

History
of the
U. S. Food and Drug Administration

Interviewee: Thomas H. Kingsley

Interviewer: Ronald T. Ottens

Date: November 18, 1991

Place: Silver Spring, Maryland

DEED OF GIFT

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Thomas H. Kingsley

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INTRODUCTION

This is a transcript of a taped oral history interview, one of a series conducted by Robert G. Porter, Fred L. Lofsvold and Ronald T. Ottes, retired employees of the U.S. Food and Drug Administration. The interviews are with persons, whose recollections may serve to augment the written record.

It is hoped that these narratives of things past will serve as one source along with written and pictorial source materials, for present and future researchers. The tapes and transcripts will become a part of the collection of the National Library of Medicine.



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DATE: November 18, 1991 PLACE: Silver Spring, Md LENGTH: 165 minutes

INTERVIEWEE

INTERVIEWER

NAME: Thomas H. Kingsley

NAME: _____

ADDRESS: _____

ADDRESS: U.S. Food & Drug Adm.

FDA SERVICE DATES: FROM 1948 TO 1988 RETIRED? Yes

TITLE: Consumer Safety Officer
(If retired, title of last FDA position)

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RO: This is another in a series of interviews on the history of the Food and Drug Administration. Today we're interviewing Thomas H. Kingsley, a retired FDA employee, in his home in Silver Spring, Maryland. The date is November 18, 1991. I am Ronald T. Ottes. This interview will be placed in the National Library of Medicine and become a part of the Food and Drug Administration's oral history program.

Tom, to start this interview, would you briefly sketch your education, where and when you were born, the background of how you came to FDA, and some of the jobs that you held while you were in FDA?

TK: All right. I was born in Faribault, Minnesota, on June 28, 1920. I attended a parochial school in Faribault, through the seventh grade, and then I went into the public school system and graduated from Faribault High School in 1938. After that, in the fall of 1938, I attended St. Johns University at Collegeville, Minnesota, and remained there for three and a half years. I majored in chemistry and mathematics.

RO: When did you graduate, Tom?

TK: I was going to say, subsequently, after World War II, I graduated from St. Johns in June of 1947 with majors in Chemistry, Philosophy, and minors in Secondary School Education and Mathematics.

I also obtained a Master of Arts degree in Consumer Education from the University of Minnesota in 1953. I did the class work and research for this degree during the weekends. My thesis was, *Consumer Protection Afforded by the Food, Drug, and Cosmetic Act of 1938*.

RO: Oh, I see. Your college, then, was interfered with.

TK: That's right. It was interrupted by military service. Actually what I had done at that time, I completed three years at St. Johns and by then the war had begun, and I was somewhat restless like many people. I had a deferment. I went to the University of Minnesota, but I didn't stay a quarter there, because I got into the ordnance effort at the Twin Cities Arsenal at New Brighton, Minnesota. I was a control metallurgist there. I tested the grain size and structures of the various brass components that were used in the manufacture of 50 caliber ammunition. I was there for about a year.

By that time I learned of a recruitment program by the army for people to receive training in radar. Back in those days radar was a very secret subject. Nothing in the papers about it. But it's well known now, and I won't go into the details of that. As a result, I signed up for the radar training program and went into the army as an active reserve. I was a civilian and was trained by the War Department in two schools in Chicago and a school in Philadelphia that was operated by the Philco Company. The two schools in Chicago were operated by the Illinois Institute of Technology.

After the training and a brief period of leave, I entered active service in Michigan and then was transferred to Fresno, California.

RO: What year was that?

TK: I went on active duty in July of 1943 and was discharged October 1945. I was in service for a total of twenty-seven months.

During the time I was in the army on active duty, I never had any duty pertaining to radar work. Early on, at the second camp where I was stationed, I was contacted by the post provost marshal and was told that they needed people (in war time) to keep their eyes and ears open for any possible problems of disloyalty among the active troops, both enlisted men and officers. The army, in such an assignment, wasn't looking for ordinary military law violations such as drunkenness, AWOLs, or

anything like that. They were interested in the more subtle things people might think about--or do--in sympathy towards our enemy. Those who might be a risk during maneuvers, troop or equipment movements, under combat conditions, or who might be a danger in any way to our war effort. The military was/is concerned that military personnel may be watched and/or contacted by the enemy or enemy sympathizers.

Those who would be selected for such surveillance duty would perform whatever regular duties they were assigned. Periodic reports, negative or otherwise, would be made to a general delivery mail mailbox address on a weekly basis.

I had such surveillance duty for most of the time I was in the service. I was a cadet in the Army Air Force pilot training program. While that program was backlogged I would work with either the Provost Marshal's Office or the Trial Judge Advocates Office doing investigations associated with charges against soldiers, i.e. charges of rape against a soldier; trashing a bar while intoxicated; fights; whatever. I also performed investigations involving officers who, while under the influence of alcohol, may have had altercations, fender-bender accidents, whatever. Sometimes, especially with officers, they refused to back down from a position because of rank. In all of these instances, an investigation had to be made, obtain affidavits, etc., and try to get the matter straightened out before it had to go "higher up" and become formalized.

RO: Well, this is different from the military police then, wasn't it? Or was it a part of it?

TK: No, it was separate from the MPs and their duties, although I would assist them occasionally in matters of post or base security, pilfering of tools and government equipment by civilian personnel working on base, etc.

The MPs are under the Provost Marshal's Office which is a part of the, as I recall it, Trial Judge Advocate's Office. My work, while I might be with a provost

unit, was not involved with the actual MP activities. The MP's duties were similar to a civilian policeman's duties.

What I did was different. My work was rather a lone operation. I might be called to assist the MPs when they got into some problem that required investigation-al work. Many of the MPs didn't have the training or experience to interview people and to make sense of, or be able to report in writing, the problem. This is especially difficult if the subjects were drunk or in a fighting mood. So, I think that was pretty good--unknown to me at that time--it was good training and background for me when I went into the Food and Drug Administration.

When I was finally mustered out, I found out that you have an interview as to what you have done, and they also try to advise you on what type of training or education you might want to get under what was going to be the "GI bill" and also what areas you might want to get employed in. And I remember on the document that I had received, one of the things they said that, "You might fit in very well with the U.S. Food and Drug Administration." Well, heavens, I had never heard of them before then, and I forgot about them as soon as I had read it.

Well, anyway, I got out of the service, and then I completed my education at St. John's University and graduated there in June of 1947. In the meantime, there were various U.S. Civil Service announcements around offering examinations for federal employment. One that I had seen was for Food and Drug chemists. To become eligible for a chemist's job, all you had to do was submit your college transcript of credits. I got a certification on that. There were other positions offered in the field of investigations that required taking a written competitive examination. The announcements, among others, mentioned inspector positions with the Food and Drug Administration. I took and successfully passed the examination.

Finally, I was contacted by Chester Hubble in Minneapolis. At that time I was working for the Physicians and Hospital Supply Company, Minneapolis, as a purchasing agent.

I should add or interject at this time, I met a couple Food and Drug inspectors that came around to P & H Supply to check on Cutter Laboratories products that were in a national recall about, oh, I think it was the early spring of 1948. I met Food and Drug inspectors Hugh Hennesey and Fermer Adair at that time. I was quite impressed with them, especially when Mr. Hennesey, who was an older gentleman and seemed to know his business. In talking with him I learned that between working with the State of Minnesota, the State of Louisiana, and the Food and Drug Administration, Hugh Hennesey had probably thirty-five years of food and drug inspectional experience. Fermer, I learned later, had about five or six years of experience at that time.

Anyway, I was contacted by Hubble, and I went up to his office . . .

RO: Hubble was . . .

TK: Chester Hubble. He was the chief of Minneapolis station. The Food and Drug office was about six blocks from where I was working. It was located in the old Federal Office Building which has since been torn down.

I want to interject at this point that Food and Drug at that time was divided into three districts, an eastern district, central district, and western district. The headquarters for the three districts were located in New York, Chicago, and San Francisco, respectively. The stations reported to the district headquarters who, in turn, reported to Washington. In the early 1950s the agency was reorganized. The three districts were abolished and the stations became districts that reported directly to a headquarters office in Washington.

Anyway, I walked to Mr. Hubble's office and he interviewed me. We had a nice chat that noon, and Mr. Hubble said, well, there were three different inspector openings available. I was only interested in inspectional work. I wanted to get out into that type of thing, and it appealed to me from what little experience I'd had

before. Also, I liked to meet people and talk with them and, under investigational conditions, match wits with them, as it were.

RO: Was this in 1947 then?

TK: This was in 1947. No, '48. I'm sorry, '48. Oh, it was probably March of '48. Anyway he told me that there were three possibilities. One was St. Louis, another was Kansas City, and there in Minneapolis. And he said I'd be probably be hearing . . . He told me he was going to give me a favorable interview, and I'd be hearing something along the line.

As I said before, the Food and Drug at that time was divided into three districts. The central district was headquartered in Chicago. Can't think of the man's name there but . . .

RO: J. O. Clarke?

TK: Yes. Mr. Clarke was an older man. He probably was out of the picture by 1950, but he was quite a man. Anyway, I got a letter from Mr. Clarke saying that I was acceptable to Food and Drug and that I would be offered a position. However, they wondered what my preferences might be. I remember sending them a night telegram saying that I would most likely accept any of the three places, but if the gods would smile on me I would much prefer to be in Minneapolis. Lo and behold, I got an appointment to Minneapolis a few days later that was effective May 24, 1948. I worked there in Minneapolis until 1958, at which time I was transferred to Harrisburg, PA, as a resident inspector.

RO: In Minneapolis, when you came in, Tom, what kind of a training program did they have for the inspectors? How many inspectors were there, do you remember?

TK: At that time there were probably eleven or twelve inspectors. It was very interesting. During the war they had appointed a number of people as inspectors who were hired provisionally. And then at the cessation of hostilities a man by the name of John Guill, Jr., and several other people in Food and Drug who had been on board from before the war developed an entrance testing program. Now that was given--after it was completed and civil service had okayed it--that was given to all these provisional people who had been hired. And it was also given as the civil service examination to those who were interested in coming on board that would fill in the places where FDA had vacancies.

