

June 24, 1939.

Mr. C. L. Swim
Insurance Department
Skelly Oil Company
Tulsa, Oklahoma

Dear Mr. Swim:

I have your letter of June 20th with its further information about the Duncan case. I do not have time to study the information in detail which you have supplied, but in as much as you asked me specifically about my time between now and September 1st, it seems advisable to let you know promptly that I am expecting to leave Cincinnati for the west coast on July 22nd and I will probably not return much before September 1st. Meanwhile I have only one engagement which will take me out of Cincinnati for more than a day, but unless there is some change in my plans, I shall have to be in Savannah, Georgia on July 11th. This will probably mean that I will be away from July 9th to July 12th or 13th.

With further respect to the contents of your letter, the regulations proposed by the Surgeon General of the United States Public Health Service involved only two points which are of any consequence: (1) that the lead content of gasoline should not exceed 1 part in 1260 parts of gasoline by volume; and (2) that all pumps and containers used for dispensing leaded gasoline should be marked with a sign calling attention to the lead content in a specific fashion. The signs referred to can be seen on any pump which dispenses leaded gasoline and I dare say you are already familiar with these signs. For your further information these regulations have never had the effect of law since the Public Health Service has no police power with respect to these proposed regulations. The regulations, however, were adopted by the Ethyl Gasoline Corporation as a part of its hygienic policy and all licensees are required by the terms of their contract to abide by these regulations. The regulations are thus enforced not by the Public Health Service but by the Ethyl Gasoline Corporation on the basis of a gentleman's agreement with the Public Health Service.

KE 0010984

You need not have any hesitation in bringing this matter to my attention for both as the medical advisor of the Ethyl Gasoline Corporation and also as the principal experimental worker in this field, I am quite willing to give any advice and assistance which is in the interests of fairness and justice.

Very truly yours,

RAK:ls

Robert A. Kehoe, M.D.