

subjects were divided into three categories: known alcoholics, suspected alcoholics, and recovered alcoholics. The frequency rate of the alcoholics was 128.8 percent compared to 65.9 percent among the controls. The disability rate was 13.0 days of disability per person per year among the alcoholics and 5.8 days among the controls. Alcoholics greatly exceeded nonalcoholics in both short-term and long-term disability. Age, sex, and occupation appeared to have little influence on the amount of excess absenteeism of the alcoholics.

Absenteeism of known, uncontrolled alcoholics exceeded that of suspected and recovered alcoholics. The disability rate of the known alcoholics was 19.4 days per person compared to 5.4 days in their control group, an excess of 14 days per year.

Although absenteeism of recovered alcoholics was less than that of the drinkers, their rates of absenteeism were, nevertheless, considerably greater than that of the controls.

A little more than one-third of the alcoholics had no sickness absences during the year, and an additional 20 percent were disabled for from one to four days, so that slightly more than half had an acceptable attendance record for the year.

Absenteeism of the alcoholics was greater

than that of the nonalcoholics in all major diagnostic categories except for disorders of the urinary system. The excess among the alcoholics was greatest for accidents, musculoskeletal disorders, and digestive disorders.

Acknowledgement: Coding and collection of data were done by Mrs. Cora W. DiJostle, and statistical calculations by Miss Ann Dawson.

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CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. ALLEN). Is there further morning business? If not, morning business is concluded.

RECESS UNTIL 9 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 9 a.m. tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 1 minute p.m.) the Senate recessed until tomorrow, Friday, August 21, 1970, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate August 20, 1970:

OFFICE OF SCIENCE AND TECHNOLOGY

Edward E. David, Jr., of New Jersey, to be Director of the Office of Science and Technology, vice Lee A. DuBridge.

EXTENSIONS OF REMARKS

SECOND ANNIVERSARY OF THE DEATH OF REFORM IN CZECHOSLOVAKIA

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES
Thursday, August 20, 1970

Mr. SCOTT. Mr. President, today marks the second anniversary of the death of reform in Czechoslovakia. Two years ago today, troops of the Soviet Union, the Polish People's Republic, the Hungarian People's Republic, the Bulgarian People's Republic, and the German Democratic People's Republic, smashed across the Czechoslovakian border and ended the reform movement of Premier Alexander Dubcek.

For 8 months, Dubcek's regime had been loosening the Communist grip on the people of Czechoslovakia. Hardline Stalinists were expelled from the Government, censorship was eased, and fuller civil rights were promised. But these liberties were short lived. The 200,000 troops who poured into Czechoslovakia the night of August 20 effectively snuffed out the candle of liberalization.

Admittedly, Mr. President, the reforms were not all-encompassing, but it was a start. The people of Czechoslovakia, for the first time while under Communist occupation, experienced a lessening of internal tensions and a broadening of their individual freedoms. The reforms even went so far as to seek a peaceful relationship with the much persecuted Roman Catholic Church.

The Communist bloc leaders, however, afraid of truth, knowledge, and freedom, could not stand idly by. Ultimately 650,000 troops swarmed across Czechoslovakia. Accordingly, the cities were ringed with tanks, reformers were jailed, and the reform movement brand-

ed "counterrevolutionary." The valiant Czechoslovakians carried out a program of passive resistance. The Czech people are not quislings. This alone indicates the intense desire for freedom which burns deep in their souls. Mr. President, I began by saying that 2 years ago reform had been killed in Czechoslovakia. The hope and desire, however, for reform is not dead. The Czechs live. Today we let them know that we stand with them.

COMPLETING THE WORK OF CONGRESS

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES
Friday, August 14, 1970

Mr. GERALD R. FORD. Mr. Speaker, as the House contemplates a 3-week recess, I must express the hope that its purpose is to restore our energies so that the unfinished business of the 91st Congress can be substantially completed before submitting its record to the voters in November. The electorate, according to all recent surveys, is becoming increasingly discerning and increasingly impatient.

Americans of both the silent and vocal varieties are well aware that in 1969 a new President came into office with a politically opposed Congress for the first time in 120 years. They applaud and approve of President Nixon's program of reform and redirection. They will judge the Democratic leadership of this Congress by its record of cooperation and support.

That record, Mr. Speaker, is sadly deficient so far in some key areas.

I would be less than candid not to concede that the people's House, the

more responsible and representative body in modern times, has a far better score than the other body in this Congress and in this session to date. This is true not only in matters of national security and foreign affairs, where our distinguished Speaker and many of his Democratic colleagues have never hesitated to put country above partisanship, but also in some of the far-reaching domestic reforms and legislative innovations sought by the Nixon administration.

Among these I particularly mention the first fundamental reform of the U.S. postal service, comprehensive overhaul of the tax laws, welfare reform, a more equitable draft selection system and historic advances for the District of Columbia in crime control and self-government.

Nor is there cause this year to be critical of the pace of the appropriations process in the House of Representatives. The Senate is another story. The sums finally appropriated may, unless the recent warnings of the President are heeded, prove to be budget-busting and inflationary in the aggregate. But the foot-dragging and delay of the Democratic majority in this Congress, of which some of my Republican friends are speaking, cannot fairly be blamed on the House Appropriations Committee.

I have carried in my pocket throughout this Congress a little list of major requests which President Nixon has made to the legislative branch of the Government since the voters elected him Chief Executive less than 2 years ago. No appropriation bills are included.

There are 100 Presidential requests for congressional action on my list.

In 19 months, this Congress has completed action—not always favorably—on only 39 of them. Five more for a total of 44 out of 100 have passed both the House and Senate. They either are in confer-

ence or awaiting final conference action at this time.

There are 56 major requests to Congress by the President—reasoned reforms and critically needed programs which cannot be carried out without legislative approval—56 items out of 100 which remain unfinished business.

On 34 of these measures neither body of this Democrat-controlled Congress has worked its will. Twelve have passed the House only; 10 have Senate approval only.

How can any President hope to carry out his mandate for change from the American people when he sends 100 major proposals to Congress and nothing happens to more than half of them? How can Democrat critics assert that the Nixon administration has shown little initiative in the domestic field and has failed to follow through on its recommendations with specific legislative drafts? Draft legislation has been sent up for every one of these 56 uncompleted measures on my list of 100 Nixon initiatives. These are important reforms geared to the new directions Americans want their National Government to go in the 1970's. Why have we had no action?

I do not suggest that this Congress should be a rubberstamp for the White House. We are still burdened with the disastrous results of the lopsided Democratic 89th Congress of 1965-66 which rubberstamped almost everything President Johnson sent up, leading to spectacular spending deficits.

But I do say we should bring these measures to the floor of the House and of the other body before election day. Let every elected legislator stand up and be counted for or against President Nixon's proposals. They should not be allowed to languish and die in Democrat-dominated committees while Democrat campaign orators berate President Nixon for lack of legislative results.

On the very top of my little list of unfinished business are the President's anticrime bills. Law enforcement and crime control are uppermost in the concerns of all our citizens.

The Nixon administration responded promptly with a strong example and a specific list of legislative requests—17 bills to strengthen the Federal Government's hand, effectively but constitutionally, in an all-out war against crime and criminals.

Of these, only one relating to the District of Columbia—where lawmakers feel the same personal concern for their families that all Americans do—is now public law. The House has acted to curb pornography and extend the Law Enforcement Assistance Act—a Republican minority initiative in the 90th Congress—and the Senate has passed somewhat weakened versions of other parts of the anticrime package.

But the real hangup is here in the House.

Why did the Committee on the Judiciary take 13 months to schedule hearings on the organized crime bill? Why has a jurisdictional dispute been permitted to delay House consideration of the important drug control measures sought by the Nixon administration?

Mr. Speaker, these are vital tools which the law enforcement agencies desperately need to stem the tide of crime and violence that threatens every citizen's safety and happiness. Will this Congress adjourn sine die, or go home for election, without heeding President Nixon's requests in this fundamental field?

Also high on my unfinished business list are the administration's widely hailed proposals for revenue sharing with the States, improvements in social security, consumer protection, environmental cleanup, disaster assistance, occupational safety, and scores of others.

Fifty-six out of 100 important Nixon requests to Congress—and no final action.

Forty-four of these have still to reach the House floor. I list them in the order in which the President proposed them, along with the month and year in which draft legislation was available to the Congress:

Wagering tax amendment, January 1969.

Illegal gambling, April 1969.

Witness immunity, May 1969.

Organized crime, May 1969.

Grant consolidation, May 1969.

Food stamps, June 1969.

Drug control, July 1969.

Occupational safety, August 1969.

Mass transit, August 1969.

Manpower training, August 1969.

Rail passenger bill, August 1969.

Revenue sharing, September 1969.

Equal Employment Opportunity Commission, October 1969.

Consumer protection, November 1969.

Consumer representation, November 1969.

Estuarine resources, November 1969.

Trade Act, November 1969.

Family planning, December 1969.

Highway user, December 1969.

Consumer product testing, December 1969.

Latin American program, January 1970.

Parklands, February 1970.

Water pollution control enforcement, February 1970.

Water pollution research and training, February 1970.

Waste treatment facilities, February 1970.

Environmental financing authority, February 1970.

Emergency public interest protection, February 1970.

Economy Act, February 1970.

Asian Development Bank, March 1970.

Public broadcasting, March 1970.

Education institute, March 1970.

Employee benefits, March 1970.

Small Business Administration extension, March 1970.

Higher education opportunity, March 1970.

Housing and Urban Development, March 1970.

Explosives legislation, March 1970.

Fire, research, and safety, March 1970.

Great Lakes disposal, April 1970.

Disaster assistance, April 1970.

Selective Service amendments, April 1970.

Ports and waterways safety, May 1970.

Emergency school aid, May 1970.

Emergency transportation assistance, June 1970.

Indian affairs bills, July 1970.

Mr. Speaker, at the close of the first session of this Congress, I declined to join those who characterized it as a do-nothing, do-little, or dilly-dallying Democrat Congress. I said I would wait and see. I am still reserving final judgment. But my little list tells me it had better do something soon.

DEATH OF DR. MELCHIOR PALYI

HON. PETER H. DOMINICK

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Thursday, August 20, 1970

Mr. DOMINICK. Mr. President, recently Mr. Felix Wormser, a good friend and a highly respected and competent financial analyst and former Government official, sent to me an article by Mr. Sidney Brown, published in the Commercial and Financial Chronicle of August 6, 1970, outlining the career of the late Dr. Melchior Palyi.

Dr. Palyi's currently thoughtful analyses of this country's monetary and gold dilemmas and his many books and articles on the subject were widely read in the financial worlds but, unfortunately, not understood or at least not followed by our governmental leaders or Members of Congress.

His strong objections to fiat money, inflation, and cheap dollar theories so prevalent in our country's history will be sadly missed.

I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DR. MELCHIOR PALYI DIES

Dr. Melchior Palyi, 78, died suddenly, July 29, in Billings General Hospital, Chicago, Ill. His home and office were located in Chicago.

His column, "A Point of View" appeared weekly in this space, and he formerly wrote a weekly column for the Chicago Tribune's news section. Dr. Palyi was hardly a stranger to the medium, having written for more than 40 major newspapers which required frequent assignments abroad covering economic and political conditions.

An internationally distinguished economist, Dr. Palyi was on intimate terms with the workings of every major financial crisis just prior to World War I through the most recent June 21 Penn-Central accentuated one. He was equally familiar with most of the world's leading economists going back to Max Weber who held a professorship at the University of Munich at the time when, and where, Dr. Palyi obtained his doctorate and taught, and under whom Dr. Palyi studied and later assisted immensely.

A scholar and author in his own right, Dr. Palyi had a superb felicity for turning even his esoteric constructive criticisms of economic nostrums into a popular, understandable magnetic style for the readers of his column. At the same time, his books commanded the respect of the world economic community. They included: The Chicago Credit Market (1937), Compulsory Medical Care and the Welfare State (1950), The Dollar Dilemma: Perpetual Aid to Europe (1954), Managed Money at the Crossroads (1958). An

Inflation Primer (1961) and, scheduled for publication in the fall of 1971, *The Twilight of Gold*. The latter distills his behind-the-scenes knowledge of the workings of the European central banks, and the great European banks, to which he blends his years of economic analysis with his first hand knowledge of economic and political events.

Indicative of his pressing concern these past few years, Dr. Palyi's first formal column with this publication dealt with "A Flood Tide in Monetary Nostrums" (September 26, 1968) and his last column, published a week ago, July 30, after his death, coincidentally re-examined many of the current economic "Remedies (which he showed) Are Worse Than The Cure". Over the many years, he contributed numerous articles to this and other publications both here and abroad.

A conservative economist, opposed to Socialism, he defined a conservative as one willing to change for something better, and castigated liberals for their inflexible inability to admit the deleterious consequences of their inspired causative prescriptions gone awry.

ESSAYS CAPTURED CRUCIAL EVENTS

One tragedy which his column caught was the substitution of fiat money for a \$35 dollar redeemable gold standard, the search for a "Gold Standard Without Gold," blaming "A Gold Shortage on Watered Stock", and making ourselves "Prisoners of Our Debt Behemoth". He took no joy in twitting the "The Dry Rot in Bretton Woods," the "pie-in-the-sky" promulgation of "Painless Anti-Inflation Policies—Shamless Surrender to Inflation", the evolution of our economy into "A Workers' Paradise Lost", and "the Generic Name of SDR's—Easy Money."