Because during the war, Food and Drug, as I was informed, was only interested in the most gross food problems there were. Actually, everyone said that food was ammunition, and that as much of it that we could get processed and into the hands of the troops and our friendly military people the better. Food was being processed right and left by firms that were short handed; raw materials of marginal quality were being processed with utmost haste; and local, state, and federal food and drug inspectors were few and far between.

So, after the war, Food and Drug wanted to get into a great push to make our food supply more sanitary. Butter, during the war, they made it out of anything, whether it was decomposed cream or not. If the cream was sour or decomposed, they just put some neutralizer chemical in the cream. And as far as looking for insects, mold, rodent hairs, drowned rodents, and other extraneous filth, that was not done much during the war. But then after the war Food and Drug needed extra people on board to deal with these lax conditions.

In the next five to eight years, Food and Drug seized many lots of bulk butter and bulk cheese, and prosecuted numerous firms--both large and small--for manufacturing a product contaminated with decomposed raw materials, mild, rodent and insect filth, and/or low in fat content.

Sadly, some of these people who had been hired during the war had to be left out because they failed to pass the examination. Some did pass and remained. And

there were a number of newer people, such as myself, that came on board. There were three of us that came on board in Minneapolis. Ron, you remember the one guy. He lives up in Pennsylvania now.

RO: Maraviglia?

TK: No, he was a young guy from out in the Dakotas that came on board. His name was J. Spencer Overholzer.

Well, anyway, to answer your question, training at that time was to go out with the older guys and see how they did things. And apparently they had acquired their training in a similar fashion. From that time on, I could see Food and Drug realized technology was becoming more complex. There were new technologies being brought to the foreground, especially with the new drugs and antibiotics. So then in the fifties and sixties and even more so up to the present time, they developed special training programs for inspectors. In the fifties they had cream-tasting schools, egg-smelling schools, cannery operations schools, etc. When Food and Drug was involved in investigating over-the-counter sales of prescription drugs by druggists and/or their sales to truckers by truck stops and/or unscrupulous druggists or doctors, the inspectors were provided specialized training in driving trucks and the use of miniature radio transmitting equipment.

In the early days, if you were a Food and Drug inspector out in the field, training/work was by guess and by gosh. You would have a man come in from Washington to help you develop a case if it looked like you had a good one. I recall a case I had involving a cancer quack. The quack had "treated" the patient who later went to the Mayo Clinic where the patient learned he didn't have cancer. So, a specialist doctor from our Washington office came out to Minneapolis, and we then visited the Mayo Clinic and obtained the necessary information.

You had an outline of the information you should obtain during an inspection or investigation and how it should be set up, the charges that should be made, etc.

They would be sent to headquarters where they would be polished. If you had a case they'd ultimately come out and work with the station (or district) and work with the local U.S. attorney or his assistant in developing it and presenting it in court. Now Food and Drug officers have teams that provide training at the district level. Or the Food and Drug officers come into headquarters for training.

RO: Most of your training was on the job?

TK: On the job, strictly.

RO: With an "experienced" inspector.

TK: That's right. I remember attending a cream-tasting school that they held, because they wanted to be able to go after cream on decomposition and poor cream that was being offered and accepted by creameries. So they held a training session on that in St. Louis that was taught by our best creamery inspectors. I attended it and used it to develop cases out in Minneapolis territory and also to help train other people.

RO: Were you interested in whether it was just sour, really sour, or decomposed?

TK: If it was sour that wasn't too bad, but if it was decomposed to where you would see green or black mold in the cream cans, then you had a violation that must be developed.

We would go into a creamery hopefully before they were knocking the lids off the cans. Some creameries were bringing in cream from hundreds of miles away by railway express refrigerated railway cars, and they'd be unloaded into the creamery. And you might go in to one of the bigger creameries--like Enoch Schultz, as an example, out in Bismarck, North Dakota, who would have maybe 150 to 200 cans

there in the morning after a long weekend. The cans would be wired shut, and they had such gassy, decomposing cream there that if the man opening those lids was smart he'd have his head way to the side when he clipped the wires, because those cans would blow right to the ceilings, lids and all.

RO: We used to get stories about finding rats and mice in those cans. Did you look for that?

TK: Oh, yes. Well, when you would do a tasting and that, you would stir the can . . . Well, first of all you would taste whatever you had, and then you'd stir the can and you'd run it through a filter, a power filter.

RO: Was that whole can testing?

TK: That's right. And then we also had cream guns where you'd have, oh, I think it was about an inch or maybe a two-inch filter cloth that you'd push approximately a pint or two of cream through under pressure, and then those little pads were graded as to the amount of sediment collected on them. And you graded by comparing them to an official set of photographed pads that we were provided. And you would see, in essence, this is a sample of what went through this filter from the can of cream.

When we stirred the can or you'd pour it over the big filter when you'd filter the whole can, you'd look for whatever might be in there. And I had found a couple mice in them. I've never found rats. But I remember finding an old stick in one, and the farmer was out at the entrance door of this little cream track. And I handed the stick to the owner of the place, and the creamery owner gave it to the man who said, "My God, there's the old lady's stir rod that she'd had in there."

RO: Did you reject a can right on the spot or . . .

TK: No, we wouldn't do any rejection. That was up to the creamery operator to do that. But we certainly made notation of whether he rejected or not if, in our opinion, we thought it was bad. And usually if they'd ask us, "What do you think of it?" you'd say, "Well, I know what I think of it, but what do you think of it? That's what counts." Oh, they would have loved to have had us do their cream checking that day. Then the rejection could be laid to the inspector when the creamery operator told the farmer that his cream was either dumped, or colored with dye, and the farmer wouldn't be paid for it. We'd keep track of how many cans the operator rejected during the inspection, and we'd ask for his records showing how many cans he'd rejected during the past several weeks. That usually revealed there was no record of rejections even though the operator might claim he made about as many rejections during the past days as he did during the instant inspection.

Same way when you went out to check on egg breakers. The government was supporting the prices of eggs in those days through buying up huge quantities of shell eggs, breaking them out, and storing the frozen product. And you'd go into plants where the employees and management had received little or no training in egg smelling--testing for rotten eggs, those with blood spots or chick embryos. You see, the eggs were dumped onto conveyor belts that took them through washers and then they were supposed to be candled on their way to the automatic egg breaking machines. Often little or no candling, or rejection, was done during the process.

And they would, I'm digressing here, but one of the first things you would do when you'd go into an egg breaker is you would ask them to bring out ten cans of frozen whole eggs, or ten cans of yolks, or ten cans of whites or whatever they had. Then you drilled those right off the bat, and, of course, we were trained to smell them and grade them in our own mind. And management would ask "Well, what did you think of them?" I'd say, "Well, out of these ten, in my opinion three of them are bad." "Well, which three?" I'd say, "That's for you to find out if you want to drill them yourself."

So anytime that we would check a product, whether it was the raw materials in making butter, or the eggs that were subsequently being broken out for a frozen product, we would examine them, perform an organoleptic examination, and for our own records and reports, determine what in our opinion what was good and what was bad.

RO: What, would you sample those then for further laboratory examination?

TK: Sometimes we would pick up samples there for the laboratory, but if the place was bad enough and we knew that they were shipping, then we would report interstate shipments, and then they would be sampled by one of our Food and Drug inspectors--either in interstate commerce or after they reached their destination across the state line somewhere.

RO: Sure.

TK: Usually we didn't . . . Oh, if we had some filter cloths that were in line at a creamery, as an example, when they would clean up or maybe we would ask them to stop, and they'd pull out the big filter cloth that was in line, and then we would put that in a quart or a half-gallon jar and preserve it with phosphoric acid. And then we'd take that into the laboratory or we would ship it in by railway express in those days in one of those Friday cartons, I think they called them, with dry ice, and the laboratory would examine them. That would give the actual in-plant evidence, together with the pads that we would dry and grade. And I guess the ultimate would be what was discovered in the interstate shipments.

RO: Did you have any interesting cases that developed from this that you remember, Tom?

TK: Yes. I worked one summer--about 1956 or '57--with a man by the name of Charlie Jennings. He was a real hotshot State of South Dakota inspector who wanted to . . . He was hungry for training from us on how we did things so he could do a better job out in South Dakota. And in his knowledge of the areas steered a couple of us to plants that maybe weren't on our list for coverage but would be very bad actors in those days. So we did develop a number of cases out there where they were shipping butter into Land o' Lakes headquarters in Minneapolis. And then there was another independent firm in Minneapolis that used to get these bulk shipments of butter which they would print up for the market and probably be marketed under a store's own label.

I remember one case where--I wasn't involved in it--but I remember there was a huge quantity of butter that had been seized in Minneapolis that had originally come out of one of the Dakotas. And I believe it was seized at Land o' Lakes at the time. But anyway, the court case decreed that it couldn't be used as butter anymore, and the court was petitioned by the claimants to take this butter and process it into Gee to send over to India. Gee is a kind of a . . .

RO: How do you spell that, Tom?

TK: Beats the heck out of me. I don't know. It's a kind of a whipped product that I would say it would be akin to some of this curd that was maybe made from wild ox milk or camel milk or something like that. It was a rich stuff. And anyway, although the Indian government at that time knew what it was made from, they thought that it would be a lot cleaner than what they were getting over in their country and the price was right, apparently. Anyway, I remember that's what happened to this butter.

As I understand it, too, when we had similar cases like this around the country, Food and Drug was always very careful if someone was going to try and sell it outside of the country to a foreign country, there was always . . . It wasn't good enough for us to eat, and if it wasn't, then we wouldn't ship it. The measure in those

days was, would that country, knowing what was wrong with it, would they find it acceptable for use there? And as a result, there were many things that went overseas and were very welcome. In later years I saw products that certainly I wouldn't eat and none of us in this country would eat if we knew about it, but there were some starving people that would have welcomed it.

RO: Before you left Minneapolis, Tom, did you get involved . . . I think the agency was quite involved in over-the-counter sales, both pharmacies, MDs, truck stops. Did you get involved in any of that?

