outermost part of the fruit and dissolve in the oil where, as is apparent, the Par. is very stable. The findings have been fully confirmed by chemical analysis which revealed that in the oils derived from olives treated with Par., this insecticide was found in quantities ranging between 4 and 24.9 parts per million".

Imports of processed olives, both in consumer sized containers and large (bulk) casks for repacking, frequently contain large numbers of maggots in the olives or suspended in the brine in the casks. The presence of such numbers of worms in our domestic artichokes, cherries, and raisins are not permitted by the F.D.A. We are not plagued with worms in our olives. Recent receipts of processed olives packed in glass contain broken glass in the jars. Seemingly the F.D.A. is understaffed at the ports of entry or the same privilege is applicable to broken glass that appears to be applicable to worms and insecticidal residues.

Twenty-one months ago, I visited the principal citrus and table olive producing areas in Spain accompanied by one of the world's foremost sub-tropical horticulturists. This was on my personal account with my primary interest being again to observe their field operations, use of agricultural chemicals and plant sanitation.

The manager of our Federal Marketing Order, Mr. R. C. Gross, spent about six weeks last November and December on a survey mission for the United Nations, visiting the principal olive producing countries—"developing nations".

I am confident that you will believe my sincerity when I tell you that the consuming public of these United States and most particularly those who labor in the production of our domestic foods have suffered from what one might call "double standards" in protecting the wholesomeness of our food supply during past administrations. I sincerely hope that what I understand to be the intended objectives of your legislation may be achieved during this session of Congress.

I know of no good reason why you should not verify the facts I have given you and make them a part of the Congressional Record, if you choose to do so.

I will appreciate it if you will have several copies of your bill which was scheduled for sub-committee hearing last week, mailed to me here.

Sincerely yours,

A. F. KIRKPATRICK.

Mr. DE LA GARZA. There being no other witnesses who would like to appear, the committee will stand in recess subject to the call of the Chair.

(Whereupon, at 11:07 a.m., the committee adjourned, subject to call.)

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