Prior to the leveling out of the stock market in 1968, he called attention to 1929 parallels. In 1963 he wrote on the Federal Reserve's teetering on the edge of a monetary catastrophe (which we now know). One of his analyses of Milton Friedman's fixed money supply growth rule saw therein a strange variation of Keynesianism—one that would require heavy governmental stabilizing efforts to make the proposed 4 per cent money supply formula work.

He was a strong advocate of: "credit created for productive purposes only; a monetary system of currencies and credit measured and tested by a redeemable gold standard; a relatively fixed exchange rate; and deflation as a necessary, unavoidable medicine whenever we failed to take the opportunity to check avoidable inflationary excesses.

The Hungarian-born son of a newspaper publisher, Dr. Palyi was educated in Switzerland and Germany and received his master's degree from the Munich School of Commerce and his doctorate from the University of Munich.

His academic career included faculty memberships in the Universities of Goettingen and Kiel, and it was at the Graduate School of Commerce at Berlin that he obtained his professorship of finance in 1929.

His banking experience included the Austro-Hungarian National Bank, the Deutsche Bank in Berlin, and guest consultants to the Midland Bank, Ltd., London. He was adviser to the Reichsbank, the central bank of Germany, from 1931-1933, and an expert to the German government's Industrialization Nationalization Committee.

Dr. Palyi's first visit to the United States was in 1926-27 as visiting professor and research economist at the University of Chicago; also, Wisconsin, Southern California, and Northwestern University.

In 1933, he elected to live in and become a citizen of the United States. He was a member of the Executive Committee of the Economists' National Committee on Monetary Policy, and a member of the Board of Lehigh Valley Industries, Inc. As a private consultant, he took numerous trips to Eu-

rope for first hand knowledge of developments there.

He leaves his wife, Raissa, who is a Russian language Professor, presently on the faculty of Rosary College.

There are few truly great economists left who personally lived through the accomplishments, hopes and misfortunes of the pre- and post-World Wars' economies. Unfortunately, economists did not appreciate his adamant advice against inflationary policies as a cure to economic ills. When the world wanted gold that glittered he could only offer gold.

OF WORDS AND WAR

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. CRANE. Mr. Speaker, as we commemorate the second anniversary of the ruthless Soviet-led invasion of Czechoslovakia, certain voices in our Nation are calling for a unilateral cessation of our opposition to communism. We are told that the Communists have changed, that there is a new spirit of rapprochement, and that a yielding by the United States on one or another issue will be sufficient to change their attitudes.

A very thoughtful article in the July-August issue of *Ordnance* magazine belies these assertions. It is entitled "Of Words and War" and is written by the noted military strategist and author, Samuel F. Clabaugh. Colonel Clabaugh cites historical events in this article and notes that the Communists consider international negotiation as a means of waging and continuing hostilities, as well as ending them. Colonel Clabaugh's article follows:

OF WORDS AND WAR

(By Col. Samuel F. Clabaugh)

One of President Nixon's favorite phrases is "from confrontation to negotiation." It is a good one, and especially timely, as we continue the Strategic Arms Limitation Talks (SALT)—the most crucial and hazardous negotiations in the history of our relations with the Soviet Union—and as other negotiations proceed in Paris, in Geneva, and in Panmunjom.

Like most such phrases, it requires analysis. In the quarter century of the cold war, what has been our experience with confrontation and negotiation as we moved from one to the other?

In Communist strategy and ideology, negotiation and confrontation are parts of one organic whole. They are practically synonymous. Each, to paraphrase Clausewitz slightly, is a continuation of war by means of the other. As Senator Henry M. Jackson said more recently:

"Some Americans see international negotiation as a means of ending conflict. They are blind to the fact that negotiation as practiced by Moscow is equally adapted to waging and continuing conflict."

To confrontation and negotiation must be added a third phase—the treaty. Indeed the word "treaty" derives from the French *traiter*—to negotiate.

The treaty is implicit as a consequence of confrontation and negotiation. Like them, it may come at any point in the sequence of the cycle. It may initiate the conflict, or it may end it. Sometimes, to the surprise of one or both parties, it may—in due time—revive it.

Treaties, all treaties, constitute a paper

chain—the treaty trap—as they are described in a recent excellent book by that title ("The Treaty Trap," by Laurence W. Bellenson; Washington: Public Affairs Press, 1969). Confrontation, negotiation, and the treaty—there abide these three, and the worst and most dangerous of these is the treaty.

In our confrontations we have more often succeeded; in our negotiations we have more often failed; and in our treaties we have usually been entrapped. This was true of both World Wars. We won the wars, bungled the peace negotiations, and were trapped by the treaties.

The Soviet Union began the cold war with the Allied occupation of Berlin. They rejected the United States offer of Marshall Plan assistance, clobbered Czechoslovakia when she tried to participate, and denied free elections to the countries of Eastern Europe.

The fruits of Yalta and Potsdam, they greedily plucked; the commitments they as readily repudiated. New negotiations failed. In their attempted strategy of driving the Allies from West Berlin, the Soviets engaged in one harassment after another in their familiar probing tactic. Finally they blockaded West Berlin.

It was a critical time. Some in the military wanted to arm a convoy and send it through, which the Allies had a right to do. It seems inconceivable that the Soviets would have resisted with force when the United States had a monopoly of atomic weapons.

The Soviet blockade was imposed on June 24, 1948. It is reasonable to believe that confrontation, in the form of a counterblockade by the West, would have brought the Soviets to terms, as indeed it did in February following.

But the immediate crisis was the survival of the 2,250,000 people of West Berlin. Gen. Lucius Clay inaugurated the airlift on June 26th. There were questions of its feasibility and its possibly provocative effect. General Clay told a reluctant Washington that "whenever the Soviets want to make war, they will not be deterred by our weakness." President Truman supported General Clay's decision.

When, seven months later, the Western Allies imposed a tight counterblockade, Stalin sought negotiations immediately. On May 4, 1949, the Allied powers announced agreement to end the blockade, and on May 12th the Soviet blockade came to an end. The airlift continued until September 30th because of material in the pipe line and to restore the city's depleted reserves.

It was a magnificent achievement. It had carried 2,500,000 tons of vital supplies to the beleaguered city and enabled its people to survive. It was accomplished at terrific cost, including the loss of 48 lives. It could have been avoided if the Soviet Union had been confronted immediately with a counterblockade.

The airlift cost the Soviets nothing. Stalin was glad to have Western air power thus occupied. But the West's counterblockade was something else. That hit him where it hurt. It should have been a valuable guide to the new North Atlantic Treaty Organization (NATO) which had been born April 4th. It should have been—but it was not.

In Korea, the confrontation came first and seemed to be succeeding. General MacArthur, declaring there was "no substitute for victory," advocated bombing the Communist bases across the Yalu and blockading the coast.

Official Washington feared that the bombing of the "privileged sanctuaries" would bring the Chinese into the war. It also feared the loss of the support of our UN "allies." The Chinese came anyhow, and the support of our UN allies remained minimal.

In the controversy between President Truman and General MacArthur, the general was summarily removed. The see-saw war continued until the "uneasy truce," which

was followed by 18 years of humiliating and fruitless negotiation.

The "United Nations War," with 50,000 American soldiers and the South Korean Army, bids fair to out-live the United Nations itself. Both confrontation and negotiation continue in the travesty in Panmunjom, hardly a satisfactory substitute for victory.

The Cuban missile crisis in 1962 came to a climax in the magnificent mobilization of our air and sea power and the "selective interdiction" of Soviet missiles bound for Cuba. The United States won the almost unanimous support of the free world. The trade and shipping of our allies that had been supporting the Cuban economy declined sharply. The Organization of American States was ready to support an economic and military blockade of Cuba. The instant confrontation was an instant success—but short-lived. What we won in confrontation we immediately lost in secret negotiations between President Kennedy and Khrushchev. The great array of ships, aircraft, and armor was dispersed to their bases even more quickly than they had been mobilized.

Khrushchev felt relieved of the threat of the invasion of Cuba and even reneged on his promise of international inspection of his missiles. The ships of our allies resumed their flow of critical supplies to Castro, and the ardor of our Latin-American friends was cooled somewhat by the revival of old grievances.

We later removed our missiles from Turkey—but seven years later Cuba is still a powerful air, naval, and missile base for the Soviet Union and a training ground for guerrilla forces for use throughout the Americas, including the United States itself.

Vietnam has presented us with our most horrible potpourri of confrontation, negotiation, and treaties.

Despite the recommendation of the military strategists, we have had the wrong sort of confrontation with North Vietnam and the Viet Cong, and only a fantasy of negotiation. From the beginning of the confrontation (escalation) to the mythical negotiation (deescalation) it has been our sorriest performance in the 25-year record of confrontation and negotiation with the Communists.

In Vietnam, as in Korea, we have failed to win either the war or the negotiation. We have failed to win the negotiation precisely because we have failed to win the war. We have failed to win the war primarily for the same reasons: (1) we have granted privileged sanctuaries (such as Haiphong) and safe havens to the enemy—at least until the Cambodian entry; (2) we have failed to cut off his source of supply, and (3) we have suffered from civilian direction of military operations.

In Vietnam, we threw ourselves into the war and began suing for peace at the same time—something rare in history. Each negated the other. Each was directed at the wrong target, in the wrong way, with the wrong weapons, at the wrong time.

North Vietnam was bombed just enough to arouse and unite the people but not enough to deter them. Vital targets were spared. Our mighty bombers attacked footbridges, rice paddies, and jungles, and scorched the earth in South Vietnam, while a free flow of deadly weapons has poured through the port of Haiphong unhindered.

The negotiations which President Johnson had proposed "anywhere, any time" were begun in response to imaginary smoke signals. They have set a new low even for the Communists. But nothing better could have been expected.

President Nixon has found himself on the horns of a polar dilemma—to get in or to get out. That's the nature of dilemmas—two equally painful choices. But he can seize both horns; first, get in effectively, and then, get out honorably. The operations to clean

out Red armament and supply caches and to uproot COSVN in the Parrot's Beak of Cambodia are boldly in that direction.

The mutual threat to national survival now impels the two great powers to look to the third instrument of conflict resolution—treaty making—to curb the arms race which is growing more intolerable daily.

So it is that the world watches with hope and apprehension the Strategic Arms Limitation Talks (SALT), as it recalls the dismal pattern of treaty making and breaking throughout history—and especially on the part of the Soviet Union.

COLONEL CLABAUGH

Colonel Clabaugh, an Ordnance Reserve officer, has served as military attaché in London, as a member of the General Staff Corps, a faculty member of the Industrial College of the Armed Forces, and as a research associate of the Center for Strategic and International Studies.

TRAUMA—THE NEGLECTED DISEASE OF MODERN SOCIETY

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. HOGAN. Mr. Speaker, WRC-TV recently devoted their editorial time to a discussion of the fourth highest cause of death in the United States—trauma, or accidental injury.

WRC has performed a true public service in calling attention to this little-known killer which strikes most often among persons between the ages of 1 and 37.

For the benefit of my colleagues who may not have heard this editorial broadcast, I include it in the RECORD at this point:

TRAUMA

Trauma, which is defined as physical injury, is the fourth highest cause of death in the United States. And tragically, most of its victims are between the ages of one and thirty-seven. In that life span it is the major cause of death.

Yet, based on recent figures, less than 50 cents was spent on research for each of the 10 million persons who suffered accidental injury. At the same time \$220 was spent for each of an estimated 540 thousand cancer cases.

Trauma is not limited to weekdays or working hours. It strikes at any time. And when it does—the first thirty minutes in an emergency room of a hospital are most important.

Vital signs must be monitored by specialists, yet many emergency rooms are staffed by junior physicians and life and death decisions, even for experts, are too often limited because of inadequate treatment facilities. Much-needed chemistry and blood laboratory facilities and supplies are not available around the clock.

The condition of emergency rooms in Washington area hospitals was dramatically revealed in a recent survey. Of the 22 civilian hospitals with 24 hour service, only five were rated as "very good," eight were rated "good."

This is not a reassuring picture for the thousands in the Washington area that will become victims of accidental injury.

There is a good deal of trauma research results available—WRC-TV urges that it be applied, and quickly, to Washington area emergency hospital facilities.

In connection with the intent of this editorial, I recently had the opportunity to address the delegates to the International Trauma Symposium held here in the Nation's Capital.

In preparation for this speech, I had the opportunity to explore many new ideas which I would like to share with my colleagues. For this reason, I include my remarks before the symposium at this point in the RECORD:

ADDRESS BY HON. LAWRENCE J. HOGAN BEFORE THE INTERNATIONAL TRAUMA SYMPOSIUM

It is a great pleasure to join with you this morning for the start of the first international conference devoted to the study of trauma. I commend you for coming together to examine this critical problem and I hope you have a very successful meeting.