TK: Definitely. I remember right after I came with Food and Drug that there were a lot of rumors about drug stores selling about anything you would want. It was a well-known fact out there that boats that would come up the Mississippi back, oh, probably in the 1910s or so, at least before World War I, you could go out into the drug stores and places like that and buy narcotics, and some of the sailors did. And we had heard of cases where, especially around the Twin City area, where people would be found dead as a result of an overdose of sleeping pills.

And then, as I recall, during World War II, amphetamines were used to a certain extent to help pilots stay alert and other people who were in fighting situations where they needed quick alertness for a period of time. This knowledge was used by a lot of people that were civilians, and after the war there were a lot of people taking them for kicks like they're taking crack and other things today.

And at that time there were a number of drug stores we heard of that weren't doing right. And I would hear, or the district would also hear, that Chicago had tried to develop some cases and some were successful but really, as far as I could determine, there had been no real clear cut mode of operation developed. I remember when I first volunteered to work . . .

(Interruption)

TK: Let me back up a little bit.

After I was in Food and Drug for maybe a year or so, I was hearing about abuses with prescription drugs and that it was rather rampant in those days that you could get them from various drug stores. Truck stop operations weren't really heard of then. They became more popular, or came to the front, a number of years later.

We had one case over in Wisconsin--there's no need here to give the name of the place--but it was in a resort town for the underworld of Chicago to go to. And a lot of people around there would buy amphetamines. They also bought sulfa drugs and things of that nature, because some of the people would turn up with gonorrhea or clap and all these . . .

RO: Social diseases.

TK: Yes, all these other social diseases. Yes, and they would go into these places and buy up quantities for self-medication. I remember asking the chief inspector, Jim Herring, I'd like to take a crack at one of those. And I asked if he had any advice along that line, and he knew that I had done a little investigative work in the service, and we talked a little bit about it, and the bottom line was there wasn't too much known. An outstanding drug inspector in those days was Hugh Hennesey, and he had never gotten involved in that either.

So I felt that if I were going to go over to Wisconsin and places like that, I had better dress up like a farmer or somebody around there. So I had some old GI clothes, and I'd put those on and go over. Usually have a day or two's beard and go in, and if I want some sulfa drugs I'd ask for "sulfur" drugs. They'd say, "What do you want them for?" I'd say, "Well, I got kind of a cold. I think it's going to get into flu here." "Well, how do you . . . What makes you think you can use it?" I'd say, "Well, when I was in the service they'd line you up in front of a drinking fountain and give you those to make sure that you didn't get anything." They'd say, "Well, hell, I guess you know how to use them. How many do you want?" So then you'd buy.

Well, then we decided that you need to have . . . Many times they'd put them in their own containers with their own labels on them. They might just put on there sulfanilamide, 7.7 grain or whatever. Other times they might give them to you in an unlabeled bottle.

But in any event you needed somebody along with you at the final purchase to witness your buy. I remember taking a chemist along, a woman by the name of Juanita Breit. And she dressed up like a little old hausfrau from out in the boonies of Wisconsin, and we both went in there. And I said, "Well, mama, you can look around over here or whatever," and then I'd go back to the counter. And I say it loud enough so that the clerks in the store would hear me. And then I'd go and buy whatever I wanted. I said . . . Her witnessing, together with taking another inspector in to do the closeout, was all we needed for background there.

RO: Closeout. Just exactly what is a closeout?

TK: A closeout, first of all, usually we would go into a drug store because we had a complaint against them. That was the reason and the excuse of selecting this drug store over another one. Then after we had that complaint, we'd go in and try to buy, being very careful not to cause entrapment. Now, entrapment is the idea that you don't, you avoid putting something in the vendor's mind, thinking that he is safe in selling to you. You just propose to him straight out, "I want something" or "I'd like to buy something," and if he demurs, you don't say, "Oh, you don't have to worry about me." You don't do anything along that line that would be entrapment.

So anyway, after you have made your buys and you have your physical evidence, and you have made your, and they have been witnessed by one of your own people, then you go in and announce yourself who you are and that you are going to make a closeout. There was at that time some question whether or not going into a store and looking at the prescription files was an invasion of privacy.

RO: Now these drugs that you got, just bought over the counter, then, were prescription drugs.

TK: Absolutely. They were considered dangerous drugs and strictly prescription items. They would be like your barbiturates, or your amphetamines, or your sulfa drugs. Any of your strong antibiotics, although there weren't that many in those days, they would also be involved. In the beginning here, we were looking at three different items. The sulfas and the related items, the amphetamines, and the barbiturates.

And then when you went in, you would take a, arbitrarily, take a period of time. Probably if I were in there and closing out, we'll say in March, I would take from that day that I went in and go back about fifteen months, to probably the first of the year of the previous year. Then I would do an inventory of his records as to how many of these specific items he had bought from various suppliers. Then I'd go through the prescriptions for that particular period of time and the refills that he had on them, and how many he had dispensed. We would take for granted that those that he did under prescription were okay.

And then the difference between the two were those that he could not account for, and that would be our estimate of how much he had sold without prescription. Now, of course, we would always have to take into account how much he had in inventory at the time you were closing him out.

In some stores you would find that they would have prescriptions that would only cover maybe 15 or 20 percent. Some stores had no record of refills. And in subsequent cases there were stores that were a little, that we've had complaints about, where they were irregular in the filling of prescriptions. We'd have a prescription filled, or we'd go to the doctor and ask him for a prescription for a certain product. And the doctor would agree to give it to me in an assumed name. And it usually was a doctor within local calling distance of that pharmacy.

And you'd tell the doctor for what purpose you wanted it, that you weren't going to use it; it was in law enforcement, blah, blah, blah, and that he had strict orders that he would not okay any refills. We always admonished him to make sure that his nurse didn't do it either. And a lot of times you would find out that you'd take a prescription in and get it filled, and then you'd come back and want a refill on it, and they'd give you a double one and they wouldn't call anyone. Well then you had them on that. That's the same as selling over the counter. And then your closeout would disclose a great discrepancy in the drugs that had been purchased over those that had been legally dispensed. That was one of the . . .

And we developed ways here, and I must say that I never had a case turned down by our general counsel. When we had one made, that was it. Sometimes on the closeout, the man would say he wouldn't want to talk to you or anything until his lawyer would come in. I'd welcome that, because I always had a copy of the law with me. And usually these lawyers were very good in taking care of local matters, but when it came to something of a federal nature they knew nothing about it. And you'd say, "Well, now, are you acquainted with the law?" and they'd allow they weren't . . . Waiting for that point, give them the law and show them the section in there. And they'd usually kind of shake their head and they'd say, "Joe, you'd better cooperate with that guy. I think he's got you."

RO: Well, now, these buys that you got here, were they taken for evidence.

TK: Oh, yes, those were evidence.

RO: Were they also analyzed?

TK: Yes. They were analyzed to make sure that they indeed were what you had asked for. That they weren't imitations or whatever. A lot of times these drugs, these were . . . For instance here, many of your amphetamines--well, for that matter,

your barbiturates too--were made by other firms. So if the prescription called for Nembutal, which I recall is an Abbott product, they might fill it with podunk's version of it. We never got involved in that. We just made sure that the contents of the tablet or the capsule was indeed a prescription drug item.

RO: I guess the generic issue wasn't quite as popular then as it is now.

TK: No. No. At that time, I think our view at that time was that . . . Of course, it was well known that you could get the generics for a fraction of the amount. And some of the pharmacists, I must give them credit, would allow and charge less for generics than they would if they were giving others out. Although I remember one pharmacist who was very accommodating. I went in and I asked him for two dozen, I think it was Seconal. And he said, "Well, you know, if you want to get about fifty of them, I can really make you a good price on them, because," he said, "you know, that bottle and container there, that costs some money here." But I think as I recall, I could get two dozen for about \$2.00, and I could get fifty for about three and a half or something like that. Well, he was so accommodating I had to have fifty then, you know. But many of these druggists were selling these things just like they were aspirin.

I found out, too, that the mature or older pharmacists in those days, especially in Minnesota and Wisconsin, were people who had gone through pharmacy schools that only . . . The course consisted of maybe six months or something like that. Some of these fellows had been in the navy. They had been a yeoman that had handled drugs on shipboard or something like that. They became interested in becoming a pharmacist after they got out of World War I. And there was a school in St. Paul that had a very short training course. Mainly they trained these people in how to pass the state pharmacy board examination, the questions that were on it. And then they were more interested in being able to stay in business.

They had their own ideas of what was dangerous and what wasn't, and many of them loved to play doctor. And some women would come in and want abortifacients, and they'd help them out in what they thought was good stuff in those days for that type of thing. And if you had some social disease, they were more than happy to try to help out whomever you were.

I remember going into a store out in Rapid City, SD, and I had bought from this older man in there. And I had about two or three buys on him, and I went in for this one. There was a young lady there, probably in her early twenties. And she was at the counter, and the gentleman whom I found out later was her father was busy over in another place. So I went over to the girl, and I said, "I'd like to get some of my sulfur pills and she looks at me, "Sulfur pills?" I said, "Sulfanilamide pills." "Oh," she said, "Sulfanilamide." She said, "That's . . . Have you got a prescription?" I said, "No, no, no. I've been buying them from that man over there, you know." And she looks over and she says, "Dad?" He looks at me from what he's doing and said, "Give them to him." I got them from her and we also . . . So that was a witnessed one. I had another inspector along witnessing the whole thing.

So when we dropped the boom the next day, she said, "You know, I didn't like the looks of you to begin with." I said, "What do you mean?" "Well," she said, "that seemed kind of funny." I said, "What did you think?" She said, "I just thought you were some old devil that had a dose of clap. But I said, well, sell to him anyway." But for the record here, she wasn't charged. She wasn't the one that made the sale. It was her father who was charged with that particular one. I think she learned a lesson, because she was a, she was doing her intern work as a pharmacist in her father's store.

RO: About the same time, Tom, it seemed like the agency was involved in trying to get some of these, oh, health spielers that were coming around lecturing or . . .

TK: Oh, yes.

RO: Did you ever get wired and sit in on some of those?

