

~~SECRET~~
MEMORANDUM TO: John L. Kimberley
Lead Industries Association, Inc.

SUBJECT: Meeting With Center for Science
in the Public Interest

On Wednesday, August 11, I met with Dr. Albert Fritsch of the Center for Science in the Public Interest. This meeting was arranged as a result of several inquiries the Center had made to companies regarding lead and lead products.

Description

The Center for Science in the Public Interest came into existence about six months ago as an offshoot of the Nader Center. All of those presently working at the Center are formerly members of the Nader staff. They differentiate themselves from the Nader operation by explaining that they are scientifically and environmentally oriented while the Nader Center is more oriented to the legal, consumer and engineering aspects of public protection.

Like the Nader group, the Center operates out of a small office with many high school and college students working part time.

While James Sullivan is in charge of the Center, Dr. Albert J. Fritsch, a 40-year old chemist, is in charge of any work on lead. Dr. Fritsch is a very open-minded, friendly person who appears to be sincerely concerned about the environment. Before becoming involved in lead, he was active in the mercury controversy.

Objectives Regarding Lead

Dr. Fritsch explained that at this time there is no major program being undertaken against lead. However, they are involved in four areas.

First: They are preparing a response to a notice in the July 3 Federal Register (attached) calling for public comments on the use of lead for pesticides and anti-fouling paints.

It is the Center's theory that the combination of lead pesticides on vegetables and fruits plus the dispersed lead from auto exhausts which builds up in the soil and leaves, and finally into the actual product, are significantly increasing the lead content of this food. This higher lead content food plus additional ingestion and inhalation could lead to many more cases of lead poisoning. Dr. Fritsch told of very high lead content in New Jersey lettuce. Another source that is being examined is the lead content of food additives.

Second: It is also the Center's theory that lead anti-fouling paints should be banned. They explained that the average boat owner paints his boat annually with an anti-fouling paint. Some of this lead paint peels off while the boat is used, and the remainder is scrapped off (usually into the water) when the boat is repainted. Their feeling is that this additional lead load cannot continue to be thrown into the water without some kind of build-up in our environment. Incidentally, the Center is already seeking a ban on leaded paint on pencils.

Third: Tetraethyl lead elimination is a subject the Center staunchly supports on the grounds that there may not be a health hazard now or foreseeably, but what about 10 years from now if consumption were to continue to rise at the same rate. Dr. Fritsch agrees with the aromatics theory but argues that the octane levels are being reduced. In addition, he states, aromatics are not increased by using low lead fuels.

Dr. Fritsch was aware of the Dupont and Ethyl emission control devices, including traps, because he is on their mailing list. Regarding traps, he said the Nader people would cease all arguments against lead if a 100 percent efficient lead trap could be developed. He explained that if a custom-made trap captures only 75-95 percent of the lead when it is first installed, it can only deteriorate and become much less efficient. At least with a 100 percent efficient trap it will start out perfect and may drop only a few points.

Dr. Fritsch also mentioned the work of Chow and Schroeder, whose work he regards as competent.

Regarding the Seven Cities Study, Dr. Fritsch said that he and other environmentalists were surprised at how the EPA "bent over backwards" to show there was no conclusive information on blood leads. He did not know that ILZRO and API had released additional data.

Incidentally, Dr. Fritsch said that he had learned on Tuesday that all White House vehicles are going back to leaded fuels because they "had failed miserably" using lead-free and low-lead fuels.

Fourth: Another area of interest is lead release from ceramics. Dr. Fritsch stated that he felt the news media had over-reacted to the lead poisoning deaths which are isolated. However, he said that the problem of lead release from ceramics was one of the highest mail-pullers at the Nader Center -- getting five to 10 letters of inquiry weekly. Dr. Fritsch asked if there was some material they could make available to these people.

Recommendations

1. We consider filing a comment on the requests in the Federal Register if any data is available.
2. Dr. Cole and Rogers visit Dr. Fritsch and his staff and offer further assistance of which I claimed no knowledge.