April 22 was hailed throughout the country as Earth Day 1970. Our deteriorating environment received a lot of attention on that day as a result of a nationwide teaching in our college and high school campuses. I joined in the activities of that day and in several speeches pointed to our dirty air, our foul water-ways, our congested traffic, and our deplorable housing and urged a massive effort to restore the quality of our surroundings. I said, at that time, that the issue, in a word, is survival, and that's not something we can compromise with.

I bring up my activities on Earth Day because the National Academy of Sciences considers accidental injuries, or trauma, to be the nation's most important environmental health problem. Considering that physical injury is the leading cause of death among persons between the ages of 1 and 37 and that they are the fourth leading cause of death at all ages, then it is readily apparent that the issue is indeed one of survival.

The tragedy of this realization is that trauma kills thousands of our young people in the first half of the life span who otherwise could expect to live long and productive lives. Preventable accidental death afflicts the very same young people who are today demonstrating in the streets against the ravages of the war in Southeast Asia. We must find ways to communicate to them the fact that in one year alone automobile accidents kill more Americans than we lost in the Korean war. We must tell them that accident costs in the neighborhood of \$18 billion are rapidly approaching the annual appropriation of \$20 billion for conducting the war in Vietnam. Somehow, we must get our young people as involved in protesting this abuse to the life and well-being of members of their generation as they are about the threat of the draft and military service in Vietnam.

I am pleased that you have stated as one of your purposes for meeting this week the effort to generate more scientific attention to a neglected field, but also to stimulate greater public awareness that trauma is a major national health problem. Public apathy is one of the greatest hurdles in this field. The public finds injury and trauma "distasteful" and would rather not think of it.

Most of us, and I include myself in the category of the generally unaware public, do not realize that most accidents not only damage the outer body but that, too often, the real "accident" and the resulting traumatic state are brought on by internal injuries. For example, a study of 950 autopsies of accident cases revealed that in 38 percent of the cases of those who died following a fracture of the hip, the primary cause of death was actually pulmonary embolism. Yet in a large number of similar patients who had not been autopsied, pulmonary embolism was the recorded cause of death in only 2 percent of the cases. These figures, I believe, demonstrate how much we really

still don't know and how much further research can teach us.

These are astounding facts and they can only be attributed to a lack of awareness on the part of the general public but apparently also on the part of general medical practitioners. It would seem to be the responsibility of the members of this symposium to reach the latter group and I hope that concerned public officials and interested citizens will continue to disseminate information about this neglected killer to the general public.

I said before that these statistics also show us the tremendous need for more research in this fight against accidental death and disability. We must increase appropriations for further research in this area. We expended vast amounts of money for cancer and cardiovascular research to find cures for those afflicted with chronic diseases which usually take their toll late in life. Why then have we not placed a similar priority on finding a better means of treatment for trauma? Recent studies indicate that the National Institutes of Health and the Public Health Service expend only 50 cents for each of the 10 million persons disabled by accidental injury, while research funds in the amount of \$220 and \$76, respectively, are expended for each of the estimated 540,000 cancer cases, and 1.4 million cardiovascular cases.

My interest in emergency medical care was aroused by a series of reports on the ambulance situation in the District of Columbia and by the concomitant problems in the emergency rooms of D.C. hospitals.

As a member of the House District of Columbia Committee, I investigated the complaints of citizens regarding the ambulance service and I was appalled at the deficiencies in emergency care in the capital of this great country. This word-of-mouth testimony was supplemented by several studies, including a report by the District of Columbia City Council Ad Hoc Committee on Emergency Ambulance Service; the Definition; Emergency reports aired by WWDC radio; and an in-depth study by the National Highway Safety Bureau of the U.S. Department of Transportation.

In addition to these studies, I received first-hand exposure to the shortcomings of our emergency medical facilities by participating in a mock disaster drill held in Washington on June 28 of last year. In order to assess the effectiveness of emergency medical response by rescue workers and the emergency rooms of ten area hospitals, I along with over one hundred other volunteers, served as a litter case "casualty" with very realistically simulated second degree burns of the face and lungs. Cyanosis was my simulated condition.

The overall mock disaster exercise pointed out many shortcomings in our emergency facilities which are probably symptomatic of similar conditions throughout the country, particularly in more rural areas.

While most of the hospitals have well thought out plans for handling emergency cases, the implementation of these plans frequently leaves much to be desired.

Most of the emergency rooms—the good and the less than good—are very busy. If you have to go to one, chances are you would have to wait, and you probably would have to wait longer than the period that particular hospital considers an average waiting time, since, like most patients, you would probably arrive in the evening or on a weekend.

From a legislative point of view, the major thrust of my efforts in this field has related to a bill which I sponsored last year to establish an Ambulance Service Corps for the District of Columbia, administratively separate from the Fire Department under which it is now placed.

Because of the highly specialized nature of life-saving services, it is quite evident that we need a special system for recruiting and training men with a special aptitude for ambulance work. The Armed Forces have recognized this for a long time.

Once the corps is established it will be responsible for the selection, training, and supervision of its own personnel. As it stands now, members of the fire department serve for one year in the ambulance service. Many do so reluctantly. Others have no special aptitude for this work and, as far as I am concerned, it is imperative that anyone who is involved in emergency medical service be particularly dedicated to his work for it requires an unusual interest and empathy which many do not have.

At the present time a man serving in ambulance work must prove his proficiency in fire-fighting in order to qualify for a promotion. Under the administrative setup which my bill envisions a member of the Ambulance Service Corps could make a career in the ambulance field and be promoted on the basis of his proficiency in this work within his own organization. Those who dedicate themselves to this essential activity are entitled to recognition, as well as satisfaction. The new organization would also provide the technical training which each member must have to keep abreast of the newest techniques and developments. There are some problems related to Washington's emergency medical service to which my bill does not respond.

An important adjunct to the new Ambulance Service Corps is establishment of the neighborhood health centers which the city has requested to take the burden from the ambulance service and allow them to concentrate on true emergencies. Presently, the ambulance service in Washington has been overburdened and deviated from its purpose by being used as a "taxi service" to bring indigents, most ambulatory, to the hospitals. While such "taxi runs" are being made, a real emergency victim must wait, and, in some tragic cases, die. I believe that the neighborhood medical centers will help to solve this problem.

I have spoken so far in terms of emergency when applied to individual victims. However, there is also the very important question of disasters. In such cases, augmentation of personnel is needed. I have provided in my bill for trained volunteers who will serve as reserve members of the Ambulance Service Corps. In having a volunteer reserve, the authorities could call upon an additional force to assist, knowing that they are trained in the methods and use of equipment.

Particularly in the case of disaster relief, an emergency rescue service must be prepared with the proper equipment. During the mock disaster in which I participated, helicopters were used to transport the "casualties" to the hospitals. This service is not now available in the District of Columbia.

The ambulance corps which would be established by enactment of my bill would regulate its equipment needs according to its criteria for proficient operation. As the transportation picture changes with the introduction of new equipment, the corps can utilize new methods to achieve its own particular mission. It is imperative that technical equipment is available as close to the point of injury as possible. For example, ambulances should be equipped with electrocardiographs and they should be furnished with devices to alert the hospitals to their imminent arrival. These are two serious deficiencies in the present system.

The helicopter has proved itself on the battlefield as an excellent emergency vehicle and it is now used in many parts of this country for highway emergencies and disas-

ter evacuation. While I was in Vietnam last August, I was most impressed with the "dust-off" helicopter pilots who could pick up the wounded from the battlefield and within a matter of minutes transport them to hospitals. Enroute the helicopter pilots would alert the emergency centers in the hospital and a team of medical experts would be prepared for their arrival. This procedure is so refined that even artificial kidneys are always available because the kidneys of the wounded often break down when the human body is under great stress and strain.

The versatility and speed of the emergency care available in Vietnam must be harnessed as an adjunct to ambulance service in this country.

The Vietnam war has also developed skills in many of our returning veterans which can and should be utilized in the field of emergency medical care here at home.

There are, of course, many other aspects of emergency medical service and accidental injury which I haven't mentioned but I'm sure you, as experts in this field, are aware of them and will discuss their merits and demerits during this symposium.

I'm hopeful that your discussions will lead to many useful recommendations for implementation throughout this country and in other parts of the world. I look forward to being kept informed of your progress.

ST. STEPHEN'S DAY

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, August 20, 1970

Mr. SCOTT. Mr. President, today marks the annual observance of St. Stephen's Day—a celebration in honor of the patron saint of Hungary. Hungarians everywhere, especially Hungarian-Americans, point to St. Stephen as a symbol of freedom.

St. Stephen was a man of outstanding ability. It was he, as King of the Hungarian nation, who shaped that nation and gave it a greatness of purpose that still endures in the Hungarian soul. That purpose is an intense desire for universal freedom. The Hungarians have demonstrated this deep-seated emotion many times in the past. We all anxiously await the day when the Hungarian nation will once again take its rightful place in the family of free nations of the world.

King Stephen, among his many accomplishments, made two outstanding contributions to humanity. He taught the Hungarians the exemplary virtues of charity and tolerance. He taught that it was the responsibility of the rich to help care for the needy. He taught that it was the moral responsibility of every man to be tolerant of, to respect, and to love all other people—regardless of class or background. These teachings, in combination with his other Christian virtues accounted for the canonization of King Stephen by the Roman Catholic Church.

Would that all men in the world today were of St. Stephen's caliber. As we commemorate him here today, we honor and salute all Hungarians, who have wisely chosen him as their patron saint.

**CARL BRABLEC'S PREMATURE
RETIREMENT**

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. O'HARA. Mr. Speaker, on September 17, the Board of Education of Roseville, Mich., will host a dinner in honor of the premature retirement of Carl Brablec, after 23 years as superintendent of the Roseville Public Schools.

I describe Carl Brablec's retirement as "premature," as I would do if he were retiring 20 years from now—because his is the kind of experience, and dedication that cannot be let go without being sadly missed.

His contribution to education in the city of Roseville and, indeed, in the State of Michigan as a whole, can only be hinted at by a list of the formal activities in which he has served the public over these years. In addition to his professional title as superintendent of schools, Carl Brablec has been a member of the State Corrections Commission for Juveniles, a member of the Governor's Commission on Educational Finance, president of the Detroit Metropolitan Region School Administrators Association, a member of the State Advisory Committee on Teacher Education and Certification, and in 1959, he served as emergency interim State superintendent of public instruction. From 1957 through 1966, the people of Michigan selected Carl Brablec to serve as a regent of the University of Michigan.

But, Mr. Speaker, as most of us know, it is not in a man's titles that you find his life work. And this is particularly true in the life of an educator. In the Roseville district's schools—of which there were four when he took office, and of which there are 24 now; in the 14,750 students—as opposed to the 1,200 when Carl first took office; in the growth of Roseville as a strong, healthy, and happy community—there we find Carl Brablec's accomplishments.

It is my privilege and my pleasure to join with my friends and neighbors in Roseville and the adjoining communities in our unlimited good wishes to him in the years ahead.

I ask unanimous consent, Mr. Speaker, that an article from the Macomb Daily of June 16, 1970, be printed at this point in the RECORD. The article seeks, as these few remarks of mine have sought, to delineate something of the priceless public resource that we call Carl Brablec:

**THE "OLD MAN" BEHIND ROSEVILLE'S RAPID
GROWTH**

(By Jane Hoyt)

ROSEVILLE.—The Roseville school district has undergone three large boundary changes.

The four original schools have changed in size and character and the student enrollment has increased from about 1,200 to 14,750.

All of these changes are due to the firm guiding hand of an administrator with a dry wit, called "the old man" by teacher federation members in the same way young naval officers respectively dub their commander.

When Carl Brablec retires in September he

is going to "get out of town for a bit so my successors can clean up the school system."

His associates will likely miss the characteristic chortle that usually accompanies such a statement.

Nonetheless, the district owes its structure to Brablec and those who aided him in the years since he began his job in 1947.

At that time the district, which was known as Kern-Washington, contained East Detroit, Roseville and St. Clair Shores. "In the early 50s we reorganized so our district attached the part of Roseville north of Ten Mile," he said.

East Detroit annexed the area south of Ten Mile, and Lakeview incorporated the area between Beaconsfield and Little Mack. The next annexation to the Roseville District was the Eastland District, north of Twelve Mile and, toward the end of the 50s, the Greater Gratiot District.

Now the district coincides with the city boundaries except for three-quarters of a mile into the Fraser district.

The original Roseville district consisted of four schools, according to Brablec. Today the system consists of 24 schools.

The old Burton building which served as a junior and senior high was torn down in 1966 and the new Burton school stands on the site. It was the only school demolished over the years, although MacArthur School, one of the original four, will be demolished this summer to make way for the I-696 Freeway.

The two elementary schools have a new look. Lincoln's original eight classrooms are now called the "old building" and the third of three additions is just being finished. Pierce School has had two additions.

Despite an impressive construction record, it is not, according to Brablec, his most rewarding accomplishment.

"Taking part in the development of educational opportunities for all the children means more," he said. "The rewarding part is not, for example, that we have a new high school, but that there's a good environment with the necessary facilities and materials."

"Born on a farm in Ogdan Township, Lenawee County, in 1908, Brablec received his B.S. from Eastern Michigan, his M.A. from the University of Michigan and served as an American Exchange Fellow at Charles University, Prague, Czechoslovakia.

