March 9, 1971

Had a call from Al Cohen. He advised that they had run 11 samples of feed taken from Sidley's Farm and they ran all the way from .01 to .50 with an average of 1,2,3. He also advised that they have 28 samples that were accumulated from the month of November that are now in the State and they expect to have some results in a day or two. He advised that in the case of Batinkoff, Inter-County fed the breeders and we fed the commercial flock of 24,000. They are going to attempt to get the breeder flock in with some birds of Brenders and in turn get them sent to Binghamton. I advised Cohen that we had found some wafer meal with a high reading, however, we couldn't confirm anything as of this point.

In a call with Joe Exley, I learned that Eisler bought his first feed from Agway about February 1. Previous to that he purchased feed from Inter-County. At the time PCB's were found in Eisler's bird, he had been on Agway feed for only a month

PCB-ARCH-EXT0376877

March 8, 1971

Talked with Dalrymple

did have problems with PCB's. He also related that it wasn't Agway. We agreed that he wouldn't give Batinkoff any figures until he was more certain of the results he had.

10:30 a.m.

Talked with Gary Rumsey. He advised that he had not received any ducks but expected to have the results on Batinkoff's birds later today. He is going to call Monsanto and try to get the result on the wafer meal shipped to them.

11:30 a.m.

I called Barry Batinkoff. He advised that he had the results from Cleveland which are recorded in the Results Book. Batinkoff was most discouraged.

2:30 p.m.
Commissioner Dalrymple called and advised me that the figures on Batinkoff were correct. He also advised that the Binghamton processing plant was still in operation and it was possible to ship birds there. He advised that we should keep things cool for a few days to see if we couldn't work out Batinkoff's results.

4 p,m
Had a call from Dr. Rumsey. He gave me the results on the Batinkoff birds which were young birds, fat 1.1 ppm. The oldest of the old birds, 13.3 ppm and the other batch of birds 7.7. These were composite samples. Rumsey also advised that they had checked out the wafer meal and they had 415 ppm of 1248 Aro-Chlor. He still has not heard from Monsanto. I advised him that he would have two ducks late Monday night.

4:45 p.m.
Called Batinkoff and advised him of the results we had at the Lab. Confirmed that he is still on the diet and advised him that I want to discuss the results further with Dr. Mix and then be back to him again. In the meantime, suggest that he do nothing different than he is presently doing.

March 4, 1971

The following results were obtained from Bob Newell on March 4. These are on birds from the Eisler farm.

On top floor, the average of low birds was 2.26 ppm and the high bird was 6.7.

On the bottom floor, the low was 4.5 with a high of 17.1, with most of the birds running 7, 8 and 9 ppm. The interesting thing about this 3500 bird flock is that they have been fed the same feed and have had the same care. The birds are 18 months into lay.

Bob advised that he would have results on Batinkoff's birds Friday morning. These cover samples on 24,000 birds in one flock and 4,000 in another flock. I also received word today that the birds we were going to get for samples did not move from Callicoon due to the weather.

Had a conversation with Gary Rumsey. He advised that the sample of wafer meal had been shipped to Monsanto and that he had talked with them. He also learned from Monsanto that it is common practice, or was until a short time ago, for bakeries to use PCB's in the heat exchangers in fat frying of various baked goods. It logically follows if one of these heat exchangers sprung a leak, the bread would get a good dose.

March 1, 1971

Called John McEwen and advised him of the results of the feed samples taken from growers down there and all were "traces" or less. Also discussed with him a rumor that he had heard that Inter-County was going to pay for the birds regardless. John told me that this came as a result of the Board of Directors' action not too long ago. I told John that I would check this out and get back to him. Also advised McEwen to pick up Batinkoff birds on Wednesday morning and take them to the Ithaca Lab. This he agreed to do.

10 a.m.

