

October 20, 1948

Mr. C. H. Van Hartesveldt,
Thompson Vita-Meter Corporation,
6402 Cedar Avenue,
Cleveland 3, Ohio.

Dear Mr. Van Hartesveldt:

I enclose herewith two copies of the report of our observations in connection with the canning of "Vitol." This report, I believe, is self-explanatory, and it will serve to assure you and your associates that we have followed through on our promise to look after this operation and to see that it was carried out safely. In addition to these observations we have also made analyses on the excreta of the persons involved in this work. The results demonstrate clearly that none of the men has had any hazardous exposure to lead. Any further observations in connection with further periods of exposure will be carried out as required. Unless some unusual circumstances develop it will not be necessary to repeat the air analyses.

Your letter concerning a meeting in Cleveland in the first week in November finds me in an awkward position. A number of engagements make it quite impossible for me to be in Cleveland during the first week of November. Among other things, I am tied up in a court case in which I shall have to appear. Since this is a murder case on which we have been called upon for a considerable amount of assistance, I cannot duck this responsibility. It might be possible that I could be available early in the following week, but I am frank to say that I should prefer not to do so. I have been unable to spend more than a fragment of my time in my office during the past six weeks, and as a consequence, my own work is piled up in what would appear to be a hopeless mess. I cannot consider being out of the Laboratory for even one day if it is possible to avoid it, and therefore I hope that this meeting can be sidestepped at this time. I do not want to appear to be lacking in appreciation of your difficulties, and therefore I shall do my best to find an open date if it is absolutely necessary. I wonder, however, if it is necessary, and for the following reasons:

(1) We shall not have any results to report under item 2 of your representation of matters for discussion. Any conclusions from these experiments will have to await the collection of analytical data. The conduct of the experiment has now reached the point where the animals are to be killed and analyses carried out. No data will be available until the analyses are made, and weeks of work will be required to complete these analyses. It is necessary to analyze from

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10 to 14 samples of the tissues of each animal, since that is the only way in which we can learn what has happened. This means that there will be from 120 to 150 samples to be analyzed, and this cannot be done promptly, because of the great volume of work that has to be carried along daily. For example, we shall have over 500 samples of urine and blood to analyze in connection with the Columbus investigation. In addition we have samples coming in daily in connection with other experimental and control projects, and we are compelled to work these in as systematically as possible on the basis of the relative urgency of the information. Each one of these analyses is a time-consuming meticulous job of microanalysis, and therefore they cannot be dashed off quickly. (The animals used in the experiments on "Vitol" are rabbits, not guinea pigs. Two of the group originally under test died and the tissues of one has been analyzed. Two other (controls) were killed because of injury or intercurrent disease, and these have not been analyzed yet. The remainder are now ready to be killed for analysis.)

(2) Practically the same statement can be made concerning your item 3. The examinations will have been completed, and the material for analysis will have been made available, but the results will not be in hand by the date indicated.

(3) It seems likely that some information will be available on the two employees of Columbus Green Cab, but samples of their blood and urine will have to be analyzed ahead of their proper sequence in order to accomplish this purpose.

I know that your people have been anxious to get your commercial developments under way, and that you would like to be able to answer various questions about what you are going to do. Frankly, I do not see any way in which this can be done. I have every hope that there will be no serious hygienic hindrance to the expansion of your business. However, if there were no serious doubt on that score, there would be no point in the investigations which are now being carried out. We cannot answer the questions at issue until the work has been done, and if you and your people jump the gun, you may find yourselves in an embarrassing position. I have discussed this entire subject with representatives of the Public Health Service, and it is their understanding, as it is mine, that pending the results of adequate investigation, your commercial program will be maintained on its present basis. That is to say, it is necessary that your activities be confined to such commercial distribution as will enable us to study the problem and to determine to the satisfaction of ourselves and the Public Health Service that it can be permitted to go ahead without public risk. That question is not answered, and I see no way in which it can be answered, even tentatively, under six months. Therefore, I cannot but advise you that further commercial expansion is premature and that nothing can really be settled at such a meeting as you propose. I realize that this is a difficult situation. However, it is not one on which you can afford to jump at conclusions.

In this connection, I should call your attention to the fact that your Washington representative has approached representatives of the Public Health Service with the idea of determining whether they would not

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express some opinion on the potential hazard of your commercial activities. This interview took place by sheer chance on the day before I discussed the whole problem with them, and they were naturally at some disadvantage, since they knew nothing of the matter at all. I mention this only because it is bad technique on the part of your company. I have no way of telling how it came about, and as it happened it caused no difficulty, since I was able to clarify the issues with Dr. James G. Townsend, who is the administrative chief in these matters. Nevertheless, if your people plan to handle these matters through me, it would be well if they did not create difficulties for all of us by short circuiting me. This whole matter is not to be taken lightly. If your company wishes to avoid numerous investigations by local health department agencies, and if it wishes to escape possible legislative intervention, it will have to go according to protocol.

I trust you will not develop the feeling that there is anything in the way of personal irritation in the foregoing remarks. The matter is much too serious to permit any such trifling considerations. The matters which I have formally discussed with your people, in relation to public health, are not trifles but deadly serious issues. I know how anxious you are to develop your program and how irritating it is that commercial opportunities seem to be going by the board on account of the hygienic problem. That is unfortunate, but I must inveigh against haste on the part of your company if I am to serve you well and faithfully, since you can bring disaster upon yourselves by anything less than a patient, sincere intention of learning the truth about the hygienic problem before you proceed further. You must not get yourself into any situation from which you cannot retreat gracefully and in good faith, insofar as the use of lead in this project is involved. It will not do to jump to hasty conclusions on fragmentary data, for to do so will embarrass us and will prejudice your eventual situation.

Sincerely yours,

Robert A. Kehoe, M. D.

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