

April 30, 1945

F. L. Hornsner, Secretary
Lead Industries Association
420 Lexington Avenue
New York 17, N. Y.

Dear Mr. Hornsner:

I appreciated receiving your letter of the 27th, and will be very glad to arrange to meet you when you are out here this summer.

I still feel that the research should be done in connection with the points brought up in my letter to you of the 12th. As the infestation out here has become heavier, and the probability has been that codling moth have built up a resistance to lead sprays, the use of oils and stickers in the spraying program has become heavier and heavier. This greatly increases the difficulty of removing the spray to a .05 tolerance. One seizure was made this year where the residue ran five times the tolerance. I am not too certain that an earnest endeavor was made to clean the fruit below tolerance, but nevertheless that was the analysis that the Food & Drug found when they made seizure.

If further research is not made and facts determined in connection with the points I wrote you about (and there are probably others) I am quite sure that after the war we will end up with a set tolerance of probably not to exceed .05 or .06. We should have a tolerance that would enable the growers to remove the residue without damaging the fruit, regardless of the spraying program they use and which they find necessary to secure control.

If there were any question of the toxicity of lead arsenate in connection with the spraying of apples and pears, then of course the matter would be one to consider a little differently. However, since there has never been any damage to public health from the ingestion of arsenate of lead residue on apples and pears, it seems to me that we should be entitled to a very liberal tolerance.

We were instrumental in getting the Public Health Service to make the survey here which is covered in their Bulletin No. 267, copy of which you of course have. I believe it was a very thorough study, but it does not cover some of the phases that I think it should, and I know that it is not given any more credit by the Food & Drug Administration than they can help. I was recently advised that a Food & Drug attorney stated in a recent case that it was just another one of those government pamphlets, of which there are thousands, and didn't amount to anything, and that no notice should be taken of its contents in connection with the matter.

Sincerely yours,

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COPY

LEAD INDUSTRIES ASSOCIATION

420 Lexington Avenue

New York 17, N.Y.

Clinton H. Crane, President
F. H. Brownell, Vice President
F. W. Rockwell, Vice President
Felix Edgar Wormser, Secretary and Treasurer

April 27, 1945

Mr. C. E. Chase, Secretary
Washington State Apple Commission
Wenatchee, Washington

Dear Mr. Chase:

I have read with deep interest your letter of April 12 on the spray residue problem and your thought that it might be desirable to engage in some additional medical research in the lead and arsenate field.

As you know, we became interested in the spray residue problem some twelve years ago or so. At that time our industry offered to share the cost of any scientific investigation the apple industry needed to protect its future where our products were involved, but nothing ever came of our offer. Subsequently, however, the apple growers interested the U. S. Public Health Service in their problem, quite wisely I thought, as it is one of deep public interest, and I am impressed with the thoroughness of the various reports made by the Service. In fact, so adequate has been their study of the problem that I really do not see the necessity of any further work at this time, in defense of your interests. It strikes me that the report of the U. S. Public Health Service is a complete answer to the "hysteria" that had surrounded the spray residue problem in the country.

Incidentally, may I point out that our organization has never hesitated to enter into any research relating to the public use of its products for fear that the results might be detrimental to the continued use of its products. Whenever we have sponsored scientific research it has been with complete freedom for the investigators to publish their results - good, bad or indifferent - to the public. We have only asked for scientific accuracy. I am sorry that some one may have given you a contrary impression and I hope that you will be good enough to advise your informant that they have a mistaken notion of our policy.

I expect to be in the northwest late this summer and perhaps we can arrange to meet at some mutually convenient point and go into the entire subject in greater detail.

Sincerely yours,

F. E. WORMSER
Secretary

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File - 849-100-16

April 12, 1945

F. E. Wormser, Secretary
Lead Industries Association
420 Lexington Avenue
New York, N.Y.

Dear Mr. Wormser:

As you may know, I have had considerable to do in connection with arsenate of lead tolerances during the past eight years, and considerable credit has been given us for having secured liberalization of the old tolerances, in spite of government opposition.

Quite a number of seizures have been made this season. However, seizures were never made unless the residue exceeded double the administrative tolerance of .05.

The Food & Drug Administration is quite anxious to call a hearing under the Food & Drug Act and place the tolerance on a definite basis. You of course realize that after this is done it will only be necessary for them to prove that the residue exceeds the tolerance in order to insure conviction and seizure of the fruit. In other words, they do not have to prove damage to public health.

We have resisted the calling of a hearing in this connection, and will continue to do so, at least until a year or two after the war. One reason for this of course is that it would be almost unpatriotic to attempt to get certain scientists to testify who are already overworked in war activities. Another reason is that we do not believe we are ready for a hearing. There are several things that should be determined first.

For instance, we should determine to what extent, if any, the combining of lead and arsenic affects the toxicity of each. We believe the combination reduces the poisonous elements, or in some way minimizes them as far as public health is concerned.

Furthermore, it should be determined to what extent the toxicity of lead arsenate is affected by weathering; that is, during the period that spray is on the fruit (which, in most cases, averages several months) just what occurs to the poisonous properties of the combination?

It should also be determined to what extent apples and pears are an antidote to the lead arsenate. Research which has been made would indicate that animals fed lead arsenate in a diet consisting of the elements contained in apples were damaged very little, although the lead arsenate

F. M. Wormser, Secretary
Lead Industries Association
420 Lexington Avenue
New York, N.Y.

April 12, 1945

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I am writing you this largely from the standpoint of a layman who has had a great deal of experience with it but does not have actual scientific knowledge of the product. I have been informed by several scientists that you have felt that your organization should not enter into any research of this kind, feeling that it might be detrimental to the use of the product by the industry. I do not believe this is correct. I feel that you could very easily set up research on the three points that I have mentioned (and there are probably several others) to determine the scientific facts, and that the results would be given full consideration at any hearing regardless of the fact that your organization had sponsored the research.

During recent years there has been considerable change in the spraying out here, particularly to fluorine. The Pennsylvania Salt Company and the Aluminum Company have sponsored a great deal of research in connection with fluorine.

We, as an industry which uses great quantities of lead arsenate, are anxious that something be done along this line. It seems to me that it would be a manufacturer's project rather than one of the industry. Certainly if you were to secure the services of men like Dr. Kehoe of the Kettering Laboratories or Dr. Ruth of the University of Illinois, at Urbana, Ill., and other very prominent and nationally known scientists, to do this work, their findings would not be questioned or frowned upon by the government or the industry.

We would greatly appreciate your serious consideration of this matter, and would like to hear from you at an early date.

Yours very truly,

CWC:e

C. L. CHASE, Secretary-Manager

cc: Dr. W. A. Ruth
Dr. Robert A. Kehoe
Samuel Fraser
Walter Hebert
John Chandler

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