Talked with Al Cohen at Inter-County. He told me that if they get claims, they are going to turn them over to the Insurance Company for settlement. At this point they still do not know the source of the trouble. As far as Inter-County is concerned, they are not going to pay anything themselves. Al is concerned that the State isn't doing anything to find the source of this problem and he suggested that maybe we would want to meet later in Ithaca with Cornell. Cohen also told me that they had had some birds on test diet for 30 days and the results showed no drop from when they started. This is disappointing because they felt fairly certain that the stuff would work out with the diet.

11:30 a.m.

Talked with Commissioner Dalrymple. He advised me that nothing was new except that this outfit in Binghamton was reluctant to take birds. He also advised that Brender had buried two flocks this past weekend. He also said that Brender had sent him a whole batch of samples and wanted the state to pay him for the eggs. Dalrymple indicated he wasn't quite ready to do all this. Dalrymple also advised that an Extension Agent had reported that Batinkoff was pretty discouraged with Agway due to the fact that we aren't assuming any responsibility. I filled him in on this situation.

11:45 a.m.

Called J. McEwen and advised him that they wasn't any change in Inter-County's policy as far as I could determine. He also agreed that someone was going to see Steinhal today. John did say that Walters buried his birds and is very unhappy.

PCB-ARCH-EXT0376880

March 3, 1971

Called Commissioner Dalrymple and advised him that I had that Cuttica's birds were turned down with a fat reading of 3.37 ppm. He advised that this was not true and that he had sent a telegram advising that he had released the birds approximately 5 days ago. I thanked him for the information and advised that we would follow from there.

Called Gordan Foland and advised him that Cuttica Bros. had been approved by the State. Foland said that he was in the office with Cuttica Bros. when the telegram was read to them over the phone. He said they interpreted the reading of the telegram over the phone to mean that the birds had been rejected. Gordan is to follow immediately with Cuttica Bros.

12 Noon

Called Barry Batinkoff. He advised me that birds had not been picked up as of Noon that had been slated for the Lab. He also advised that they had sent a letter to confirm the fact that some birds had been buried. Batinkoff further indicated in checking their records that their hatchability in September had dropped about 15% or they had gone from 85 to 72% hatch. The same thing occurred the first two weeks of December. This indicated to him that the material must have gotten into the birds at about that time. It also indicates to me that they are tying hatchability to the presence of PCB's.

Talked with Ward Flach (3/3). He advised that they had a sample of Wafer Meal which was purchased 12/1/70. The sample was identified as B-1495. This was received in Buffalo on the 2/25/71 and it contains 28.5 ppm. The Lab is going to recheck this and also they are sending a sample to the Lab. in Ithaca for confirmation. Ward also advised that he will call Gordan Foland and get another sample of the old material that they had supposedly sent to Buffalo but which we have no record .

Diet

The diet for taking PCB's out of birds is as follows.

For two weeks feed a special formulated crumbled feed containing 2 lbs of Inisotol. At the end of two weeks put the birds on their regular feed but add one pound of Inisotol. Continue this for three weeks. At the end of three weeks, repeat the first two-week diet.

ferndale
POULTRY
FARMS
FERNDALE
NEW YORK
12734

LAWRENCE BATINKOFF
OWNER
PHONE (914) 292-6850

February 26, 1971

Mr. Glen Edik
Agway Inc.
P.O Box 1333
Syracuse, New York 13201

Dear Mr. Edik:

As per our telephone conversations with you and with Mr. Mix, this letter is to officially serve notice that on the evenings of February 5 and 6, 1971, we had our flock No. 1-2 of 22,594 birds destroyed and buried.

This was done by Mr. George May and his crew under direct supervision of the Division of Food Control of the New York State Department of Agriculture and Markets.

These birds had been fed on Agway feed.

Truly yours,
L & L STARTED PULLETS, INC.

Barry Batinkoff

BB/s

PCB-ARCH-EXT0376883

February 24, 1971

Mr. Al Cohen, General Manager
Inter-County Farmers Cooperative
Woodridge, New York

Dear Al:

At the time of our meeting in Ithaca I promised to send you a copy of the technical article entitled "PCB's-prevalent and persistent" from the Environmental Science and Technology magazine. Enclosed is a reprint of that article.