TK: That's right. Yes siree. A number of instances. First of all, at that time there were these radioactive . . . I can't think of the name of what they called in those . . .

RO: Caves?

TK: Yes, they were caves, but they used the rock that . . . There was a mining situation out beyond Rapid City, South Dakota, where they get this . . .

RO: Uranium?

TK: Uranium ore. They call these uranium caves. And some of these hustlers told the people that one of the best ways of getting rid of certain ailments that you might have is to go into these places where you'd have the mild radiation of x-rays. So, I remember one in Wisconsin where they had a setup there that the walls were supposed to be lined with tailings from one of these places. And they had a bunch of lights in there, and you could go in and sit and read if you wanted to or you could listen to music on a jukebox or whatever.

And Armond Welch went along with me, and he was going to be our technician. We had a dynamotor setup where you could hook a generator into the car and you could idle the engine and run that. And then from the power you generated there, you could work a tape recorder in the car, which was a 110 volt setup. Very crude. That's the best we had in those days.

Then I would have a miniature radio transmitter concealed on me, and he would pick it up on radio. Well we had the stuff we'd gotten there. I had no training on that, but we worked on it among ourselves to get it to work. We found out one thing that you better not have neon lights around that blink, especially,

because that was bad interference on these little coarse radios. And the transmitters, the smallest you could get would be the size of a carton of cigarettes. It wasn't like you could put in your pocket today.

So he and I went over to a place, and Armond used to say later . . . He was the one that kept the recording mechanism going while I was wired, and I had a big heavy old GI coat on. I had a "limp" so he could hear my step drag of my "bad leg." I'd go in and I'd talk into my chin to say, well, "I'm approaching the place here," and "I'm going to be going in now," and so on and so forth. Now, from then on he didn't hear me, because I had just passed under a neon light and that was the end of that. But we did try and get some of those people out of business and I wasn't too successful in that area.

But we did have people who were selling Geritol and Nutrilite and some of these other products. We had a man down in Wisconsin who was making gross claims for, I think it was Nutrilite. I remember going out to his place to get a word in with him. He had a body shop, and I had a dent in my car and I was talking about getting that fixed up. And then I saw a sign there, and I went off and I said, "I see you're selling Nutrilite." That was all I needed to do. So we made an arrangement that he was to meet me at my hotel room. I think I told him that I was a fishing supply salesman who sold baits and fish poles and stuff like that.

Anyway, he came to the room, and Armond was along that time doing the power work. He was parked out on the street and people wondering why he had his car engine idling out there. And we had some pretty good tapes on the Nutrilite salesman. And I remember one thing that he was saying that liver and iron tonics weren't any good. He'd taken enough liver tonic to float a battleship and enough iron tonic to sink one, and that never did him any good like Nutrilite would.

RO: Most of this stuff then was only misbranded by their representation . . .

TK: That's right. Gross exaggeration on them. And that was short-lived. There were these hucksters that were around. Oh, I think with the advent of TV and things like that, they just kind of went out. But at one time that was quite a money maker for these people. Then I think your natural foods stores took over in these areas, and they had these bottles around. A lot of times . . . They would be very careful not to have the advertising in the windows like some of your drug stores and other places did.

All of that was kind of ground work. Really frontier work.

RO: When did you leave Minneapolis then?

TK: I left Minneapolis in June of 1958 and went out to be the resident inspector in Harrisburg, PA. And Harrisburg, of course, was the . . .

RO: Well, wait a while. Before we get there, Tom, you were in Minneapolis and doing some flood work that went on earlier than, what, '51? The Kansas City flood or something like that.

TK: I think '51 was the Kansas City flood, and then '52 was the Sioux City flood. I was involved in both of those. What happened was that the Kansas City flood was a real disaster for that part of the country, and as a result Kansas City asked for inspectors from other districts to come out there to work for a number of weeks.

RO: Was this the state that asked for help?

TK: No, our own, our own people, because here we are with, not too far from South Dakota line, then you have Missouri, and then you have Kansas all within a very short distance of each other there. Sam Alfend was the district director out there at that time, and he was a workaholic. And he saw a need for Food and Drug

input, so he called out to the districts to help him. I think he . . . Well he got two of us. He got Harold Southworth and myself from Minneapolis. Harold was the resident down in Des Moines at that time. And then there were other inspectors that came in from St. Louis, Kansas City, or not Kansas City but from Chicago. Some came in from Denver. Usually two from each. Denver and I don't know where all they came from.

We had a lot of inspectors down there, and we were to work with the state people, usually one on one. One state man and one federal man. And then, depending upon the needs but also recognizing what we might be good at, we were sent out to certain localities. Harold Southworth, as an example, was a great grain man. He loved to work in that area, so he went out into the grain terminals in Kansas City. They had loads of them there. And he worked on those. We worked from sunrise to sunset, seven days a week out there.

RO: Most of it was in warehouses then?

TK: Warehouses or what was left of them. I remember I was told to go out with one man into a stockyard area, that there were a couple of drug stores out there that needed to be looked at. Well it didn't take us long. Everything had been washed away excepting the heavy refrigerators and things of that nature. They had dropped into the basement. What you did was you and the city man or the state man that might be there, you'd try to get the people who owned the property to police up the stuff and put it away.

If you go into . . . We'd go into warehouses and explain to them that if they had canned goods, they had to be dipped into chlorine water. And by doing that a lot of times the labels would drop off the cans, so for the most part you'd have to take the goods out to the dump. But if it was taken out to the dump, then it would have to be crushed with a bulldozer.

There were places where bottled beer was the thing. There was very little canned beer that I remember then, and a lot of these firms they'd take cases upon cases of beer and take it out to the dump. And we had loads of scavengers out there picking it up and trying to take anything they could home. We were telling anyone that no matter what you had in containers that had crowns on them, that the silt and contamination get underneath those crowns, and it would be physically impossible to make them suitable for consumption.

RO: So, really, your job was primarily then one of reconditioning the material to determine what was suitable for consumption.

TK: That's right. What we could. And we would go from place to place. In the meantime, it's very difficult. Everybody doesn't know what to do. I remember the phone company. They had so many phones out that for the first week, they didn't even try to replace them. And I remember seeing heaps of phone sets that were probably fifteen feet tall and up to thirty feet across in diameter just heaped up in places. It always seems that after a flood like that, you get some very hot, steamy weather. Probably steamy because of all the mud and stuff that's evaporating there. And its hard to get around in your vehicle. Some of the roads are washed out. It's really chaos.

What you try and do is to help them clean up what they have, explain to them what they need to do with their warehouses or their manufacturing plants to put them back into operation again, and try to give them guidance on what to do with the stuff that came through.

I remember one big packing plant out there. They had a freezer they thought would be in real good shape yet. Well, they opened it up and they found out that silt and water had gotten into it, so they had all this meat in there that was on racks. They thought they could save it, but since their freezer broke down a number of days

before, it was no good. So even if it missed the water, the heat and temperature got it, you know. It was very, very trying.

The next year I was not too far from Sioux Falls, I mean Sioux City, and I got a call, or got a note at the Western Union--that's the way they'd get in touch with us--to call the office. And I was aware that there had been a flood down in Sioux City. They said that I was to go over there and head up our group. So we had about, myself and four or five other Minneapolis district people there. And what I had gained in knowledge from our other Kansas City flood the previous year helped me work with the local people in Sioux City.

But the damage in Sioux City was more contained. It wasn't as widespread as it was in the other place. We still had the same problems. Those places that were flooded are flooded, and the only thing you can do is to try and get the garbage out and get the people away from trying to salvage it and eating it. We worked with the state and local people there.

RO: Who was the district director in Minneapolis when you left? Or the chief?

TK: The chief there was Kerr, Maurice P. Kerr, I believe it was. Hubble was the one that had hired me. Hubble was there for, I would say he was there till probably '53 or somewhere around there. And then he went into headquarters, and then Maurice Kerr was brought in.

RO: So then you went into Harrisburg in '58 as the resident.

TK: That's right. At that time Maraviglia was the chief inspector in Philadelphia. And Bob Stanfil was the director.

When I went there . . . Well, I should add that I had done quite a little recruiting out in Minnesota, and I went to about every college out there telling them the wonders of being a Food and Drug inspector or chemist and was quite successful

at that. In fact, as a result, quite a few people came on board in Food and Drug in one place or another. As an aside here, when some of those people retired with thirty years' service and I was still working, that kind of gave me a message!

But anyway, when I went out to Harrisburg, one of the first things they had me do after going into some of the bigger firms there was to do recruitment. And I worked on a couple of OTC cases there, too. We didn't have too many at that time. And I did general type of work around there. Inspect places like Hershey Chocolate and some of the other big operations.

One of the interesting ones there was Quaker Oats. They had a puffed wheat operation out there. And I went in for a routine check. I think it was to see how they were storing their wheat for puffing purposes. And while I was there I decided to go on in and maybe do some net weighings of their product. They were doing the whole bit there.

(Interruption)

TK: They were telling me they had a new puffing process that made bigger grains. It was more acceptable as breakfast food, a good thing.

RO: Where was this plant at?

TK: This was at, I think it was Shiremanstown. It's just west of Harrisburg.

And, anyway, I went in and I did some net weighings on their retail packs, and I noticed that they were short weight. They had the old weight on them, and the man allowed, "Hey, we goofed here." He admitted that he had gone to their Chicago plant and told them that they need to change the net weights on their labels and that they were hoping that they would either send them some stickers they could put over it or, even better, new containers. As I recall, the containers were made from rolls of paper on site. They're printed rolls.

So as a result of finding short weight materials there and the evidence and so on and so forth of what was going on, I went over to the freight office that was about half a block away and reported shipments all over the country.

The man who managed Quaker Oats plant in Shiremanstown was very cooperative. He was a Texan who believed in honesty and he truly was . . . He admitted that the firm had screwed up. He did say he tried to do his best, but his technical people in Chicago didn't come through. Yet he shouldn't have, by rights I suppose, he said, believe he should not have shipped that way, but he did.