A teacher and principal at Britton High School he later served as superintendent of that district and the Clarkston district before coming to Roseville as head administrator in 1947.

In education, he feels "we are doing a good job but not the best. We're trying to educate all the children which wasn't done in the old days," he said.

In the future, we will increasingly employ technology, so the efforts of any one person are extended. We will find this university true in our society," he said.

He doesn't think this means fewer teachers. "We will find that the teaching force is greater, but deployed in different ways," he said. "Technology would extend teaching effectiveness, giving more opportunity to reach those children in need of special assistance."

Although he is a life member of the National Education Association, he feels teachers should leave many decisions to their representatives.

"I believe we see the best education where teachers are free to teach. It's troublesome to see the confusion which has resulted in recent years when teachers enter into administration and policy-making to such an extent that their concern upon their specialty is reduced. I think most teachers would like to be out of this."

"In the past years when boards and administrations might have been capricious and not given to due process, perhaps this

was good, but now there are safeguards and representatives can work."

He served as a University of Michigan regent from 1957 through 1966 and believes, "there is no question that over the past 10 years more students are more involved and this will continue, but no one can be heard while he's burning the library down."

"I'm inclined to think that whatever the students had to express by this means has been done and any further lawless and violent means will not be beneficial to their goals."

He believes "the thing has peaked and young people will employ different methods because they have gone about as far as a very liberal society is going to allow."

This does not mean he is against young ideas. "The kids have something to say. There is so much in society just screaming for remedy and in some intuitive way the young grasp this are alarmed at it and have reacted, in some cases overreacted. If they believe in our democracy and means for bringing about change, they can work within the system," he said.

An avid sportsman (even his wife is skilled with a pistol) and a member of the Small Arms Commission of Michigan, he is also a noted naturalist.

"You can save almost anything you're determined to save," Brablec said, for 10 years he has been encouraging the preservation of 40 wooded acres near Bryden. "We've attracted quite a bit of wild life into the sanctuary," which is part of a woodland management program.

Brablec believes conservation is "one place where people will rally rapidly," and compares it to diminishing the effects of polio in a surprisingly short time. He has much faith in people whom he said will realize the necessity for action and "will respond rapidly as a nation."

**SECOND ANNIVERSARY OF INVA-
SION OF CZECHOSLOVAKIA**

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. MONAGAN. Mr. Speaker, on the second anniversary of the invasion of Czechoslovakia, the development of events in Eastern Europe and especially the continuing trend toward consolidation of Soviet control in Czechoslovakia provide mournful fare for those who hope for better things for the people of this area. This August 20 marks the anniversary of that invasion which, in its blatant disregard of every tenet of international law and diplomatic convention, produced a shockwave of revulsion around the world.

The history of the past 2 years in Czechoslovakia can be found mirrored in the life of Alexander Dubcek, the ill-fated reformer who failed in his attempt to liberalize the Czech economy and society. In the immediate wake of the Soviet invasion, Dubcek was permitted to remain in his position as First Secretary of the Czechoslovak Communist Party; under the most unsubtle pressure of Soviet troops, tanks, planes, and secret police, he was forced to dismantle the major achievements of his brief rule: freedom of the press and freedom of expression of political dissent. Then, once the Russians had secured their hold on the Czech Government through the aid of

Czech collaborators, Dubcek, with many of his fellow reformers, was shipped abroad to fill a diplomatic post. The reason underlying his appointment as Ambassador to Turkey was clear: Dubcek was still far too powerful a domestic political force to attack openly at that time; his appointment to Ankara was therefore a convenient method for the hardliners to move him away from the center of affairs with the smallest amount of domestic strife, and thus make it somewhat easier for them to carry out their regressive policies at home.

Last month, having finally secured their hold on Czechoslovakia, and with 70,000 Soviet troops to back them in case of trouble, the neo-Novotny faction recalled Dubcek from Turkey, dismissed him from his ambassadorial post, and proceeded to strip him of his membership in the Communist Party. These steps were justified by the allegation that he had led the country to "the brink of chaos and destruction." Today Dubcek is incarcerated in a prison disguised as a mental hospital, where he has undergone harassment and interrogation by his pro-Moscow captors. There exists a possibility that he will be subjected to the ordeal of a show trial, both for the benefit of the Russians and as a warning to the Czech nation at large.

The progressive blackening of the reputation of this Czechoslovak patriot and confirmed Communist, and the continued degradation of his official position and the destruction of his reforms, are symptomatic of the malady which afflicts Czechoslovakia today. They provide proof that the ultraconservative wing of the Czech Party remains ascendant, that its program of recasting Czechoslovakia in the mold prepared for it by Moscow continues apace. What has happened to Alexander Dubcek, then, is far more than just a personal tragedy, for it has happened, and is happening now, to literally tens of thousands of less well-known Czechoslovaks. Oldrich Cernik, Dubcek's Prime Minister, has been suspended from both the Central Party Committee and from the party itself. Seven members of the Czechoslovak Supreme Court, including its president, have been dismissed on the grounds that they purportedly hold rightist, opportunist, anti-Socialist, and anti-Soviet views. The entire presidium and secretariat of the National Trade Union Council were also removed from their positions. A purge of the entire Czechoslovak Communist Party is underway, and 200,000 people from all walks of life have been expelled from it along with Dubcek.

One of the areas of Czechoslovak society most heavily affected by this renaissance of Stalinism is the academic world. According to the Czech Government itself, over 300 university professors and lecturers and over 1,000 students have defected to the West. An additional 300 professors have been arbitrarily removed from their posts. Students in Czechoslovak universities are being forced to undergo rigorous loyalty tests before being allowed to continue their studies. Those now in power are also bringing about extensive changes in

curricula, and are eliminating almost entirely any study in those disciplines such as political science, logic, sociology and philosophy which are considered threats to the new pro-Soviet dogma. The Husak government taking another leaf from the Moscow book, has also undertaken a systematic campaign against writers and poets.

Further evidence of the results of the internal upheaval produced by these new policies is to be found in the Czechoslovak foreign service. Rather than return home to face the kangaroo courts in Prague, several prominent Czechoslovak diplomats have defected to the West, among them the Czech Ambassador to Denmark, the third ranking official of the Czech Mission to the United Nations, and the scientific affairs officer of their Embassy here in Washington.

Mr. Speaker, it is with an eye on these events that I again call attention to the two resolutions which I introduced earlier in this session of Congress, House Concurrent Resolution 457 and House Concurrent Resolution 465. I feel that it is particularly important at this point in time that we express to the world our own sense of anger and outrage at the actions and policies of the present leaders of Czechoslovakia. To this end, House Concurrent Resolution 457 attacks the Soviet invasion for what it was, a denial of the basic sovereign rights of an independent nation; it asks the President to instruct our representative to the United Nations to ask the General Assembly of that organization to condemn the Soviet action and to direct the U.S.S.R. to remove once and for all those forces which it still maintains in Czechoslovakia in violation of international law. In addition, it stipulates that the Czechoslovak question be added to the agenda of any future negotiations between this Government and the Soviet Union. Further, in view of the fact that we may expect more, and increased, numbers of defectors as the Husak regime continues to enforce and toughen its harsh and repressive laws, I feel that it is imperative that steps be taken to aid those brave Czechoslovaks who are fleeing their homeland rather than submit to the iron rule of Soviet sycophants and Russian tanks. Recognizing this problem, House Concurrent Resolution 465 asks the President to direct the United States representative to the United Nations to ask the U.N. High Commissioner for Refugees to provide funds to aid the more than 60,000 Czechoslovak defectors seeking to remake their lives in free lands.

LEGISLATION TO REQUIRE THE
OPEN DATING OF PACKAGED
FOODS—XI

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. FARBSTEIN. Mr. Speaker, I have today released a Department of Agriculture survey of European open food dating laws, which demonstrates that

consumer protection in the United States is far behind more stringent requirements in many European countries.

Open dating of packaged foods is a well-established practice in eight of the nine countries surveyed, and in at least 17 other countries. The survey found open dating has met with a strong and positive consumer response, especially in those countries in which open dating is most extensively applied.

The food industry abroad had been no less reluctant to provide consumers with information on the quality of their products than have their American counterparts.

In Germany they warned that the consumer would choose the freshest dated item, even though other items were still good.

In Austria, there came a similar warning.

In Denmark, the food industry claimed that open dating was unnecessary for brand items, as both producers and retailers were interested in supplying good products from the quality point of view.

But the European food industry has generally learned to live with the practice. Except for some problems during the short transitional period, none of the expected difficulties arose. In Germany, for example, the trade associations now fully accept the idea of open dating. In many countries the food industry not only found it popular with the consumer, but also profitable for themselves to the point where many companies are introducing open dating on products not required by law.

The Department of Agriculture survey of nine European countries found that Denmark, France, and West Germany have adopted relatively extensive open dating requirements; and five others have less comprehensive regulations. Only Great Britain did not require its food industry to provide the consumer with information about the freshness of its products, although here also many supermarkets have adopted the practice voluntarily, because they found it to their economic advantage to do so.

Denmark, which initiated consumer dating requirements in the 1950's on a limited basis, found that consumer response was so positive that the Government has now extended the policy to a significant portion of all food sold. A government unit, the Home Economics Council, hopes to extend open dating to all commodities in the near future.

A spokesman for the West German Ministry of Health said that his country found open dating to have a positive effect from the point of view of the consumer, "by improving product quality and freshness." A representative of the French Government said that the experience of his country, which dates many canned goods as well as perishable items, is that it forced many retailers to pay closer attention to their inventory.

The food dating survey was done by the U.S. Foreign Agriculture Service through the agriculture attachés in the various countries being surveyed. They were asked to investigate: First, if the country had open dating laws and regulations; second, circumstances sur-

rounding their enactment; third, their economic impact; fourth, the consumer reaction; fifth, the government's assessment; and sixth, the food industry's reaction.

The Department of Agriculture was also able to supply me with data on food dating requirements in other countries.

At the present at least 25 countries have open dating requirements. These include Argentina, Australia, Austria, Belgium, Chile, Denmark, Finland, France, Germany (West), Greece, Israel, Italy, Netherlands, New Zealand, Norway, Pakistan, Portugal, Poland, Spain, Sweden, Switzerland, Thailand, Turkey, and Yugoslavia.

The European Economic Community is currently considering open dating requirements.

The experience with open dating in Europe and elsewhere clearly demonstrates how fallacious is the argument that the American food industry would lose its shirt by better informing the consumer.

I insert at this point in the RECORD the text of the survey and excerpts from a World Health Organization survey summarizing many of the countries which have open dating requirements:

U.S. DEPARTMENT OF AGRICULTURE,
FOREIGN AGRICULTURAL SERVICE,
Washington, D.C., August 7, 1970.

HON. LEONARD FARBSTEIN,
House of Representatives

DEAR MR. FARBSTEIN: Following the arrangements which have been previously discussed (conversations with Mr. Levin of your office, my letter of July 30, 1970 to you), I am enclosing the replies received from our agricultural attachés to the inquiries, made at your request, regarding the practices abroad concerning open-dating of packaged foods.

To permit a complete overview of this project from the enclosures, I am including also a representative copy of the inquiry that was sent to the attachés regarding foreign practice on open-dating. This is followed by the responses received from Austria, Belgium, France, Germany, Italy, Spain, Switzerland, and United Kingdom.

In the case of Austria, the current response mentions an earlier cable on a related subject; that cable is also enclosed. In the case of France, the aircomm to which reference is made has not yet arrived; when it comes it will be forwarded separately to your office.

Sincerely,

RAYMOND A. IOANES,
Administrator.

COPY OF INQUIRY SENT TO AGRICULTURE ATTACHÉS PARTICIPATING IN THE FOOD DATING SURVEY

Representative Farbstain of New York has asked us to secure from you a report regarding the experience in Switzerland with respect to open-dating of food products. His concern is principally with packaged food products but extends to nonpackaged foods also; please respond accordingly.

The Congressman's interest related to bill he is sponsoring is in open-dating for food offered at retail as differentiated from code-dating. A legislative reference service (Library of Congress) survey for the congressman has listed Switzerland among these that have legislation applying to either (1) pull-date (2) date of packing (3) date of manufacture (4) any similar date or variants thereof. This may even include a labeling of crop year or year of manufacture with no more precise labeling.

What we are asking from you is a discus-

sion of (a) what regulations exist with regard to such dating (b) what background preceded the adoption of those regulations (c) what exceptions if any occur under the regulations (d) What their acceptance has been by both consumer and trade group (e) What effects economic or otherwise can be attributed to their operation and (f) What assessment of the operation of such regulation has been made by Government or other official agency? Please differentiate to the extent necessary among the various commodities as they might be covered in your discussion.

The detail in which you can provide the desired discussion will obviously be limited by the deadline for this request. Please plan that your report on this subject shall be received in fas not later than August 4.

The legislative reference service report for Switzerland follows:

Under the Swiss Federal Constitution the issuance of laws on trade in food products and consumer articles is within the jurisdiction of the Confederation; the execution of such laws is however a cantonal matter (sec. 69 BIS).

The basic federal act on the trade in food-stuffs and consumer goods dates back to as early as Dec. 8, 1905 (Vereinigte Sammlung der Bundesgesetze und Verordnungen 1848-1947. v. 4 p. 549) but its original text was subject to a great number of amendments in the course of its over-sixty-years of existence.

