forms a dangerous derivative on crops treated with it – and severely restricted its use.

Congress had to intervene before responsibility for determining the health hazards of radiation to man – divided between the Atomic Energy Commission and FDA – were consolidated in the Department of Health, Education and Welfare last year. By spotlighting the cranberry case as he has done, Secretary Flemming may have paved the way for similar centralization of authority in the case of food safety. Yet even with authority centered in a single agency the task of policing the revolutionized food field would be monumental. To make it more manageable Flemming's Department went to Congress last year and asked for two basic reforms in the Food and Drug law: (1) They wanted power to regulate additives in foodstuffs – previously the law referred only to adulteration, and the courts were holding color additives, for instance, not to be adulterants. (2) They wanted the burden of proof shifted from the government to the producer. Before using an additive, industry would have to demonstrate that it was safe. FDA then had to wait until its suspicions were aroused and then had to prove its case in court.

FDA got what it wanted. The additives amendments went through late in the 1958 session. But first, Rep. James Delaney (D, N.Y.) added an amendment stating that any substance shown to cause cancer *under any conditions* would be banned *absolutely*. This is the only absolute ban in the law. For other additives, which may be harmful in certain quantities, FDA may set tolerance levels – relative amounts that may be eaten safely. (The cranberry people have pointed out that it is impossible for a man to eat enough aminotriazole – even over a lifetime – to suffer a rat's fate.) As a result of the Delaney amendment the FDA may soon be forced to create pandemonium in the food industry by outlawing perhaps hundreds of additives, although scientists believe them safe in quantities now used. (Technically any interstate truck load of cigarettes is liable to seizure on the basis of findings of traces of cancer-causing substances.)

By March, 1960, FDA must approve 150 more chemical additives, and the Delaney amendment makes meeting this deadline practically impossible. But as one of the highest HEW officials said privately the week before the cranberry story broke, "We can't go up on the Hill and testify in favor of cancer!" The front-page cranberry stories were a warning to the rest of the food industry that it would have to persuade Congress to remove the Delaney amendment quietly or face the same consequences. Trade papers since report that lipstick and pesticide manufacturers have received the message and are preparing for battle.

The cranberry story has also served to undercut one spend-less drive of the Bureau of the Budget and is almost certain to guarantee that pure food enforcement will be given more funds next year.

**NEW REPUBLIC** *A Journal of Opinion Volume 141 Number 22 Issue 2350 November 30, 1959*
*weekly (except for omissions of four summer issues) and distributed by* The New Republic, *1244 19th St., N.W., ton 6, D.C. Phone: REpublic 7-8656. Entered as second-class matter September 26, 1950, at the post office at ton, D.C., under the Act of March 3, 1879. Single copy 25c. Yearly subscription, $8.00; Foreign, $9.00, Armed rsonnel or students, $5.00. Advertising rates upon request. Subscribers desiring change of address should notify us ree weeks in advance. Include old and new address.* 

# Those Cranberries

How bold the usually placatory Arthur S. Flemming was in standing up to the solid phalanx of the cranberry industry – distraught at the prospect of a $40-$50 million crop loss. How resolute the Presidential candidates who pledged eternal fealty to the cranberry cause in *le vin du pays*. How loyal to his producer constituents was Ezra Taft Benson who didn't wait for all the facts to come in before siding with them against the consumers in pursuit of "pure" sauce for the holiday bird.

But what was it all about? Was the "cranberry episode," as the Secretary of Health, Education and Welfare called it, another Salk vaccine blunder? The evidence indicates the opposite. The Pure Food and Drug Act requires Secretary Flemming to protect the public from food products that are tainted or adulterated. That job is growing harder every month as the use of new chemical pesticides, additives and colorants – some of them highly toxic and not fully understood by scientists – create massive new problems. And Flemming's Department finds itself up against three large obstacles in dealing with them: authority within the government is divided; recent additions to the basic Food and Drug laws are unworkable; the Eisenhower retrenchment policy prevents adequate enforcement by the regulatory agencies. To change the situation, the public and the Congress had first to be made aware of these dangers and difficulties. The cranberry episode proved to be a relatively painless way to begin that education.

When the Food and Drug Administration was taken out of the Department of Agriculture 20 years ago, most of the inspection powers over food were left behind. The result is such anomalies as appeared in the cranberry controversy where the Department of Agriculture approves a product – in this case an aminotriazole weedkiller – while the Food and Drug Administration alerts the public to the danger of foods containing its residue.

Conflicts between the government departments have been inevitable and are increasing. Those whose livelihood is in farming are eager for every new chemical aid industry can provide to control insects and weeds. Since insects develop immunity to many poisons in a short time, the chemical companies are constantly producing more potent killers and farmers are using them – with Department of Agriculture encouragement. Last year, for example, Agriculture Department agents sprayed large areas of Alabama and Georgia from the air with dieldrin and heptachlor in a drive to kill off the imported fire ant. This month the Food and Drug Administration reported that heptachlor