So when they heard what was going on they had called . . . I was in and out of there for a couple of days, and when the headquarters heard what had transpired they asked him to come into Chicago for a discussion of it. And he had his briefcase there and I said, "I'd like to look at some of your records on your correspondence or your records of phone conversations or whatever it was relative to this short weight matter." So he said, "Well, it just so happens I've got my briefcase here." And I said, "He admitted that." And I said, "Well, could I have it." And he said, "Well, yes." So he opened up his briefcase, and he gave me all the information he had there, copies of it. But the man . . . You hate to see someone like that hauled up short, especially when you know of so many that were a lot worse by nature who maybe at best never did get caught, you know.

RO: Do you recall how short weight they were?

TK: Gee, I don't remember the percentage. I think it was, oh, it was maybe 15 percent. I think the containers, those boxes would be about ten and one-half ounces. And I think that when they filled them so that they wouldn't crush, you know, they don't fill those too tight, it probably was an ounce or an ounce and a half short. I don't recall the figures on it, but it was remarkable because when I had my figures and I called Maraviglia and told him what I had found out--it was an afternoon, I

remember--oh boy, he was hot to trot. Well, we all were. It was rather marked at that time.

RO: That was probably a pretty big seizure then.

TK: Oh, they seized all around the country on that. They had, because we were able . . . I remember when I went into this freight depot there, they had all the records there. In fact they had some cars that they were loading out. So we not only had the car numbers, we knew where they were going and so on and so forth. I don't know how many seizures were actually consummated on that, but we had, oh, I would say in the neighborhood of en route and being loaded that subsequently went out, probably fifteen or twenty freight car loads. As I recall it was all freight shipments. That was kind of an interesting one to work on there.

And we also had at that time drug truck stop sales of amphetamines was widespread. Being that the turnpike was there, there was a lot of it going on in that particular area. And there were truck stops that would feed into the turnpike along there that were very active. And I got the complaint about a man that was selling drugs there that was out of York, PA. And he was a very easy man to trail, because he had his house number on a vanity plate on his car. And he was buying huge quantities of, like, 50,000 tablets at a crack from various people up in New York, and then he'd bring them down into the middle Pennsylvania area and sell them to truck stops.

RO: Well, would he buy them directly from legitimate manufacturers?

TK: Yes, yes, he was buying them directly or maybe from a representative of these legitimate people up in New York. And he sold to a number of truck stops around there. And the state police helped out in trailing him to where he was going with these various lots of his drugs.

RO: These were sold, then, to truck drivers to help them stay awake on their long hauls.

TK: That's right. That's right. And at one time . . . He was selling to various people around there. I remember at the same time there were a couple of doctors in the Harrisburg area that were supposed to have been selling to truck drivers too, and I remember going into one place and seeing this doctor. He had a slow afternoon. I said that I was a truck driver and I needed some pills and I wondered if he could help me out. First thing he wanted to know was where my truck was. (Laughter) And I thought I was in deep doo-doo on that one, but I was able to walk to the door and point to a truck about half a block away and he was satisfied on that. So he said . . . He seemed to be satisfied, but he didn't have anything for me right then. I came back later and he had changed his mind.

But this man out of York, Pennsylvania--West York--was going to get another shipment out of New York City, so we had the state police involved in Pennsylvania; and then Maraviglia and his group down in Philadelphia had the New Jersey state police as well as turnpike police involved; and in New York, Clevenger, got the New York people involved there. So we were able to trail this man right down the line. We'd get phone calls in the . . . Philadelphia was the place where the calls would come in. They'd say, "Well, there'd be somebody there to phone in, "Well, he went through such and such a point headed thus and such a time." And as I recall they picked him up in, somewhere in New Jersey.

But anyway, this whole caper of food and drugs was the basis for an article in the *Reader's Digest* at that time. I would say this was about 1960 or '61.

And we'd go around at that time, and it became quite a problem when, as a result of our efforts and success in that particular operation, the turnpike commission of Pennsylvania asked me to go around with one of their security officers to each of the districts there on the turnpike, police districts, and talk to their troopers about

what they should do in looking at these . . . Especially when you're picking up truckers. If they're flagging somebody down, watch for anything being thrown out the windows or out the sides, odd reactions on the people's parts, etc.

And a lot of times they were in the process . . . They would shake these people down, and in the past if they saw a prescription bottle on them or anything that looked like drugs they'd never question it. And we'd always say to look in their aspirin if you have an aspirin tin or something like that and make sure that it is aspirin. Or if it isn't take some steps to look into it.

They had quite a problem along there. They had what they called their roadrunners there. The truck stops there, they had a bunch of women around there that were selling their wares to these fellows, and some of them even had drugs that they would sell, too, and . . . It made for happy times, but made for dangerous drivers.

RO: Drivers.

TK: Truck drivers, yes. So we were involved in that for a time there. Of course, there was recruiting there, too, but recruiting around Philadelphia wasn't like recruiting out in the Midwest.

RO: You mentioned before we started the interview, Tom, that you had gotten involved in some investigative work involving imports.

TK: Oh, yes. When I was in . . . I'll back up a little bit on this.

Food and Drug Administration had people in their hierarchy (Winton) Rankin and (Allan) Rayfield and (Ken) Lennington and a number of others whose names escape me right now who were very jealous of the fact that they wanted an outfit whose people were honest. They didn't want . . .

Well, it was well known that one of our inspectors from Philadelphia quit because he didn't like to travel, so he joined up with the City of Philadelphia Health Department. And his job was to go out and check swimming pools at motels and places like that. I liked the guy personally, and I remember I had gone in . . . Before I was transferred to Philadelphia, I was in Philadelphia and he and I went out to supper together, and I asked him how he liked his new job. Well, he had mixed reactions. He said that he liked it because he didn't have to travel and that it was from 8:00 to 5:00. But he didn't like the idea that when you go into a place you're supposed to leave your clipboard over to the side so a guy can put a \$5.00 bill underneath the form that he filled out. I said, "Well, why do you do it?" "Well," he said, "it's part of the deal. If you don't, they look at you kind of bad." I guess bottom line was it probably didn't hurt them to accept the money.

But anyway we knew that in New York and some of the bigger cities, your local enforcement people weren't above suspicion of bad activities. And Rayfield especially was very vehement about it. He wanted to make damn sure that our people weren't among those.

My first example was that Ken Lennington used to come to work in Minneapolis as chief inspector a little ahead of time. And there was a chemist that he had known in Cincinnati who was up in Minneapolis at that particular time. And she came into Ken's office, I was told later, very distraught, because she had seen a chemist go down to the storeroom and pick out an inner tube and take it with him out of the place. So she told Ken about it, and she didn't like that. She thought she'd tell him because it was an inner tube for one of our cars. So Ken got me aside and he said, "Hey," and he mentioned the guy who was involved in that. He said, "See what, look into it."

So I did look into it and I found out, as I recall . . . Now this was like on a Thursday or Friday, and it was either before the Thanks . . . Well, it was a couple days before either the Thanksgiving or Christmas holiday season. And this particular chemist that was involved whose name I wouldn't give if I remembered it--but I don't

remember it--was from the East somewhere, and he was going to go out and visit his folks. Going to drive out. And he was getting his car, I found out, was getting it serviced at a nearby gas station. So I went over there on some pretext or another. And I happened to look in and, by George, here was this box with an inner tube on the back seat in the car.

I got back to the office a little bit before noon, and I told Ken and Bud Kerr, who was the district director, what I had found out then. So Bud allowed, "Well, gee, that's a pretty serious matter." Sure an inner tube like that is only worth . . . I guess back in those days . . . These were military surplus; they were vinyl tubes. And vinyl tubes we never did care for as inspectors, because in real cold weather they'd split on you. They weren't like a good gum rubber tube.

But nonetheless, it was worth a couple of bucks, and it was Kerr's decision what to do. He didn't know whether he'd just chew the guy out or whether he would suspend him or just what he'd do, but he thought before he did anything he should check with Rayfield. So he called Rayfield and we were in his office. After a while, "Hello, Allan." And he told him what he'd found out and they said . . . He hung up real quick after that, and it appeared that after Rayfield found out what we had found, his admonition was "Fire the son of a bitch." (Laughter) There is a man that was terminated right then in those days for this.

The unfortunate thing of it was that the size inner tube that he had taken--he admitted to taking it because he had it and we'd seen it--it turned out that the inner tube wasn't the size that would fit his father's car anyway. So that was my first taste of what goes on when something like that comes up.

And, of course, I had gone out when we'd have car accidents around or somebody, you know, two people would get in an intersection when the light turns red and you have to check out who's doing what to whom. But in, while I was in Harrisburg, Lennington called me and asked me to come down to Washington. They had a little task that they thought I might be able to handle for them.

It turned out that New York district had a rather large contingent of import inspectors there, and they were supervised by a man by the name of Martel, Jerry Martel. And a number of these people were GIs that had been hired after the war. And there were rumors that one trainee had gone out and, instead of doing import inspection, they went to see a movie. Of course you could see them, you could go at 10:00 in the morning and see a movie and get out by 1:00 in the afternoon. And then also there were rumors that some of them would take their families out to the beach in the government car instead of doing work. What was most disturbing to them, however, was that there were allegations that on imports, the people who were on the Hoboken docks were collecting the samples for the FDA inspectors, and then all they'd have to do was to come and get the sample and take it in--very convenient.

So, a lot of it was rumor, and they didn't know what to do. But Jerry Martel went to Weems Clevenger with the story, and Ken Lennington had been chief inspector up there a few years before, so he knew what the temptations were and he also knew some of these people and had kind of wondered himself what was going on.

So Rayfield said, "That's my problem. Go on up and meet with Clevenger." And also a man by the name of Ed Wilkens, who was a resident inspector in Washington at the time, was sent up to help out with me on this. So we were shown Hoboken and where the yards were there for, where the shipments were docked and loaded out. And the investigation . . . And then there were other docks down in Brooklyn where these Food and Drug guys would go to.

And it was true. It turned out that numbers of them wouldn't pick up their cars to go out on the job until after they had their coffee break at about 9:30. And they'd maybe appear over in Hoboken about 10:00 or so. And they used to go in and play shuffleboard and stuff like that in a bar there. And at maybe 1:00 or 2:00 in the afternoon they'd briefly go over to the docks and pick up packages and put them in their car and then go on back to New York. So, we kept time on these things and what was involved. In fact, even got cameras and went into a vacant

warehouse and took pictures with telephoto lens of these people coming in and out of these places.