There is no general provision in this act which requires the dating of food and other consumer products for the period during which these articles may remain on the shelves of stores. Only the amendment of this act of Dec. 29, 1954 (Amtliche Sammlung der Bundesgesetze und Verordnungen v. 1954 p. 1354) states that every bottle of milk must bear an inscription or label indicating "the date of the production (gewinnung) of the milk."

Similar inquiry being dispatched to Vienna.

REPORTS ON FOOD DATING LAWS PREPARED BY THE LEGISLATIVE REFERENCE SERVICE, WHICH WERE SENT TO AGRICULTURE ATTACHÉS

AUSTRIA

(Prepared by George Jovanovich, senior legal specialist)

There are no provisions dealing directly with the dating of food and other perishable products for the period during which they may remain on the shelves of stores. However, certain controls have been established by the Law Concerning Food and Drugs (*Lebensmittelgesetz*) of 1896,¹ reintroduced in 1951² and amended in 1952,³ 1960,⁴ 1965,⁵ and in 1966.⁶ This Law regulates commerce in food, drugs, cosmetics, spices, tapestry, as well as china ware, cooking utensils, and the like (Sec. 1).

This Law provides for controls on the marketability of the product and the determination of its fitness for human consumption, as well as for establishing agencies to be in charge and outlining the scope of their authority in regulating, controlling and conducting health inspections (Sec. 2).

The Law contains provisions for standards to be met, violation of which entails punishments and fines (Sec. 9-18). It also provides for establishing a commission to collect all regulations and instructions concerning food and drugs, as well as to issue the Food and Drug Legal Compilation (*Österreichisches Lebensmittelbuch—Codex Alimentarius Austriacus*) (Sec. 23).

The compilation is arranged by the groups of provisions affecting a particular food or drug product.

The inspection agencies, the Commission and the courts have the power to confiscate and destroy all merchandise declared unfit for human consumption. This system has no specific provisions for dating merchandise for the purpose of exhibiting it for sale.

FOOTNOTES

- ¹ *Reichsgesetzblatt*, No. 89/1897.
- ² *Bundesgesetzblatt*, No. 239/1951. (Hereinafter cited as BGBl.)
- ³ BGBl., No. 160/1952.
- ⁴ BGBl., No. 245/1960.
- ⁵ BGBl., No. 175/1965.
- ⁶ BGBl., No. 235/1966.

BELGIUM

(Prepared by Dr. Virgiliu Stoicoiu, senior legal specialist)

The only regulation on the dating of food-stuffs was found in the Ministerial Resolution of September 1, 1949 (as amended), Creating Official Control over the Quality of Butter, *Moniteur belge*, September 22, 1949, which reads as follows:

Art. 9. The butter from a dairy farm classified in the first category (with a control stamp) must, among other things, have a mark in conformity with the model reproduced below on its package or container:

The National Office of Milk and its Derivatives shall establish and directly inform the interested enterprises about the models and conditions according to which the control stamp shall be applied to the package or container.

This office shall, among other things, require the reproduction of the control stamp to be accompanied by an indication of the date of production or the number of the order to determine the date.

FRANCE

(Prepared by Dr. Domas Krivickas, senior legal specialist)

According to the provisions of Article 3 of Decree No. 66-180 of March 25, 1966, the labeling of dietetic products must contain mention of "the date of production or else the date limit for consumption and, if necessary, the precautions to be observed for the preservation of the product as established by interministerial order."¹

Flavored milk (*lait aromatisé*). Milk containers should bear the following information:

An indication of the time of pasteurization and the period for use under conditions established by a joint order of the Minister of Agriculture and the Minister of Public Health and Population (Art. 5 quater of the Decree of March 25, 1924, as amended by Decree No. 55-952 of July 17, 1955).²

Coffee called "superior." According to the provisions of Article 4 of Decree No. 65-763 of September 3, 1965, the date of roasting must be marked on the label or wrapping. However, this date may be replaced by the date limit for sale to consumers.³

Powdered and dry milk. The Decree of August 24, 1961, prescribes that the date (year and month) and the place of production be indicated on the wrapping.⁴

"Gruyère de Comté" or "Comté" cheese. The month of production must be mentioned on the label.⁵

Canned Foods. The date of production must be indicated on canned food.⁶

FOOTNOTES

- ¹ *Journal officiel*, March 30, 1966. p. 2583.
- ² *Ibid.*, July 19, 1955. p. 7193.
- ³ *Ibid.*, September 9, 1965. p. 8049.
- ⁴ *Ibid.*, August 30, 1961. p. 8125.
- ⁵ R. A. Dehove. *La réglementation des produits alimentaires et non alimentaires. Répression des fraudes et contrôle de la qualité*. 6th ed.
- ⁶ *Ibid.*, p. 606.

FEDERAL REPUBLIC OF GERMANY

(Prepared by Dr. William Solyom-Fekete, senior legal specialist)

Labels on prepackaged or canned food products have been regulated by the Gov-

Footnotes at end of article.

ernment of Germany since 1916.¹ Such regulations have often been the subject of changes and amendments during the past decades.

The Government of the Federal Republic of Germany most recently amended the provisions for the contents of such labels in 1966 through a decree.²

This Decree included amendments on the description of groups of different food products which are subject to similar rules of labeling requirements and also provided regulations pertaining to the indication of the date of production or the period of shelf life of perishable food products.

The provision of the Decree pertinent to the date of production reads as follows:

Section 2. (1) On packages or containers [the following] shall be indicated on an easily visible place in the German language in clear and easily legible writing:

1-3. [Irrelevant]

4. In case of food products described in Section 1(1), Nos. 1-3,³ the time of production of the food product given uncoded by day, month and year, or, if the food product is not packaged immediately after production for the purpose of delivery to the consumer, the time of packaging or filling; these data may be omitted if the time until which the food product may be stored is given uncoded by the day, month and year; in case of the products described in Section 3(2), Nos. 2 and 3,⁴ the indication of the day, and in case of the products described in Section 3(2), No. 4,⁵ the indication of the day and month may be omitted.

FOOTNOTES

¹ Holthöfer - Juckenack - Nuse. *Deutsches Lebensmittelrecht*. Berlin, 1961. p. 6 v.

² Decree of September 9, 1966, to Amend the Food Labeling Decree, *Bundesgesetzblatt I*, p. 590.

³ Meat, fish and other seafood products.

⁴ Deep frozen products and hard smoked sausages, hams and raw meat products.

⁵ Other food products which are not perishable for at least one year.

ITALY

(Prepared by Kemal Vokopola, senior legal specialist)

Italian legislation on foods and consumer goods does not provide any general rule in regard to the period during which such foods and consumer goods may or should remain on sale.

However, Article 8 of Law 441 of February 26, 1963, amending the Unified Text of Laws on Hygiene and Health of 1934, states that regulations will eventually establish what food products and manufactured beverages should bear the date of their production.¹

A law was enacted in 1951 with regard to the rules and regulations for the production and sale of baby food as well as dietetic food. This law requires that such products must show the date of production and the quality expiration date.²

FOOTNOTES

¹ *Codice della legislazione sulle sostanze alimentari*. Roma, 1964. p. 496.

² *Le Frodi alimentari*. Milano, Giuffrè, 1963. p. 422.

SCANDINAVIA

(Prepared by Veijo Ollikainen, legal specialist)

A thorough search of Danish, Finnish, Norwegian and Swedish literature in the Library of Congress holdings did not disclose any laws providing for the dating of food packages or other consumer products for the period during which they may remain on the shelves of stores.

There is a provision dealing with dating packages of products sold retail* in Den-

* Decree on the Sale of Certain Meat Products Sold at Retail of April 24, 1968, Art. 6,

mark, according to which "meat products may be supplied with information on keeping qualities or the last day they may be sold." This information is not mandatory. In some of these countries products such as butter, milk, fish, etc., must bear the date of packaging on the container.

SPAIN—CONSUMER PROTECTION REQUIRING DATE LIMITATIONS UNDER FOOD LAW

(Prepared by Helen L. Clagett, Chief, Hispanic Law Division, Law Library—Library of Congress)

Decree 2,484 of September 21, 1967 adopted Spain's new "Food Code," covering in its 38 chapters many detailed aspects on the handling of food and beverages and related activities. The first part of the *Código Alimentario* is concerned generally with applicable measures on processing, marketing, sanitary and health treatment, storage, transportation, additives and impurities, and other matters. The following chapters are devoted to specific categories of food, such as dairy products, meat, seafood, preserved or canned products, and to categories of beverages—alcoholic and non-alcoholic, coffee, tea, etc.

On the particular point of interest to this report, that is, the setting of dates beyond which a product should not be sold to or used by the consumer, the Code contains several instances of direct and indirect limitations of time.

Part II of the Code deals with general requirements and rules governing materials, their treatment, and persons in contact with the preparation, processing, distribution and consumption of food. Section 2.04.18 of this portion concerns dating controls in this manner:

The corresponding Regulations shall indicate, in addition to those specified in this Code [referring to data on labels], the manner and form in which they are to be consigned, expressed either in authorized figures or in code, showing the lot number, date of manufacture or date of canning, in the case of those foods requiring it; and for those whose contents may be altered or contaminated after opening, the additional warning must be included: "For immediate consumption once opened."

In the chapter of the Code dealing with aspects of food storage and transportation, the general rules for storing, under Section 2.06.02, include a condition under Paragraph (c) which reads: "The rotation of stock and periodic removal based on duration of storage and conditions required by each product for its preservation."

In the specific chapter dealing with eggs, milk and other dairy products, Section 3.14.15 deals with the imprinted data that must appear on the eggs, or on their containers, which reads as follows:

Preserved eggs [*conservados*—defined as being under a certain degree of refrigeration for more than 10 days, but less than 6 months] and refrigerated eggs [defined as refrigerated at specified temperature between 15 and 30 days] must be marked on each shell, in visible and indelible characters: a) the type of egg, as defined under Section 3.14.42; b) the date it was placed under refrigeration, or the means of preservation employed. . . .

Milk and milk by-products are governed by Section 3.15.06 of the Code. In setting forth hygienic requirements, different treatment is indicated for fresh milk when delivered directly to consumer, and when served elsewhere.

Paragraph (g)—Milk containers must bear on the main body of the container, or on its carrying strap, or on the opening, a stamp in clear and indelible letters stating the limitation date for its sale; [Refers to milk delivered to homes].

Paragraph (h)—The sale of sanitized milk

In Lovtidende for Kongeriget Danmark 1968 Afdelning A. København 1968. p. 234-245.

for consumption at group centers or institutions may be made in containers of larger size [than ½ gallon] . . . with a stamp thereon indicating the date for limitation on its sale.

Other sections of this Code requiring a date stamp on containers or labels, or indicating notice of similar nature, relate to containers used for meat or vegetable preserves, or for prepared and seasoned foods in containers. Section 3.26.07 refers to indication of the dates when processed or canned, while Section 3.26.08 indicates requirement of vigilance as to the dates of entry or departure from storage places of this conserved food "pursuant to the time expiration of same, according to the local climatical conditions." Similar dating treatment is prescribed for breakfast foods requiring cooking, cereals made from dried grain, flour, powdered milk, etc., on which the label, according to Section 3.26.24, must express "the expiration date, when its preservation so requires it."

SWITZERLAND

(Prepared by Dr. Ivan Sipkov, assistant chief)

Under the Swiss Federal Constitution, the issuance of laws on trade in food products and consumer articles is within the jurisdiction of the Confederation; the execution of such laws is, however, a cantonal matter (Sec. 69 bis).

The basic Federal Act on the Trade in Foodstuffs and Consumer Goods dates back to as early as December 8, 1905,¹ but its original text was subject to a great number of amendments in the course of its over-sixty-years of existence.

There is no general provision in this Act which requires the dating of food and other consumer products for the period during which these articles may remain on the shelves of stores. Only the amendment of this Act of December 29, 1954,² states that every bottle of milk must bear an inscription or label indicating "the date of the production (*Gewinnung*) of the milk."

FOOTNOTES

¹ *Bereinigte Sammlung der Bundesgesetze und Verordnungen, 1848-1947*, v. 4, p. 459.

² *Amtliche Sammlung der Bundesgesetze und Verordnungen*, v. 1954, p. 1354.

TEXTS OF COMMUNIQUEES FROM THE AGRICULTURE ATTACHÉS

Following information keyed to questions raised in para 3 ref fasto:

A. The only Austrian regulation which sets forth labeling requirements re dating of food products is food labeling ordinance of 1963, details reported in A-41, dated Jan. 16, 1969. On the basis of this ordinance, a limited number of packed food products, besides other labeling requirements, must carry in uncoded form information as to date of packing, or show date up to which the food will keep under proper storage conditions. For a number of other food products, the date of packing in coded form is mandatory. There are no such requirements for unpacked foods. The food labeling ordinance became effective Jan. 1, 1970; foods packed prior to the date in a way that does not conform to provisions of the ordinance may be sold for one additional year.