Also, I would like to report the results on the sample of fly bait that you gave me. The results on that sample were completely negative. At least we have ruled out fly materials as a source of the problem.

Sincerely yours,

L. S. Mix
Vice President,
Director of Farm Merchandising

LSM:p
cc - G. E. Edick

PCB-ARCH-EXT0376884

February 24, 1971

In a conversation with Dr. Rumsey today, I advised him of the following. Agway has agreed to run the tests for Cornell on the poultry project that they have set up relative to PCBs. I also advised him that we expect that he will have a month of concentrated testing to do. I also advised him that he will be receiving 6 ducks in the next 3-4 days and that he will be getting 10 birds from Batinkoffs, probably at the first of the week. It was agreed that he will run 10 individual samples on the birds, plus two composites of 5 samples.

Talked with John McEwen and gave him the results of the eggs tested and reported on February 23, 23. John is going to transmit this information to the growers involved. John also agreed to have Long Island ship up 6 ducks. I further recommended to John that he discontinue safer meal in Long Island feeds.

PCB-ARCH-EXT0376885

February 23, 1971

Called Commissioner Dalrymple and advised him relative to location of Wessels and the fact that he draws feed out of Middletown. I also read to him the article in the Feedstuffs.

He advised that Brender's birds scheduled for processing were turned down.

PCB-ARCH-EXT0376886

February 22, 1971

Had a call from Commissioner Dalrymple. He advised that Henry Wessel at Otisville, N.Y. had a disease not connected with eggs. These birds are fed out of Middletown. He also reported no PCB's connected with them. He gave me the readings on G. Walters' eggs which are recorded on another sheet. All are high.

Called Al Cohen. He advised me that birds are going to the processor for cooking at 2 cents per pound. This compares with a normal price of 4½ - 5 cents per pound. Also checked and found that the Rockland Chemical Company fly bait tests were negative. Nothing showed up. Will advise Al about this today.

Talked with Gary Rumsey. Advised him that Mr. Batinkoff's samples would be there by Noon. He advised that they had just arrived at 11:30 a.m. Gary later called and gave me results on ten samples which are attached on a separate report.

Article appeared in Feedstuffs magazine. A copy of which is attached.

PCB-ARCH-EXT0376887

FEEDSTUFFS MAGAZINE DATED February 20, 1971

FEB 29 1971

USDA Detains Hens With Excess PCB in Tissues

By JACK KIESNER
Feedstuffs Washington Editor

WASHINGTON — The U.S. Department of Agriculture's Consumer and Marketing Service has detained 155,000 lb. of spent hens because of high levels of polychorinated biphenyls (PCB) found in the edible tissues. PCB is a chemical compound used in electrical-mechanical applications which is similar to DDT in structure.

The PCB residues were discovered by Campbell Soup Co., which purchases fowl from a processor who obtained the chickens from a three-county area of southern New York, eastern Pennsylvania and northern New Jersey. PCB residues found in the chickens varied from 0.6 ppm. to 30 ppm. The Food and Drug Administration established a temporary "action level" tolerance of 5 ppm. in the case. Birds in the detainment with 5 ppm. or more PCB in fat can go to "salvage," however, where fat is removed and the PCB level is reduced. Birds can then be sold and further processed. New York state officials said they found chickens with up to 14 ppm. PCB residues and as high as 12 ppm. in feeds and 4 ppm. in eggs.

The Chicago Tribune, in a page 1 story, said the FDA may set a tolerance of 5 ppm. for PCB (presumably in poultry) before summer. An FDA spokesman, however, said that more toxicology studies will be needed before a tolerance for PCB can be established. Monsanto Co., St. Louis, is the only U.S. manufacture of PCB, which is widely used in industrial compounds.