And in the meantime these cars and their people, times that they left and everything at the New York site and when they'd arrived over in Hoboken were coordinated. After a certain amount of this evidence was obtained, which New York, Clevenger and group, felt was sufficient, they dropped the boom on a number of these inspectors.

In fact, I remember one: we had radio communication between two cars, crude stuff almost like I was telling about before. And Ed and I would follow these cars. I remember one man parked his car out in front of an apartment building, and he'd gotten some rolls and stuff, and he went up to an apartment there for a while. He didn't live there, so I don't know who he was visiting, but he was there for a number of hours anyway. The car was unlocked, too, where he had left it. He had a written assignment laying on the seat.

So there was quite a little dereliction on these people's parts. So as a result, a number of these people were confronted by New York district and were terminated.

RO: This had more to do with their work habits then rather than pilfering anything off the docks.

TK: No, it was . . . The Food and Drug Administration, all of us concerned, and the reason these things were being reported was the fact that these people didn't have dedication, they were malingerers, they were people who weren't picking up samples that were creditable. In fact, Lord knows how credible what they picked up would be against what it was allegedly covering that was being cleared for entrance to this country. And headquarters said, "Well, your districts don't want this type of person around." We didn't want anyone around that would be at all, have a suspicion or taint of taking bribes or malingering or looking the other way or

whatever. And they had felt that over a period of time this was going on there. They, you know, a man when he should be working and taking his family out to the shore or like other cases they've had there where people would take very long noon hours for no very good reasons. Food and Drug felt that we're too professional, too high a grade people, or should be, to have that type of person taint the operation.

I found out all along here that they understood if you traveled for two weeks and you took a half hour during work to go and pay a bill, or like one director said about getting a haircut on government time, hair grew on government time so you can cut it on government time. Well, if you were a chief inspector and you had people out for two weeks and they had to take a little break during the day, and it wasn't much of a deal and it was rather, I mean, if something they needed to do, you kind of looked the other way on that. But if you had someone that was trying to, just not putting in his time and wasn't doing a good job of inspecting or doing things that would cause you to question the quality of his inspectional work and the samples that he collected, we didn't want him around.

RO: It was interesting that at that time you seemed to do your own investigations. Later on there was always caution as far as the field. If you had any question at all about employees, turn it in to headquarters, because there was a central unit there that would investigate.

TK: Yes, there was. And I remember a man that used to be in Baltimore that was on that group. Joe Mamana. Yes, there was a group in headquarters here. I was aware of them later on. It was true that the field was admonished not to go through on something like that on their own for several reasons. One thing, if you have, normally, if you'd have a person in your own district checking it out, it could be, oftentimes you'd be asked to check on somebody that might be your friend. And that isn't good one way or another. The second thing and probably most important is

they don't know, unless you're especially trained or have the experience in that area, you don't know what you're looking for or how you should go about obtaining it.

As far as the headquarters group, I think Rayfield and Lennington at that time knew what my capabilities were and what I could do, and they were satisfied with my work and . . . Frankly, I was from the field operation and I was, controlled a lot of them, whereas these other people were working probably directly for the commissioner and they might feel that there was less control there. Whatever the reason was, true at that time . . . I guess the feeling was that they didn't know the field and its problems.

Now, on the various things that I had to do for headquarters here, like out of, while I was working as a resident in Harrisburg, and later on while I was in Baltimore, I was given carte blanche. I was told here's where our problem is, here's what it is, here's what we're hearing, sic 'em. And they'd give me a book of travel vouchers, and I could go wherever, however I wanted to. The only restraint I had was that I was to call them, one or the other, whomever, day or night--and I'd get their home phones, too--if I had something come up that I thought they should know about immediately.

In any event, at least hopefully every day but no less than every other day, I was to write a detailed report on what I had, rough draft of what I had found and mail it in and keep a copy for myself. And, of course, they knew that I would be in touch with them, and usually I had contacts around in these places that were involved with me, and, of course, they knew how confidential it was.

RO: Back in the sixties and probably early seventies, it wasn't quite as, didn't happen quite as often as it has in the later years, you know, our employees going to the regulated industry. It got so in later years it was not unusual at all for a good investigator to be picked up by a drug firm or whatever. Back in the sixties, at least, there was a district director that we won't name, but anyway that had taken a job with a regulated industry. And I can remember, the rumor had it that you were

given an assignment to see if there had been any kind of illegal contacts prior to accepting this job. I don't know if you care to comment on that or not.

TK: That's a long time ago. I would rather not.

RO: Okay. But we got ahead of the story a little bit.

TK: Yes, yes, okay.

RO: You were in a couple of places before you came to Baltimore.

TK: One thing I would like to show you here. You might want to turn that off now if you're going to read the thing.

(Interruption)

TK: In our discussions here of investigations, so on and so forth, I was reminded of one of the, well the first really significant investigation I was involved in, and it was quite by accident in Minneapolis.

Back then there was just a beginning of the talk of using amphetamines and that by truckers and other people along that line. And about that same time, there was a young associate district attorney in the court, in the federal court system in Minnesota by the name of Miles Lord. And he, among the other attorneys there, would represent the various agencies like FBI and the liquor people and Food and Drug and so on and so forth. And, very frankly, Food and Drug used to get very short shrift, both by the attorneys as well as the . . .

(Interruption)

TK: . . . because often our cases were more involved and they had less background in them. FBI bringing in an interstate movement of a stolen car. That's an easy case to deal with. But anyway, Miles Lord was very, was a new, eager man and very interested in our work and did a fine job with us. Maurice Kerr got to know him real well, and our agency had good rapport with him.

At one time right after one of our cases was handled by Miles Lord, he had a case in court where, I don't remember the details anymore, but a person that was under custody had claimed that there was rampant use of amphetamines and other kinds of drugs up in the St. Cloud Reformatory, which is a state operated prison in Minnesota. The other one is Stillwater Prison in Stillwater, Minnesota.

Well, anyway, when Miles heard about that, he thought, hey, this is something that he had heard about. He could maybe push it further and see what's it all about, and who knows what'll come of it. At that time there was a Republican governor by the name of Luther Youngdahl out there. Miles Lord came to Kerr and Lennington and says, "Hey, we should get over there and see if there's any of these drugs being sold around there, and see what the allegations are all about." Kerr cleared it with headquarters and we could go in. And Ken said I'm the guy that's going to be working on that, so I got together with Miles, and that began a very long friendship there.

The first thing we decided we had to do was to get, since it was involving a state institution, we'd have to get the governor's okay, which was rather easy in those days. At that particular time the governor was accepting a judgeship here in Washington, DC, and was going to be leaving the territory. So Miles and I went over to the governor's office, and the governor gave us a letter over the governor's signature saying that we were in a very important investigation alleging illegal use of drugs that had moved in interstate commerce and that any places that we went to look into this matter we were to be given full cooperation, et cetera, et cetera. Well, Miles wasn't going to be involved in that, but I got the letter and I went up to the reformatory.

Here again, you know, it's your baby. I went up to talk with the warden there. And the warden has quarters in the place and eating, and a dining hall for his own, all mahogany lined, and it was just opulent. And while he was personally very unhappy about this, with the governor's signature he had little but to cooperate. And it turned out that I was there for about three weeks around there interviewing people. I had been given a couple of leads.

Also, I instructed the warden to notify the inmates there that when I'd be around, if they would want to get in touch with or in contact with me that they should feel free to do so and that I would be given privacy with them. I could talk with them without having one of the people, the guards or anyone, around. So then it would be that I would walk around through the place, and somebody would say, "Hey, mister." And they'd waive a little piece of paper or something, and I'd excuse myself and walk over and talk with them in some middle ground and get whatever he'd have to say. And then later on I might interview him, but I'd interview him in a place where there would be no, nothing wired or anything like that.

So I had a great number of interviews there. And I must say that while there may have been something of this nature going on there, we were never able to get anything along that line. There were people there that were sneaking in liquor, and there were some other, there were some homosexual activities going on there. There were a couple queens in the place there that were another matter that wasn't of concern to me nor did I feel required to report it to anyone.

But it was an entree to many advocacy groups to come in, because they didn't like all the black prisoners that were mainly from Minneapolis being segregated in one spot. And, of course, the blacks want it to be that way there. As an aside, they could exchange letters and local papers with other inmates there who had common interests and acquaintances, whereas if they were interspersed with all of the others from other parts of the state, they would break down that camaraderie.

But anyway, it was a politically very sensitive thing. In fact, there were headlines in the *Minneapolis Star* at the time that Special Investigator Kingsley came

in out of Washington to deal this. (Laughter) So, you know, typical paper accuracy. And there were people that tried to interview me up at . . . I had to . . . I went into the hotel up there under an assumed name--the hotel knew it--so that I wouldn't be pestered.

And I had another man by the name of Dennis Flynn who worked with me there. He was an investigator in Minneapolis at that time, and a number of years later he resigned from the Food and Drug Administration and went with the FBI.

But, anyway, it made a lot of publicity for people and things like that. But at the time it looked like something that should be followed through. But I had felt, and I think Food and Drug felt the same way, that we were only interested in it from our angle here and whether or not our laws were being bridged.

I remember I had a long, detailed report and copies of all the interviews I had with the various people, and there are umpteen of those. And I provided . . . I made four copies as I recall. I made one copy for Miles Lord. I made one copy that was to be sent in to headquarters. I made one copy for the district. And then I had one copy for myself.

And I remember that, as soon as they got the one down in Washington, it said in there who got the copy. They said, "My God, get that one back from the district attorney." (Laughter) So Kerr came out to me and said, "Hey, you better get a hold of Miles and tell him that you're going to want that back." And I knew what he meant by that, so I called Miles and I asked him if he . . . I told him what the story was and I needed that back and when could I get it. Well he allowed that he'd be in the office the following afternoon and I could pick it up then so . . .