The following packed food products must either show in uncoded form the date of packing, or the date up to which they will keep under proper storage conditions. (For foods marked with #'s, this date must indicate month and year of packing, or month and year up to which product should be consumed; for other food items, the indication of the year only is required):

Preserves from meat and other food preserves with meat added; partially preserved food products from meat or with meat added (#); preserves from fish and crustaceans, or

other food preserves with fish or crustaceans added; partially preserved food products from fish and crustaceans added (#); diabetic foods, including infant foods (#).

B. Prior to adoption of regulations which established open-dating labeling requirements for a limited number of packed food products, such dating was not practiced in Austria. However, code-rating of food preserves has always been customary among local canners.

C. Packed foods are exempt from labeling requirements provided that the total weight does not exceed the 50 gram mark.

D. Consumer representatives consider existing labeling regulations as first step toward their goal, i.e. the open-dating of all major food products. At present, consumer organizations are striving for inclusion of dairy products and margarine in existing labeling requirements.

Representatives of the food industry believe that consumers would reject open-dated products if food carried label indicating that it was either produced one or two years earlier but is still of good quality, or has to be used within a few months.

E. Reports from importers and wholesalers indicate that a number of foreign suppliers are not in position or are reluctant to label their products in accordance with Austrian regulations. Austria is considered to be too small a market to justify special labeling of food products. Since the responsibility to meet domestic labeling requirements rests with importer, a large number of them put aside bids for foods which are * * * with labeling specifications. Past experience shows that small foreign suppliers are more willing to comply with labeling regulations than larger firms. As result, some Austrian food importers now seem to do more business with small food exporters and packers than before. Price increases in connection with labeling of packed food have not been observed thus far by Austrian food trade.

F. The authorities are not yet in position to make an official assessment of the implementation and effectiveness of the ordinance, especially since it provides for transition period ending Dec. 31, 1970. Austrian authorities informed us informally that so far no major problems have occurred in connection with execution of the ordinance and that its operation is presently judged satisfactory. The inclusion of other packed foods in the food labeling ordinance is a possibility.

JANUARY 16, 1969.

From: AmEmbassy Vienna.

Subject: New Food Labeling Ordinance.

Ref.: OBR, No. 64-57, July 1964.

Under authority of the "Federal Law Against Unfair Competition of 1923", the Ministries of Trade and Agriculture recently issued an ordinance which establishes labeling requirements for a number of packed food products. The ordinance will become effective on January 1, 1970. Foods packed prior to that date in a way that does not conform to the provisions of the new decree may be sold in Austria for one additional year.

The packer or, in the case of a custom order, the individual or company placing the order is responsible for the observance of this ordinance. For foreign-made goods, the responsibility rests with the importer.

The 15 separate labeling requirements provided for by the ordinance call for (as informally translated from the text):

1. The labeling in wording of common usage which, together with other specifications, defines the nature of the food product;

2. (a) The name (or abbreviation thereof) and address of the producing, packing, or merchandising firm; in the case of foreign products, also the country of origin; or, (b) the label "Produced in . . ." with information as to the place and country of production;

3. The net weight according to the metric

system, i.e. the average weight of the food product being packed; deviations due to packing technique and technology will be tolerated;

4. The net volume according to the metric system, i.e. the average volume of the food product being packed; deviations due to packing technique and technology will be tolerated;

5. The raw product filling weight (expressed in metric units) of the ingredients determining the product value at the time of packing, i.e. the quantity of fruit, fish, or meat (in the case of poultry, including bone weight) used in filling; deviations due to packing technique and technology will be tolerated;

6. Information as to the methods applied in the production of the packed food product. This includes such methods as pasteurization, sterilization, deep-freezing and dehydrating;

7. Information as to limited shelf life, stating "limited shelf life" or "for early consumption";

8. Conditions under which a product is to be stored, in German language;

9. Date of packing, or date up to which the food product will keep under proper storage conditions, in uncoded form:

(a) indicating month and year; or (in other cases):

(b) indicating the year; or (in other specified cases):

10. Date of packing in coded form;

11. A listing of vitamins added, by kind and quantity;

12. Information as to the average number of dishes (portions) which may be prepared from the packed food, or the quantity required for the preparation of a specific amount of food;

13. Information as to the average number of eggs or egg yolks contained in the product;

14. Information as to the number of pieces; deviations due to packing technique will be tolerated;

15. Information as to the cocoa content in weight percentages.

The ordinance also stipulates a few exemptions from the above labeling requirements. These are of minor importance, however. Finally, the labeling text must be clearly legible and in wipe-proof letters. If it is not possible or not feasible to place the information on the container or the package, it is permissible to place the required labeling near the packed foods on display. The labeling text must be in Latin letters and in Arabic numbers.

The following packed food items will become subject to these labeling requirements: (Numbers following the commodity description denote specific labeling requirements as listed above applicable for individual commodity groups.)

Preserves from meat and other food preserves with meat added; (1), (2), (3), (5), (6), (8), (9b), and (11).

Deep-frozen foods made from meat or other deep-frozen foods with meat added—excluding poultry (whole birds, plucked, with intestines removed); (1), (2), (3), (6), (8), (10), and (11).

Partially preserved food products from meat or with meat added; (1), (2), (3), (7), (8), (9a), and (11).

Preserves from fish and crustaceans or other food preserves with fish or crustaceans added; (1), (2), (3), (5), (6), (8), (9b), and (11).

Deep-frozen foods from fish and crustaceans or other deep-frozen foods with fish and crustaceans added; (1), (2), (3), (6), (8), (10), and (11).

Partially preserved food products from fish and crustaceans or with fish and crustaceans added; (1), (2), (3), (7), (8), (9a), and (11).

Vegetable preserves—excluding dry pulses; (1), (2), (3), (5), (6), (8), (10), and (11).

Deep-frozen vegetables; (1), (2), (3), (6), (8), (10), and (11).

Partially preserved vegetables; (1), (2), (3), (7), (8), (10), and (11).

Vegetable juices; (1), (2), (4), (8), and (11).

Fruit preserves—excluding citrus fruits, grapes and preserves of fruit falling within customs tariff number 08.05; (1), (2), (3), (5), (6), (8), (10), and (11).

Deep-frozen fruit products; (1), (2), (3), (6), (8), (10), and (11).

Marmalade (jam), fruit jelly; (1), (2), (3), and (11).

Fruit juices and fruit syrup; (1), (2), (4), (6), and (11).

Partially preserved fruit; (1), (2), (3), (7), (8), (10), and (11).

Diabetic foods, including infant foods; (1), (2), (6), (7), (8), (9a), (11), and, optionally, (3) or (4).

Meat extracts and extracts from other protein-containing products, products therefrom, substitutes for these extracts and products; (1), (2), (11), and, optionally, (3), (4), or (12).

Whole egg and egg yolk; (1), (2), (3), (6), (8), and (13).

Baking powder and pudding powder; (1), (2), (8), and (12).

Candies; (1), (2), (11), and, optionally, (3) or (14).

Chocolate in bars, blocks, etc.; (1), (2), (3), (11), and (15).

Chocolate products; (1), (2), (11), (15), and, optionally, (3) or (14).

Chocolate products in fancy shapes; (1), (2), and (3).

Bakery products with extended shelf life; (1), (2), (8), (11), and, optionally, (3) or (14).

Coffee, coffee extracts and their substitutes, tea, mate and their extracts; (1), (2), (8), and, optionally, (3) or (12).

Pastries; (1), (2), (3), and (13).

Pre-sliced bread, biscuit, bread crumbs; (1), (2), and, optionally, (3) or (14).

Rolled oats, oatmeal, oat grits, and oat flour; (1), (2), (8), and, optionally, (3) and (12).

Rice; (1), (2), and (3).

Edible oils and fats; (1), (2), (8), (10), (11), and, optionally, (3) or (4).

Comment: So far as we know, most U.S. food products packed for export to Austria already specify all or most of the information called for under this new ordinance. A few of the requirements may cause difficulties, however. The obligation to show weight in the metric system, storage conditions in German, and the date of packing or latest safe consumption in uncoded language could prove troublesome and expensive for some packers.

BRUSSELS

1. Belgium has no repeat no general requirement of open-dating of food products. Only requirement this area is that mentioned by legislative reference service which applies to butter produced on farms classified first category. Date becomes in effect part of the control stamps. All other butter is not repeat not required to show date of production on package.

2. Food inspection division of public health ministry not repeat not in favor open-dating of food products. States that most canned products such as peas keep indefinitely and open-dating would tend to influence consumers to buy newest product first thus making a problem of moving older products. This might result in waste. Said that dating of semi-preserved products considered but that difficult to know exact condition of product when it preserved and if this done they would have to prescribe preserving methods to be followed.

3. Understand that EC commission considering the possibility of regulation requiring open-dating but there is considerable

difference of opinion among EC countries and whole idea generally opposed strongly by food processing industry.

COPENHAGEN

The discussion below of current regulations applicable to opendating of food products in Denmark is limited by the short time available for pulling information together and the Danish vacation season.

The Law on Foodstuffs (No. 174 of April 28, 1950 and amendments) contains no overall requirement for open or code-dating of food products. Regulations on opendating or code-dating are not contained in any one single law or uniform decree but have been introduced for individual commodities as the need or demand developed. The regulations are in nearly every instance laid down in decrees issued under basic legislation by the pertinent Ministry involved in control of the specific commodities (Agriculture, Interior, Fisheries). More coordination among the authorities involved in food legislation is expected in the future. The following listing of products to which regulations apply on opendating is believed to be complete and shows the most recent applicable regulation. Code-dating has been included in the listing as in certain instances it may be supplemented or substituted by opendating. A copy of each regulation can be forwarded to Washington if desired.

In addition to what is required by regulations, a number of chainstores and supermarkets have voluntarily introduced opendating which goes beyond the requirements set forth in the legislation. This practice is spreading.

Milk: Ministry of Interior Decree No. 377 of September 13, 1967—Article 13, clause 1, item 3. Day of the week of heat treatment must be shown on the packaging. Exception for buttermilk and special milk products (yoghurt, etc.) where day of packaging (bottling) or final processing must be shown. On a voluntary basis, all milk sold in the Copenhagen area is marked with two dates, the day of heat treatment as well as last sales date (pull-date), which normally is 3 days after heat treatment day.

Ministry of Interior Decree No. 441 of December 5, 1967 (on Aromatized Milk Products)—marking of cocoa milk and fruit yoghurt must be according to Article 13 of above Decree. For sterilized milk products, the sterilization date shown must include day, month and year. If last sales date also given, the date of heat treatment must be clearly shown.

Butter: Ministry of Agriculture Decree No. 295 of June 23, 1967, Article 5, clause 1, item 6, and Article 13, clause 2, item 5—revised by **Ministry of Agriculture Decree No. 93 of March 25, 1968.** Date of manufacture must be given on each individual retail package—applies both to domestic as well as export sales. Repackaged butter must show date of packaging on each retail wrapping. Effective date April 1, 1969.

Cheese: Ministry of Agriculture Decree No. 540 of December 3, 1969, Article 17, clause 1d. and Article 18, 1e. Applies only to sliced cheese, dried cheese products (powdered, grated, granulated) and processed cheese. Date or calendar week of packaging for sale to wholesale trade (sliced and dried cheese) or date of manufacture (processed cheese) must be shown on individual packages—however, may be in code.

Date-marking is not applied to other dairy products, such as ice cream, canned milk products, etc.

Eggs: Ministry of Agriculture Decree No. 295 of June 23, 1967, Article 7 clause 1 (marking of eggs) and Article 9, clause 3 (marking of retail containers)—revised by **Ministry of Agriculture Decree No. 430 of December 20, 1968.** Each egg of prime quality must be stamped with code defining week or grading (weekly codes are announced in daily press).

Consumer retail containers (cartons, etc.) of prime eggs for sale on home market must be marked with weekly code number as well as beginning and ending dates of week in question. Effective date of latter regulation February 1, 1969.

Egg Products: Ministry of Agriculture Decree No. 341 of August 1, 1967, Article 6g. Applies to eggs without shell (fluid, frozen and dried). Packaging must be marked with production serial number so date of manufacture can be identified.

Meat: Law No. 189 of June 4, 1964, Article 7, clause 2, re Deep-Frozen Foods—date of packaging must be shown on ready-packaged, sliced meat products in retail packages (applies to "chilled" products).

Ministry of Interior Decree No. 369 of December 19, 1964, Article 6, clause 1f, re Deep-Frozen Foods, except Ice Cream—month and year of packaging must be shown; may be in code on retail packages but opendating mandatory on wholesale packages.

Ministry of Interior Decree No. 133 of April 24, 1968, Article 6, clauses 4 and 5 (note this is decree referred to in last para of referenced FASTO)—applies only to certain meat products in retail packages (salami, smoked pork backfat, sliced and chopped bacon and heat-treated sausages) and only to sales premises not approved as butcher and delicatessen stores. Opendate of packaging must be shown. Date of keeping quality limitation or last sales date may be shown.

NOTE.—New coordinated regulation by Ministries of Agriculture and Interior about to be issued which will apply to all prepared meat products and which will require showing of packaging date and pull-date. See also section on Deep-Frozen Foods.

Canned Meats: Serial production number must be stamped on base of can so date of manufacture can be identified.