PESTICIDES CONTAINING ARSENIC AND LEAD

Request for Submission of Views With Respect to Uses

This Agency has the responsibility for the continuous review of all registered economic poisons. Of particular concern in this process at present are the persistent or permanent pesticides which may build up in the environment and are potentially hazardous to man and wildlife. Data is accumulating on environmental contamination by certain heavy metals. Among these are arsenic and lead which have pesticide uses. The Agency is, therefore, undertaking an extensive review of all the pesticide uses of arsenic and lead compounds.

This review is being conducted on a use-by-use, benefit versus risk basis, to determine what action is in the public interest with respect to registration of products containing these compounds under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.). Areas of particular concern involve the following uses:

- (1) Herbicidal uses on drainage ditch-banks and utility rights-of-ways.
- (2) Uses in aquatic environments for mosquito larval control.
- (3) Fungicidal, herbicidal, and insecticidal uses on food and ornamental crops.
- (4) Uses in antifouling paints.

All other uses of arsenic and lead are likewise being reviewed including those for treatment of textiles, plastics, and industrial items, uses for ant control in the home, uses as wood preservatives, uses on lawns and turf, etc.

This notice is to afford interested persons an opportunity within 60 days of publication to submit their views on uses of arsenic and lead compounds subject to registration under the Federal Insecticide, fungicide, and Rodenticide Act. This refers to uses for which notices of cancellation of registration have not been previously issued. When preparing and submitting views or comments, the following items should be covered in the submission: (1) Use pattern, i.e., crops or articles treated and formulations and rates of application; (2) the pest control achieved including expected damage without the use of arsenic and lead compounds; (3) substitutes that are available with comments on the safety and effectiveness of use; (4) data in relation to environmental contamination or other hazards of use.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same in triplicate with the Director, Pesticides Regulation Division, Environmental Protection Agency, Washington, D.C. 20250, within 60 days after the date of publication of this notice in the *Federal Register*. Please make reference in any submission to "F.R. Arsenic and Lead Notice."

All written submissions made pursuant to this notice will be made available for public inspection at times and places and

in a manner convenient to the public business.

Dated: June 25, 1971.

WILLIAM M. UPHOLT,
Deputy Assistant Administrator
for Pesticides Programs, Of-
fice of Pesticides Programs.

[FR Doc.71-9478 Filed 7-2-71; 8:49 am]

FEDERAL MARITIME COMMISSION

CITY OF LOS ANGELES AND
FREIGHTCARE, LTD.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the *Federal Register*. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Roger Arnebergh, City Attorney, City of Los Angeles, Post Office Box 151, San Pedro, CA 90733.

Agreement No. T-2538, between the City of Los Angeles (City) and Freightcare, Ltd. (Freightcare), provides for the nonexclusive preferential berth assignment of the north half of Berth 158, Los Angeles, Calif., for the docking and mooring of vessels, embarking and disembarking of passengers, and the loading, unloading, and handling of breakbulk and containerized cargo. As compensation for the above, Freightcare will pay the city \$4,480 monthly in lieu of all tariff charges except dockage and wharfage, which will be assessed in accordance with the port of Los Angeles Tariff No. 3 and paid to the city. The

assignment itself is made in accordance with the above tariff.

Dated: June 29, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-9426 Filed 7-2-71; 8:45 am]

JAPAN-ATLANTIC AND GULF FREIGHT CONFERENCE

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the *Federal Register*. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Charles F. Warren, Esq., 1100 Connecticut Avenue NW., Washington, DC 20036.

Agreement No. 3103-44 between member lines of the Japan-Atlantic and Gulf Freight Conference amends Article 6(c) of the basic agreement, as amended, to enable the Conference to regulate compensation payable to forwarders, consolidators, truckers, CFS, and terminal receiving operators to the extent fixed by resolution for services rendered at Conference ports of origin.

Dated: June 29, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-9428 Filed 7-2-71; 8:45 am]