So anyway, it did help Miles Lord. The publicity he got out of that he ran, and he was the state's attorney general for a period of time. And later on he became a judge out there, and he retired from that. In fact, he was involved in that, with that A. H. Robins case . . . I always felt that his involvement with Food and Drug early on caused him . . . When they had the, the case was being appealed, and he went from his Minneapolis chambers down to be on site to look at this firm in Richmond.

That was unheard of for a judge to do that, but I felt that his involvement with Food and Drug probably caused him to do that.

(Interruption)

TK: And not rely on the lawyers on either side of the case was indicative of his feeling like Food and Drug is best to look at it for yourself. Probably he gained that from his experience with us, many years ago.

RO: Well then you were in the district office in Philadelphia after you had been a resident in Harrisburg.

TK: That's right.

RO: And Teddy Maraviglia was still there as chief inspector?

TK: No, he wasn't there. Ted Maraviglia was around while I was a resident out in Harrisburg, and then shortly thereafter he left to be the first chief inspector up in Detroit district. He was replaced by Leonard Blanton, and I worked for Leonard Blanton while I was out in the Harrisburg and then again when I went into headquarters as a supervisor there. And then while I was in Philadelphia we had a new chief inspector come in by the name of Jim Greene, and he was there for a number of years. I believe Jim was down in Baltimore district and had gone up to . . . Well, Leonard Blanton had come to Philadelphia originally from Atlanta district, and then he returned to Atlanta when he transferred out of Philadelphia. I was there until probably around 1962. I think that's when I came to . . .

RO: Baltimore.

TK: Yes. I came to Baltimore shortly after Williams resigned as district director and left, and then George Sooy, George Wannemaker Sooy, became a district director there.

RO: Who was the chief inspector, then, in Baltimore?

TK: Gordon Thompson was chief inspector, and they had two supervisors there. I came in as a third one. There was Fermer Adair and Armond Welch were the two supervisors there, and then I came in as a third.

RO: Both of those fellows had been in Minneapolis when you were there.

TK: That's right. It was almost homecoming week. So we worked together there. And then, of course, we moved. We were in the old Custom House Building, and then we moved to the new digs at that time.

RO: That was in 1964.

TK: That's correct, yes. And then shortly thereafter I went into that executive development program.

RO: There's something about the . . . You were there when George Sooy was district director and . . .

TK: That's right.

RO: Wasn't he made a, what they called a regional assistant commissioner in . . .

TK: That's right.

RO: . . . in Charlottesville.

TK: Well, what happened at that time . . . This all happened about the same time. I was taken into the executive development program which was a year's deal beginning in Washington. And at that particular time, about the same time, George Sooy was signaled by Goddard to be one of these assistant or associate type persons.

RO: But, Tom, you were chief inspector before you went into that because . . .

TK: That's right. I was chief . . . Oh, well, I came over . . . All right, I'm sorry. I forgot about that. Yes. I came into Baltimore as a supervisor, and then shortly after we got into the new building, I became the chief inspector and Gordy Thompson then became the assistant director or whatever they call them.

RO: Deputy district director.

TK: Deputy director of the district there, that's right. And then, of course, Merl Ryan was Food and Drug officer, and you were the chief inspector.

RO: Chemist.

TK: Chief chemist, rather. Yes.

RO: Well, I recall, Tom, when George Sooy had been named regional assistant commissioner, and that was about the time that Goddard came in and he decided that we needed to be working closer with the regional HEW offices. And at that time we were part of Region III, and that headquarters was in Charlottesville and later moved to Philadelphia. And so we were without a district director. Gordon Thompson was acting director.

TK: Acting. And then finally Maurice Kinslow was appointed.

RO: That's right. Well, it was about the time that Maurice Kinslow came. I can remember that Winton Rankin came to Baltimore district. And as you mentioned before, I was the chief chemist and you were the chief inspector, and I can remember that Winton came and had several meetings with the staff. I know he had a session with me and also with you. And one of the questions he asked me was is if I could work for someone as the district director that hadn't come up through the ranks because, of course, Maurice Kinslow hadn't. And I often wonder what you had told Winton when he met with you. I'm sure he probably asked you the same question.

TK: Let me think about that a little bit. Not that I've got anything that I want to . . . I just don't remember too much about . . . At the time that I met with him, he was very well aware of previous investigational things that I had done for headquarters. And he may have asked me that, and in thinking back on it, I would have had no great problem with it. I wouldn't have known who it was anyway. But at that time I had felt that I would like to go on to something else, one way or another.

RO: I know shortly after that you went into the executive . . .

TK: Yes. Yes. Well he had asked what my hopes or plans or ideas were, and we had a discussion there. There was nothing, as I recall, too definitive at the time. I know on the . . . In many cases I think after I got in that program, I found out that district directors and other people had recommended possibilities. Sooy hadn't there or anything. I just got grabbed or, they said, "Do you want it?" And I said, "Yes, yes." And that was that, you know. And I wouldn't have . . . You know, it was what I wanted to do. But . . .

RO: What did that involve?

TK: Well, that involved going into headquarters here, and you would be assigned to certain, not division but what's above that, bureau directors. And I was assigned to the one that did the planning and so on and so forth. He was a person from outside the agency, and he was a kind of a dreamer. I don't remember his name anymore. But anyway, I was in that group for a while, and what you did is you put in certain stints of maybe a week or so or a month in various other places throughout the agency. One of the things I did while I was in that was . . . Who was that . . . Do you remember that guy that was . . .

(Interruption)

TK: Okay. Well, we were given orientations or assignments and various aspects of our headquarters group there. One of the things that I did was that Montana and New Mexico state authorities had asked for input from the Food and Drug Administration on how they could be more involved in the related industries in their areas. So I was given a month's assignment to work with the authorities in Montana and then later in New Mexico, and I would have gone to, or I was scheduled to go out to Hawaii too, but my assignment to another operation came up at that time.

We'd go out, or I'd go out and I would study what the states did along the lines of public health and Department of Agriculture work and what they did in the area directly related with us and then made recommendations in a report that would be subsequently okayed by Rankin and then sent officially out to these people to receive in writing.

RO: Was this a part of federal-state relations?

TK: Well, that was part of federal-state relations at that time, too. And usually there would be a person . . . Like when I was out in Montana, we had a resident inspector at Helena that helped out on that. And I had a chemist from Denver come

in when I worked out in New Mexico. And it was part of the overall picture of federal-state relations. Yes, you're right.

I forgot. You know, you were talking about the interviews with Rankin and so on and so forth. At that time, it was about that time when Sooy was tapped for his job by Goddard. It was at that time that I had that six month's assignment as deputy director out in Cincinnati. It was while I was away and at Cincinnati that Maurice Kinslow was appointed in the Baltimore district there.

RO: That assignment then in Cincinnati was not a part of this executive development program?

TK: No, no, no. That wasn't.

RO: I see.

TK: That wasn't a part of it at all. And Maraviglia was the director out there at that time.

In looking back on that, there was a chief chemist out there that later became district director in Chicago.

RO: Sam Hart.

TK: Sam Hart. Sam Hart was the, as I recall, was the district deputy director out in Cincinnati. He was given an assignment in headquarters for six months' orientation in management type of things. And I replaced him out in Cincinnati. Now they were trying to get clearance for him to go as district director out in Chicago. And at that time, well it was about half way through that, then I was given the assignment to come at the executive development program. And then Sam . . . There was a little tie-up on him. He was, and Maraviglia was talking about that too,

that there was some foul up on that type of thing there. And they finally got him in at Chicago. In the meantime, the chief chemist was appointed there. I can't . . . He subsequently became the district director in Philadelphia.

RO: Loren Johnson?

TK: Yes. He was appointed chief inspector while I was, or chief chemist out in Cincinnati. Loren Johnson, yes. I remember him coming in and Maraviglia, and Carl Bauerlin was the chief inspector there at that time. We helped Loren get acclimated. We always had a ten-minute stand up in the morning. We stood up because if you sat down you'd never get out. And very enjoyable work there.

RO: Well how long did your executive development training program last?

TK: That lasted a year.

RO: A year.

TK: Yes. Oh, yes.

RO: And then following that . . .

TK: Well, following that, I was . . . A very interesting thing came up at that time. You'll remember that there was a, you remember the outfit that was between us and that . . .

RO: CEPHS?

TK: CEPHS. CEPHS was developed at that . . .

RO: Consumer Protection and Environmental Health Service.

TK: That's the baby. That was a very interesting thing. I was in the . . . I don't know if I did myself any good or bad on that, but I was in the development program when, I . . . For the most part I liked the assignments I had, and Rankin was really the honcho of it at that time. And we had BDAC at that time, too. And there was a little problem there. The, I can't think of the man that was head of it. He came in from general services or something . . .

RO: Finlater, John Finlater.

TK: Finlater, yes. I was given an assignment to be with Finlater for a month over there. And I did work for him, write speeches for him and so on and so forth. In the meantime, Al Barnard had been with him, and he and Al Barnard didn't get along together. They were an irresistible force meeting an immovable object, I guess. (Laughter)

So, what happened was that I heard that Finlater went to Goddard and said, "Hey, what I'd like to do is I'd like to have a replacement for Barnard. He seems to be more of a Food and Drug type than what I have in mind for our people over here." And at that time they were really juggling. They were getting people in that were unhappy with narcotics and some of them that were unhappy with the FBI and they were coming in. Some of them had pretty good grades. About that time they found out that Finlater's group was going to be the special group over with what had been, or was, narcotics or whatever and, of course, some of the enemies are going to be sold right down the river to where they had come from.

Anyway, what happened was that Finlater talked to Goddard and Goddard gave him a trade. He got Fred Garfield in place of Al Barnard. And I had known Fred, although he had been the chemist type, I had known Fred very well and I like him real well and we got along very well. So he'd told me when he came over, he

said, "Tom," he said, "at that time I had to make a decision. Was I going to stay with that Finlater's outfit or not?" And he came over and he was very worried. First of all, he felt that he had been had; he wasn't ready to go over there. And they subsequently made him in charge of their laboratory. And he made out well. He got himself a couple of grades out of it. But at the time he thought he was over there and he thought he was going to be fed to the wolves.