Fish: Ministry of Fisheries Decree No. 6 of January 10, 1962, Article 32, clause 5, re production of fully and semi-hermetic fish products, etc.—day, week or month and year of manufacture must be shown; may be in code provided code approved in advance by Ministry of Fisheries' Industrial Board.

Ministry of Fisheries Decree No. 310 of September 1, 1966, Article 2. Applies only to semi-hermetic fish products—opendate of manufacture must be shown (i.e. code marking not allowed).

Ministry of Fisheries Decree No. 305 of August 13, 1968 re Ready-Packaged Fresh Fish and Fish Products in Retail Packages, Article 5, clause 4—opendating of packaging and open last sales date must be shown.

Ministry of Fisheries Decree No. 90 of March 31, 1965, Article 7, clause 5, re slightly-preserved fish and fish products—open packaging date mandatory.

Fresh Fruits: Ministry of Agriculture Decree No. 379 of July 25, 1969, Article V6—Packaging date must be shown on containers sold in wholesale trade—applies only to fresh apples and pears.

Canned Fruits and Vegetables: Ministry of Interior Decree No. 377 of December 19, 1959, Article 4, clause 1. Mandatory that labels on all domestically-produced items must show the year of manufacture expressed by the last two figures.

Marmalade, Jams, etc. Ministry of Interior Decree No. 97 of March 30, 1955, Article 5. Date of week or date of month and year mandatory for domestically-produced items—may be given in code.

Margarine (Dietary): Ministry of Agriculture Decree No. 162 of May 10, 1962, Article 5e. Date of manufacture (may be in code) as well as last sales date to consumers must be shown.

Deep-Frozen Foods: Ministry of Interior Decree No. 414 of August 21, 1969, Article 8, clause 1f.—the month and year of packaging of the retail packages must be given—may be shown in code determined by the Ministry of Interior on the retail packages,

but in such cases the wholesale packaging must carry opendating.

Mayonnaise: Copenhagen Health Commission Decree of October 1, 1966—applicable to Copenhagen only. Last date of sale must be shown. May be extended to apply to whole country.

Regulation on mayonnaise and mayonnaise products presently being studied by special Interior Committee, which would require opendating of these products, but study not yet completed.

Opendating applies also to vitamin preparations and certain medicines but is not covered by this report.

There has been considerable discussion among trade and consumer groups regarding the opendating of food products but no final overall solution has been reached. In general, trade groups are opposed to government regulations requiring opendating, preferring to handle on a voluntary basis, while consumer groups are working actively for the declaration of last sales date, packaging date, and keeping quality deadline. Several supermarket chains have voluntarily introduced opendating, usually pull-date or keeping quality limits, on many items and this practice is spreading to other trade groups. It has been found to have consumer appeal and is believed to be an economic advantage to the stores in question. The authorities have taken the standpoint that voluntary action by the trade on opendating is preferable to government regulations.

In regard to the deep-frost law, the authorities' main concern prior to adoption was whether the "cool chain" could be maintained from producer/processor to consumer. This is, however, no problem today. Consumer organizations strongly recommended that the decree of August 1969 require opendating but this was not supported by the industry, and the final decree was a compromise.

The Home Economics Council carried out an investigation of semi-hermetic fish products in retail trade in 1965, which demonstrated that the product turnover rate was not sufficiently rapid. The investigation was a contributory factor to issuance of the decree on opendating of semi-hermetic fish products in September 1966.

It should perhaps be mentioned that Denmark is expected to support the Codex international proposal for labelling of pre-packaged foods, which will be presented this year for acceptance by Codex country members. Although it was discussed, agreement was not reached on the inclusion of general regulations on opendating and the question has been referred to the individual commodity committees.

The Government Home Economics Council, a strong advocate of opendating of foods, prepared a document on the subject in November 1969, summarizing current regulations and attitudes. Informal excerpt translations of this paper are given below:

"The Home Economics Council regards it as a very important objective to work for the marking of keeping quality limits of a large number of consumer products, particularly in regard to food products, as it is a reasonable consumer demand that products bought retail are of satisfactory quality. Satisfactory quality not only means that the products are wholesome from the health standpoint but also that they have not become so aged that the flavor has markedly deteriorated.

"Legislative action is aimed primarily at assuring health aspects but unfortunately appears to do so to some extent at the expense of the product quality in general. Even though it is not directly injurious to eat dried-out frozen products and old bread, consumers cannot be satisfied with such products in a modern society where it is possible to regulate production, distribution and trade

for the improvement of quality on the market.

"The Government Home Economics Council has during the present decade worked for opendating in several ways:

"The Board of Health requested the Council on February 11, 1961 for a statement on the desirability of certain products being marked with, inter alia, the packaging date. In its reply, the Government Home Economics Council pointed to a number of products that should be date-marked. This applied to milk, cream, etc., eggs, butter, margarine, frozen products, mayonnaise and products, semi-hermetic products, consumer packages of fish, cleaned vegetables, and bread.

"For use in discussions on opendating problems in the *Nordic Committee on Consumer Questions*, the Council prepared a paper on September 21, 1963 on the positive and negative sides of various forms for opendating (this was revised on September 5, 1968). The discussion in the Nordic Committee in October 1963 concluded with unanimous support of opendating and recommended that the most suitable form for each commodity group should be considered.

"At the request of the Ministry of Interior on April 9, 1964, the Federation of Danish Industries issued a statement on December 30, 1964 on opendating in relation to the specific products mentioned by the Council above. The Federation believes that the marking of keeping quality need only be considered for a few products but agreed to some extent to the utilization of packaging date in code plus open packaging date on wholesale containers so that the trade can assure appropriate product turnover. The arguments against opendating include the factor that the raw materials, production methods, packaging, etc., result in such variation in keeping quality that the period cannot be set with any certainty, which might lead to the discarding of still usable products if the pull-date has been exceeded.

... Exactly the same arguments are used by consumer groups in favor of opendating, as included in the Home Economics Council's comments of March 15, 1965 to the viewpoints expressed by the Federation of Danish Industries. The Council finds that opendating is becoming more and more necessary as the variety of products increases. In addition, manufacturers must be the ones who are most familiar with the qualities of their products.

"The Council's latter statement gave a detailed account of the Council's investigation of semi-hermetic fish products (Råd og Resultater med Tekniske Meddelelser No. 1, 1965) as an example of a non-dated product with limited keeping quality. Although this product has a keeping period of seven months, its rate of turnover is not sufficiently rapid. Cans one or more years old were found in several stores. Thirteen percent of the old cans purchased that were more than five months old needed discarding, which leads to the conclusion that at the time of the investigation semi-hermetic products to a value of about 200,000 kroner that should have been discarded were on sale in stores throughout the country. A cautious estimate indicates that about one million kroner's worth of this product is discarded each year and this is a product with a relatively small turnover.

"The industry's arguments are surprising as it does not appear likely that opendating could make this situation worse. In addition, it would seem to be in the interests of the manufacturers that their products reach the consumer in a condition which invites a new purchase. The semi-hermetic investigation was instrumental in issuance of the decree of September 1, 1966 which required opendating of semi-hermetic fish products.

"The Government Home Economics Council has prepared statements earlier on the

opendating of consumer products which form the basis for the comments given below as well as the discussion that has taken place in the daily press of the eight forms of date-marking presently used.

"During the last few years, a number of chainstores and supermarkets have introduced the marketing of keeping quality (pull-date) on a large number of products on a voluntary basis. This initiative is welcomed by the consumers—it is a step in the right direction—but fewer, more appropriate forms of marking would be preferable. It would be easier for the consumer, and consumer institutions would be more strongly placed in relation to the legislative authorities if they were able to present concrete proposals in regard to the form of marking which ought to be introduced."

(The eight types of marking listed by the Council are: (1) date of manufacture; (2) date of packaging; (3) date of placement in cool desks; (4) control date; (5) date of heat treatment; (6) last date of sale; (7) "Also fresh until . . . (date) or period of keeping quality; (8) period for cool-desk life (for deep-frozen products).)

"While the industry claims that date-marking is unnecessary for brand items as both producers and retailers are interested in supplying good products from the quality point of view, consumer approach (to the Council) indicates that consumers often complain about the quality of the product because of the age of the product. It is unreasonable that consumers, who neither have any influence on the rate of turnover nor on storage conditions, should carry the risk of buying products which have deteriorated because of errors in producers' or retailers' turnover estimates.

"Looking at the question of amount of desirable information, it appears that the pull-date (keeping quality deadline) supplemented by packaging date and period of keeping quality are the dates most acceptable from the consumer viewpoint; however, the packaging date should also be given for products which require maturing (cheese, semi-hermetic fish products). In order to trace non-acceptable products back to the production date, the packaging or manufacturing date—at least in code—is recommended."

The Home Economics Council also lists the advantages and disadvantages of the various forms of opendating as well as a summary of opendating in Sweden, but lack of time prohibits translation. If this information is desired, please let us know.

HARLAN J. DIRKS,
Agricultural Attaché.

PARIS

Repression des fraudes laws passed by French assembly place responsibility of selling only safe, edible foods on manufacturer and retail distributor. Administration has assisted industry in meeting such obligations by establishing measurable criteria. Ref. dating of food, manufacturing dates were first used, and for some products are still used, i.e., canned items. Milk and dairy product were historically consumed by children and aged people. High sickness and death rates in children from unsafe milk and dairy products led government to impose date of consumption markings on most dairy products to aid mothers in purchasing such items.

The repression des fraudes, Dairy Producers Association, Consumers Technical Institute, Food Retailers Association, not aware of any studies on economic effects of regulations. The repression des fraudes has not done any "in house" evaluation of these operations.

Additional information including pertinent regulations contained in our aircomm pouched to FAS/W on July 31. Copy of Aircomm sent open mail to Engebretson.

PARIS

Enclosed are copies of information on date-marking in response to ref FASTO. These include: (1) Copy of the Law of 1905, on which government administrative actions are founded; (2) Regulations referring to coffee; (3) Regulations on canned and semi-processed foods; (4) Dating of certain cheeses which is an industry ruling—not government; (5) Regulations on hamburger; (6) Explanations of dating code for use on canned foods; (7) General background on *Repression des Fraudes*—why it was brought into existence; (8) Remarks by Institute Technique de Consumption on labeling.

We were not able to obtain published reports or notes concerning background information on the adoption of such regulations as we were told there are none. The government invites interested parties to a round-table discussion and determines the regulations to be issued after such meetings. No public hearings are held.

Exception Question (e) paragraph (3) rather broad. In dairy industry-butter (except butter made from pasteurized cream) and ice cream not currently covered, as well as aged cheeses. Fresh produce is not covered nor pasta products. Frozen products are marked-as-to-year and date-of production.

Consumers have not been aware of requirements until recently and do not seem to have an opinion except wonder what dates mean. This is caused by a lack of consumer education. Trade groups satisfied as they were heavily involved in decision making meetings.

Economic effects—All responses to this question were that no analyses have been made but feelings were that it was small. It has caused some small retailers to be more accurate on estimating sales volume and in some cases to group purchases with other retailers. It has also increased the returns of expired items to the manufacturer but it is not known how much.

The *Repression des Fraudes* told us that they do not have sufficient staff to properly carry out the surveillance, let alone do a study assessing their operation.

We hope the above information is helpful. Some people handling this question were on vacation. If more information is wanted, please let us know.

FRANK A. PADOVANO,
Acting Agricultural Attaché.

GERMANY

1. The following points are in response to your fasto 151 concerning the opendating of food products in Germany:

A. The provisions for open-dating of products are included in (1) the food labeling ordinance (*Lebensmittel-Kennzeichnungs-Verordnung*) of May 8, 1935, as amended February 25, 1970, (2) the butter ordinance (*Butterverordnung*) of June 1951, as amended July 31, 1967, (3) the EEC regulation on marketing standards for eggs, No. 16 19/68 of October 15, 1968 and (4) the first implementing ordinance to the milk-law of May 15, 1931, as amended December 9, 1968.

The above mentioned ordinances basically provide open-date labeling for the following major food products: butter, canned and packaged meats and fish products, certain sterilized, dried and canned dairy products and fresh milk and eggs.

2. B. A campaign for the adoption of opendating for food products was originally started by the consumer association as early as 1962/63. It was based originally on the relatively frequent cases of spoilage experienced with semi-preserved fish products. In contrast to fully preserved foods, which are usually canned and/or heat sealed, semi-preserved foods have a limited shelf life and require refrigeration. They are usually treated with chemical preservatives. At that time, consumers and retailers did not realize that these semi-preserved products have

a substantially shorter shelf life than fully preserved products. Also, more and more prepacked items, such as prepacked sliced sausage, ham, hard and semi-hard cheeses, etc. which vary considerably in shelf life were being introduced in Germany and the need to inform the consumer re shelf-life was intensified. This problem was taken up by the Bundestag, which on Dec. 6, 1963 decided that the ministry of health should prepare draft legislation establishing open-dating for certain foods (Bundestagsdrucksache IV 1623). The first action, however, was taken by the ministry of agriculture, which established an amendment to the butter ordinance providing for open-date labeling on butter, i.e. the day of packaging. This decision represented a compromise between the consumer associations request to show the production date of the butter and the industry which advocated maintaining a coded dating of the day of packaging, which at that time was the general practice.

