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At a Dec. 9 New York state environmental hearing, Gerald Lauer, a principal witness for General Electric, admitted under cross-examination that there were errors in his previous testimony about the levels of a controversial chemical found in Hudson River fish near two GE plants. Lauer had first testified that the level of PCB (polychlorinated biphenyl) was below federal requirements. Then, according to the Dec. 10 *New York Times* account, under questioning by Philip Gitlen, counsel for the Department of Environmental Conservation, Lauer conceded that

> there had been confusion over the kind of fish tested, precisely where they had been caught, how they were labeled and what levels of PCB . . . they contained.

He also admitted to misplacing a decimal point in his statistics, that most of his data came over the phone, that he had not doublechecked data too dim to read and finally, that the levels of PCB were in fact above federal minimum standards in several fish.

These admissions were a major development in the hearings, in which GE was being accused of violating state water quality standards. But the Dec. 10 editions of two upstate newspapers, the *Schenectady Gazette* and the *Middletown Times Herald-Record*, reported only Lauer's original contention. There was no mention of the relevations turned up by cross-examination. The reason—the *Gazette* had used an Associated Press dispatch, while the *Herald-Record* had depended on United Press International. Both wire service stories were rewrites of a GE press release.

The GE press release had been hand-delivered to the AP and UPI Albany offices on the day of Lauer's testimony. The GE account began:

> "The average concentration of PCB's in the edible portions of fish samplings taken in the Hudson River above and below the General Electric Company's Hudson Falls and Ft. Edward capacitor plants are well below the requirements set by the Federal Drug Administration (FDA)" Dr. Gerald Lauer, Vice President of Ecological Analysts, Inc., said here today.

Both wire services led off with a similar version of the above. Neither had attended the day's hearings. According to AP state editor Charles Hanley, "the desk here [in Albany] had instructions from me not to go ahead with a story based on a GE handout and to wait and see what the Albany *Times-Union* came up with." But commerce intervened. "Apparently one of our clients wanted an early story," Hanley continues, and the story got written anyway. He says the AP dispatch was updated within several hours with reports of the cross-examination taken from the *Times-Union*.

Jack Maloy, news editor at UPI's Albany bureau, explained UPI's performance. "Dec. 9 was the day [Gov.] Carey presented a new tax program," he says. "We used the troops down there. Normally we do our best to get both sides, but this time we didn't. When you get the ball thrown at you, you either hit it or you miss it. That day we missed."

—JIM KAPLAN

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