After Campbell reported finding the PCB residues, C&MS began a nationwide check of poultry, but failed to turn up high levels of PCB residues in any other area. Of 135 samples drawn, C&MS found only four with PCB residues. They ranged from 0.6 ppm. to 3 ppm., well within FDA's "action level". Dr. Kenneth M. McEnroe, Deputy C&MS administrator in charge of consumer protection said he thought the New York instance was an isolated case and that poultry on the market was probably not contaminated by PCB.

A C&MS official said there was no evidence that the PCB originated in the feed. The Chicago Tribune had reported that government scientists said the incident could have been caused by exposure of chicken feed to paint containing PCB.

FDA is continuing a study of PCB's to determine how toxic they are and whether they play a part in chromosome separations.

The Tribune story said scientists have found PCB has been mistaken for DDT and that data on DDT residues is being reviewed.

Other studies are underway by the government and private industry into toxic effects of PCB.

The Monsanto Co. told FEEDSTUFFS it thought FDA's "action level" in the New York case of 5 ppm. was well within thin safe levels for humans. Interim progress reports on a two-year toxicity study done by an independent laboratory, Monsanto noted, reveal PCB is no more toxic, and is probably less toxic, than DDT, which has presented no hazards to animals or man despite its presence in the environment, according to the company.

Until a year ago, some insecticide manufacturers used PCB as a carrier, but Monsanto asked the USDA to halt registrations of pesticides containing PCB, and this has been done. A Monsanto spokesmen said his company has discontinued sales of PCB in "open systems". He said the product is now used only in closed systems, such as for lubricating electric transformers.

PCB-ARCH-EXT0376888

February 20, 1971

I had a call from Al Cohen. He advised me of the information I had secured from Dalrymple the previous day. He also advised that in order to move these birds to Binghamton, Kessler was talking about reducing the paying price to zero..the reasoning being that he can get 13¢ a pound dressed in selling to Poultry Specialists. This backs up to mean 3¢ a lb. live weight. When you take the trucking behind this, it brings it to zero. This is still being negotiated. The processor is at Vineland. His name is Felix Kessler and their telephone number is 201-938-7441. Cohen also told me that their insurance carrier is the Public Service Insurance Company and that their insurance people have been in the field talking with poultrymen to get information but in no case has there been any settlements made. I agreed to get some information that L. Mix had promised Al Cohen and will send this to him on Monday.

PCB-ARCH-EXT0376889

February 19, 1971

8:10 a.m.

I called Larry Batinkoff to inquire whether anything new had developed. In the process of our conversation, he told us that he was concerned about the hatability (hatchability) of his chicks and would really like to get some tests to see if the PCB's are being transmitted into the chicks. It was agreed that he would bring samples of chicks to Ithaca on Feb. 22, plus fat, motor oil and water and we will run these in the Lab. He also told me that he understood that Mr. Walters was rather disturbed over the fact that he had some birds that couldn't be marketed.

8:30 a.m.

Called J. McEwen. John advised that Walter's birds were in trouble and he didn't quite know what to do with them. I advised him that if possible to recycle. John also advised that farmers are continuing to feel good about the whole situation.

11 a.m.

Had a call from Commissioner Dalrymple. He advised that Don Wickham had been in Washington the day before and had met with Commissioner Duggin of the FDA. This in part came about through the efforts of Dean Palm as we understand it. In any event, it was agreed that if not over 30% of the samples or birds ran over 30% of the total tolerance, they would let the birds go. This has resulted in loosening up this situation considerably. To what extent the effect will be on moving birds, I personally am not sure although it would appear that its some easing of the situation. He also advised that a company by the name of Poultry Specialists managed by a man by the name of Levine in Binghamton will buy birds and will cook them out. The procedure is that this processor would buy these birds from Kessler slaughter house, located at Vineland New Jersey. How far we can go with this, we are not sure, however, it looks more encouraging as a way of processing some of these contaminated birds.

5p.m.

I called Larry Batinkoff and discussed with him the information given to me by Dan Dalrymple. Larry already had wind of this from some source.