The Ministry of Health then prepared a draft amendment to the "federal labeling ordinance" requiring open-dating for certain meat and fish products (for details and comments see agr. 11 of July 22, 1966).

As a result of the most recent amendment to the labeling ordinance, February 25, 1970, certain sterilized, dried and canned dairy products also became subject to open-date labeling.

The processor in the case of domestic products and the importer in the case of imported products is free to choose to either put the open-date of production or the expiration date of shelf life of the particular product on the package. So far only packaged products are subject to open-date labeling. In the case of eggs, the date of packing (i.e. 1 up to 52 depending on the calendar week) the eggs were packed, must be shown on each carton.

3. C. The legislation does not provide for exceptions for those product groups subject to open-date labeling. However, many of the larger product groups are not yet covered by open-date labeling provisions, eg. fresh and processed fruit and vegetable products, all bakery products, chocolate, fats, (other than butter) and numerous other products which have almost unlimited shelf life. The federal ministry of health, however, plans eventually to also include bread into the group of foods subject to open-date labeling.

4. D. Originally trade associations advocated against the adoption of open-date labeling, stressing the possible difficulties for the whole-sale and retail trade which might occur through consumers selecting the freshest products and leaving the older, but still well within the limits of shelf life. However, according to information obtained from trade associations, none of the difficulties at first anticipated, except during a short transitional period, apparently materialized. The trade now generally accepts the idea of open-dating. Consumer acceptance of this action was relatively good though a fairly large number of consumers do not yet, make full use of the dating. It is the general feeling in government and industry circles that the consumer still must be further educated as to the meaning of these dates and even more so about the importance of the proper storage of the dated products.

5. E. Contrary to the relatively positive statement obtained from the trade associations, the food processing industry stresses that many food processors had to increase prices as a result of open-dating. This development is reportedly due to two cost factors: (1) the additional cost of installing the dating machinery and the continuing dating adjustments and maintenance and (2) additional costs such as more frequent delivery of products etc. which apply heavily to processors. This goes so far that the trade requests the processor to take back products getting close to the expiration date of shelf life and

replace them with fresher products. This is usually done by the processor, who in turn includes a corresponding loss factor into his price calculations. This factor varies considerably from product to product depending on the additional delivery costs etc. and no one seems willing to estimate the degree of price increases attributable to date labeling. Most contacts, however, agreed that the introduction of open-date labeling has generally improved product quality and freshness.

6. F. The Federal Ministry of Health has not made any official assessment of the effects of open-date labeling on food products. They have, however, indicated that open-labeling has generally had a positive effect, particularly from the point of view of the consumer, in spite of the limited price increases.

ITALY

The following is the situation regarding open-dating of food products in Italy.

1. Article 8 of law No. 283 of April 30, 1962 was amended by article 5 of law 441 of February 26, 1963 with a proviso that regulation concerning dating will be issued in the near future listing all food items that have to show on their labels the date of packing (unspecified whether a code date or open date). Neither the regulation nor the list of food items concerned has as yet been published.

2. According to some sources we understand that the ministry of health has a proposed regulation drafted which is currently being circulated to other ministries for their concurrence. No comments or action are anticipated before September. It has been also brought to our attention that confindustria (the industrialists association) has already started a move to reduce the number of items to a minimum. The proposed draft refers to code dating only.

3. According to article 9 of presidential decree No. 578 of May 30, 1963 all baby foods are required to carry label declaration showing date of production and the extent of safe period based on the judgment of high commission for health and hygiene. Actually present labeling shows only open date of the expiration date.

4. According to article 30 of law 994 of May 9, 1929 the law required that bottles containing milk for human consumption must visibly show the date of bottling. However, article 3 of law 1504 of August 11, 1963 and circular 158 of August 1968 indicate that either bottling date or expiration date are acceptable. In practice, however, an open date is used on tetrapack indicating the quality expiration date.

SPAIN

1. In response to Congressman Farbstein's interest, Embassy representatives have completed brief but extensive study Spanish regulations relative to dating food products for Spanish market.

2. Codigo Alimentario Espanol cited by legislative reference service in RefTel was approved through decree 2484 September 21, 1967. However, this decree specifically limits itself to approval text of food code. Decree requires Spanish council of ministers to take further action before distinct parts of code enter into effect. This has not yet been done and no one will hazard a guess as to when it will be done. According to trade, the various Spanish syndicates (tripartite labor, management and government organizations which control all economic activity within specific lines) related to food processing are now currently adapting their various regulations to the provisions of the code. Even these regulations are not being effectively enforced at this time. In absence compelling force, trade apparently relying upon individual company policy relative to dating,

with result that practices vary widely from no date, coded or open, to consumer recognizable open dating. This latter practice rather limited and date not too precise. Major packers are generally code dating in order to be able determine production date and batch their products.

3. Food industry is governed by countless official regulations which are not codified and are widely dispersed through at least eight of the aforementioned syndicates responsible for various groupings of food products such as flours and breads, edible oil fish and fish products, meat, meat products and dairy products, candies, etc. within time limitations established by RefTel, its impossible to determine dating requirements these various regulations. In response to embassy staff inquiry, pertinent syndicates were unable to produce codified or other comprehensive compilation official food processing regulations including requirements for dating in any form, that may be applicable to the constituent firms. Spot check of local supermarket failed to indicate any extensive consistent pattern application of product dating.

4. Codigo Alimentario Espanol is result of four year study by special commission plus two year subsequent consideration by inter-ministerial committee. This action result of long felt need for efficient government control over wholesomeness of canned and other preserved foods to protect consumers from overage products. According directorate general of health, the office officially responsible for policing trade, consumers have welcomed this system because they believe it constitutes protection for their health and welfare. Trade, on other hand, feels consumers not too concerned about dating a voluntary basis seriously limits extent this practice.

5. One important spokesman for trade reported his firm would like to see food code officially implemented as he feels would give him competitive advantage since his organization presently able to meet requirement code. He believes Spanish food code possible best piece of legislation in its field, not only in Europe, but possible in world.

6. If Congressman Farbstein or Washington agencies desire them, additional copies Codigo Alimentario Espanol can be made available at approximately \$1.20 per copy.

SWITZERLAND

1. The Swiss food control regulations require open dating of only a few food products. Milk and dairy products, dietetic food and meat products in retail packages fall under this category. Reason for open dating these products is quite obvious since they are the most perishable foods.

2. Besides this compulsory open dating voluntary open dating is gaining importance. Big cooperative retail chain migros went into open dating of most of their food products except for the very stable products like canned fruits and vegetables. Other firms are also open dating a variety of foods like potato chips, dried soups, biscuits etc. This practice has been welcomed by consumer who is thus ensured fresh products. Most common dating system is "to be sold until . . ."

3. Swiss food control commission is currently studying a food declaration system under which all ingredients of product would have to be declared on the label. Compulsory declaration is already applied for variety of colors, preservatives and additives. Commission might take up at same time compulsory open dating of all food products.

UNITED KINGDOM

We are informed by Ministry of Agriculture, Fisheries and Food that no regulation on the dating of food for consumer protection exist in the United Kingdom. Protection provided in the Food and Drugs Act of 1955 which makes it an offense to sell food which

would be harmful is considered adequate. Nevertheless, certain firms voluntarily print on their packages the date by which the food should be eaten and/or cooked, for example, bacon, cooked ham and some other meat products. This voluntary dating is provided as a service by the manufacturer to both the retailer, as an aid to stop rotation and to protect them from the possibility of selling stale or decayed food, and to the consumer.

Code dating on cans and other packages is commonly practised in the United Kingdom, but only as an aid to manufacturers and distributors, again for stock rotation purposes.

Therefore, questions B, C, D, E and F do not apply in the absence of regulations. Mrs. Joyce Butler, M.P. for Wood Green in London conducts an assiduous campaign for the introduction of such regulations. While Mrs. Butler has been successful in some field (U.K. Trade Descriptions Act is due in large part to her pressure on the last Government), there is as yet no sign that she will be successful in getting dating regulations introduced.

We wonder if the reference to legislation found by Library of Congress refers to private members bill, the labelling of food and colloid preparations bill, bill 52, given first reading House of Commons and printed December 4, 1969, sponsored by Mrs. Butler. Under procedure for private bills in House of Commons little time is made available unless backed by Government; No Government backing for this bill. The bill was again due for second reading March 5, March 13, March 20, April 10, April 17 and several subsequent dates. On each occasion bill objected to and deferred and the prorogation of Parliament prior to election, June 18, meant uncompleted bills automatically lapsed. In requesting copy of the bill, we learned that copies of all lapsed bills are disposed of and are unavailable. That is the case with this bill.

[From World Health Organization—Food and Agriculture Organization of the United Nations, *General Food Labelling Provisions*, May 7, 1965]

IV (v)—Is the date of packing or production required on packages, and if so, in code or otherwise?

The date of packing or production, or both, is generally required in Spain, in Pakistan, and in Yugoslavia, where the time limit for use must also be given for perishable foods.

In a number of countries the date of packing or production is required for specific foods, as shown:

(Canada, India, Luxembourg, and the

United States excluded since their dating requirements are limited to coded dating.)

Australia: Under Commonwealth legislation on imports and exports, imported food is subject to special requirements including disclosure on the label of the date when the food was packed. The date is required in *Queensland*, only for bottled milks, infant foods and oysters removed from shells, and in *Western Australia* for infant foods. In *New South Wales* the date is required only for infant foods, pre-packed meat and oysters in glass containers. No dates are required in *Victoria* or *Tasmania*.

Chile: Dates are required on margarine; foodstuffs for medical uses, including flour products for infants; foods for animal or plant origin in cans or glass containers; frozen foods of animal or plant origin; meat sauces; concentrated broth; powdered eggs; smoked fish; sausages in general except Vienna sausages, for which the date must be shown on the container for distribution; milk in all forms except pasteurized milk, on the containers of which only the name of the day of distribution need be shown; cheeses; containers for the distribution of small cheeses and for the transport and distribution of oysters.

Denmark: Deep-frozen foods (month and year; may be in code); milk and cream; lurb-brand butter (date and year); fish, fish products and semi-preserved fish products (week, month, year; may be in code); fish fillets (date of production; may be in code); cheese (date or week; may be in code); eggs (in code); fruit and vegetable preserves (week or month, year; may be in code); apples (date of packing).

France: Certain perishable foods (yoghurts, fermented, flavored or powdered milks, cheeses); preserves and semi-conserves. The indication is almost invariably in code.

Germany (Fed. Rep.): Vitaminized foods; dietetic foods, and (since 1 April 1965) butter.

Greece: Dried currants (year of harvest).

Israel: Most standardized foods; all foods intended for export; preserves in hermetically-sealed containers; cereal products in quantities greater than 10 kg. The date of production is to be furnished; for cereal products, the date of import must be added. For standardized foods, the day is indicated on plum preserves and sauerkraut, a less precise date is accepted in the other cases, indicating the production season (which runs officially from November to April for citrus and certain other fruits).

Netherlands: Pasteurized milk products.

New Zealand: Butter and dairy products, such as pasteurized cream and milk.

Norway: Cold cuts, bacon and pre-packed foods in sealed packages in plastic, etc., must bear the last date for consumption (i.e., the date until which the product is guaranteed to maintain its quality). Codes may not be used.

Portugal: Flour (packaged or for bread-making); pasteurized milk; margarine.

Sweden: Cheeses other than fresh or processed cheeses must bear the date of curdling; salt herring sold otherwise than on retail premises (year and month during which salting took place).

Thailand: Canned foods.

Turkey: Perishable foods (date of manufacture).

In Argentina, the label must state, if appropriate, that the product is for immediate consumption. In certain cases (e.g., peaches *au naturel* and tomato preserves) the expiration date must be given.

In Austria, the production date must be shown in code on bagged wheat and rye flour and semolina (by giving the number of the milling lot). The production date of butter, evaporated or powdered milk, and casein must be shown, in code or ordinary terms. The Dairy Economy Board may require the date, in code or ordinary terms, on rendered butter. The date, in ordinary terms, or the number of the loaf, must appear on Emmenthaler, mountain and Alpine cheeses.

In Finland, the last permissible day for sale must be indicated for milk. Dates may be given in code in some cases in Canada, Luxembourg and the United States of America.

MAN'S INHUMANITY TO MAN— HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

SENATE—Friday, August 21, 1970

(Legislative day of Thursday, August 20, 1970)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Breathe on us, breath of God.

Fill us with life anew,

That we may love what Thou dost love
And do what Thou wouldst do.

In the silence of Thy presence, cleanse us, refresh us, and in the tolling hours yet to come be our companion and our guide. Keep us from parading our piety, or from the worse hypocrisy of pretending to be worse than we are. For we are the sons of Thy creation and redemp-

tion—born to be free and in freedom under Thy rulership to guide our own destiny. We need Thee, O Lord. Every hour we need Thee.

Strengthen our weakness, control our emotions, calm our anxieties, allay our fears and fill us with the hope of the gospel, that we may have the wisdom and character for the living of these days.

In the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Thursday, August 20, 1970, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President in the interest of time, it is the intention of the joint leadership not to call up unobjectioned-to items on the Legislative Calendar today.

ORDER FOR ADJOURNMENT TO MONDAY, AUGUST 24, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 a.m. on Monday next.