I saw this group of people that came in from all these other areas, and they were really fighting each other and everything else. So Rankin came by one day and asked me, he said, "Would you like to stay here or not?" I said, "Well, this is a new operation, and I didn't really . . ." I said, "I think I'd be more comfortable in the old Food and Drug areas and everything else but this." I said, "These people here . . ."

In fact, I remember Finlater sent me down to Atlanta. They had an office down there before they moved it to Miami. And there was, there were a couple of fellows that I had known that did undercover work in our truck stop stuff. And one of them in particular is a chief inspector down there, wild-eyed as they came. And I went down there for about a week to work with them. Scared me, you know, how they were doing things. These guys were . . .

RO: You don't mean Wild Bill Logan?

TK: Bingo. And he had a couple other people there with him, too, that . . . Well, they had . . . In those days Bill went into . . . He made a close out somewhere, and he took, he had hired a semi-truck and he got himself a couple of tons of records out of the place. And that was causing a little consternation around the country, you know, in our headquarters. But anyway, these type of things didn't bode good, to me anyway, didn't bode a good thing to get involved with. They worked out fine, it turns out. So I stayed with Food and Drug.

And then CEPHS was involved. Rankin . . . And I was working in federal-state relations where, at that time, Kilpatrick and I, Glen Kilpatrick, were assistants

to a man that came, was a political appointment. appointee, to us from Wisconsin. He was a federal-state relations man. He was a unique character.

RO: Bill was his first name, wasn't it?

TK: Oh, I think, there was a Bill, but I think that was before . . . There was a guy that used, well, this . . . He was, at that time the Department of Defense man--these were all Republicans back in those days--he was a former Senator out of Wisconsin, and he and this guy were very close friends. And in fact the man that was with us was riding on the coat tails of this other higher-up. So, I was working there, and it was at that time that I went out to these states for a month or so. And Rankin came over and he said, "Johnson over in CEPHS is looking for a staff of people that would be . . .

(Interruption)

TK: So Rankin had said that Johnson was interested in interviewing somebody for a couple positions in the field under CEPHS. It was mentioned that Doug Hanson . . . Remember, he was a former chief inspector. Anyway, he had been in Chicago for a while. Rankin said that he had been recommended as one of the people that he might want and that he felt that I was also qualified for that type of job if I was interested in it. Well, at that time I had just put the down payment on this house over here, because I figured I'd be in the up around here somewhere.

I went over and I had a very nice talk with Johnson at the, not the old H, the Humphrey Building; it was the old building across the street from the FOB 8 there. A very charming man, and he was telling me about what would be involved. We would represent the headquarters people to the various regional offices out there. You were an assistant somebody without portfolio, that was about it. It had a nice promotion with it and so on and so forth.

RO: This was C. C. Johnson. He was . . .

TK: C. C., yes. C. C. Johnson. And we discussed that I had just come on over, so on and so forth. And I'm thinking about this, and boy, I'll tell you, I came home and I talked with Lorraine, and she said, "Well, whatever you want to do." It looked like it would either be out in Kansas City or maybe Chicago and some other place out that way, too. Hanson, I think he ended up out in Seattle.

RO: Seattle, yes.

TK: But, anyway, I talked it over long and hard here. And then I might add that C. C. had asked me what I had done in Food and Drug, and I told him the general thing. He was quite interested in what education I had. I told him I had a baccalaureate and then later on I had gotten a master's degree at the University of Minnesota. So after a few, I had three or four days in which to think this all over.

Finally I went in to Rankin, and I discussed it with him. And he said, "Well," he said, "Johnson did talk with me after he talked with you." And he said, "I don't know where he would put you, but you'd be with him about thirty days over there to see what the ropes are and what they want and everything, and then you'd be off to one of these places."

I was a little goosey about that and Rankin said, "Well, not to worry." I told him about having my down payment on the house here and all that. And he said, "Not to worry. We're not trying to push you out or anything like that. It looks like an opportunity. There is a grade there. If it's something you'd like and you want to go, fine--no bad feelings. If you wanted to stay, fine and dandy. I'd like to have you around." He says, "I know you and I know what you can do," blah, blah, blah.

So, I called Johnson's secretary to have an interview with him, and she said something to the effect . . . Anyway I got . . . Anyway she said, "He can talk to you right on the phone here right now if you want." I did. We had a nice little talk. He

said, "Well, I understand your position. Okay, fine." So I was out from under that. Later on I was very happy, because C. C. Johnson and his CEPHS and everything that was involved with it was just dumped. So I was glad that I hadn't been there, because here I would have been Food and Drugger, dyed in the wool, out in the field there with the Department of Education and all these happy-pappy training types, you know, that isn't my bag. Anyway, that was . . .

RO: It was a good decision.

TK: Yes, I guess. Muddled through that. I always felt that if you once got out to the field, you would probably come back into headquarters anyway. Anyway, I have no regrets about that or any other that was involved. But, in retrospect, it's interesting to look back on some of these people and what they did and didn't do. I know Hanson, especially, was very unhappy out in Seattle. In fact, I think he had built himself a very nice home in Chicago and he hardly got into that and then he had to move out to Seattle. And he was there, but he was never happy at what he was doing there.

RO: Well, some of those that took those positions were, like, I think the regional assistant commissioners, was to move them out of top FDA management positions.

TK: Yes.

RO: You know, George Sooy, who was an old time Food and Drugger and district director, but that I think Dr. Goddard had decided it was time to have a change so he was trying to move him out. Johnny Guill went to San Francisco from Chicago.

TK: Was he in one of those?

RO: Yes.

TK: Well, then you remember there was this other guy that went down to Dallas. I remember him. He had been a Food and Drugger in headquarters here. He had been in federal-state relations a little while here in headquarters. Then he and his wife had a, they got into an extended divorce proceedings here.

RO: Yes, Bill McFarland.

TK: He went down there, and he did quite well. He was with Weiss down there. You know, he knew him, and they got along all right. Louis Weiss, I guess it is. But, here again, when that all went down the tubes, they're kind of standing there naked.

RO: You were still in the program at that time or had you graduated from the executive development program or . . .

TK: I was about ready to graduate from it then. And then after I graduated from that I was in, I think it was federal-state relations there for a while. And then I got into the, that operation where Charlie Armstrong, you know, was.

Well, then . . . Oh, then . . . I forgot. About that time, Sam Fine retired. No, what'd he do?

RO: Sam Fine went up as the assistant, or the associate commissioner for compliance.

TK: That's right. From the field?

RO: Yes. He had been . . .

TK: Well, okay. That's it. He went as an associate commissioner then . . . Where did (Paul) Hile fit into the picture there?

RO: Well, Hile had been working for Sam in what amounted to the old DFO.

TK: Yes, yes, yes. Well, why I . . .

RO: Hile got to be the head of that, and that was just at the time that the big reorganization came. Charlie Edwards came in as the commissioner, and we had to establish, or the agency had to establish what amounted to the position of the Regional Food and Drug director. We were mandated to by the department.

TK: RFDD, yes.

RO: . . . to work, to get ourselves in line, closer with the HEW regions at that time.

TK: Well, the reason I brought this little bit up. I was . . . About that time, and I don't know the mechanism involved, you will remember that we acquired this whole bunch of public health programs, and I was the headquarters coordinator for those for the field.

RO: Under Hile.

TK: Under Hile. Now Hile recognized, as everybody else did around here, that prior to their coming over to Food and Drug, those people reported to their counterparts in what would be the bureaus and so on. And they out in the field didn't like this being in a position where they reported to the district directors or the RFDDs or whatever was out there and that things would be taken care of through that.

Well, I was the headquarters person. Hile didn't have enough time for that type of thing. So he says, "That's yours." I think he was glad to be out from under that thing. And at the time he didn't particularly, however it was handled to keep them happy and so on and so forth and not to have them cause trouble and embarrassments for us and so on and so forth, fine and dandy. And that time, too, these people have to be evaluated out in the field for their personnel office, which was different than ours. Their personnel office was on the . . .

RO: Well, it was a commission corps; most of those people were commissioned officers.

TK: Yes. There was a commission corps office, one over on the third floor in the Parklawn Building. And they had certain ways that they evaluate their people. They evaluate their people . . . We evaluate ours from one to ten. They evaluated from five to ten. Now, to them, a garden variety man doing his job well was about an eight. To us a garden variety person doing well was only about a five or a six. So I had an awful time with our people in the field evaluating these guys, because some of them were saying, "We're doing a good job, but with that kind of deal we'll be demoted." And some of them were equivalent to . . . They were director grades. Which, they were bird colonels, or captains, you know, in their health corps.

So, we had some great times and I talked to Hile about this, and I had to talk with the personnel people there, and I had to talk to some of our evaluators out in the field. And, boy, some of them didn't like the way these people had worked. Anyway, it was just a different operation. So, anyway, there was about three very interesting years.

And I remember going up to Boston, and they had some civil service types there that were only about, oh, heavens, some of those guys were around nines or so, you know, and had been that way for years. And they were doing work that would be equivalent to what some of our elevens or twelves would be doing. Some of them

were even lower than that. And a lot of them were having civil service people working right beside these public health men with their advanced commission grades. But it finally worked out.

And then they had kind of a bunch . . . There was this Joe Perrin down in Dallas. He was kind of a senior officer at that time among them. And he in the group, they'd keep in touch by phone, and if they had a lot of gripes and stuff they'd get back to me with them. If I could work them out, fine. If I couldn't I'd have to go to Paul with them and see what he would do about them.

RO: I think one of the things when those programs came to the agency, there was a commitment at a pretty high level of the agency that they were going to be able to operate pretty much as they had been and they weren't going to be submerged.

TK: That's right.

RO: And that, you know, caused . . .

TK: Well, that was the big thing I had to work with. Now, if you recall, there were a bunch of, there were about four . . . One was in charge of the food service, one was in shellfish, another one was in the interstate travel bit. There were about four of them down in . . . And then in the Grade A milk program. They had four of these guys that were captain grade, which is equivalent to colonel, you know, bird colonel type. And they were working for (L. O.) McMillan, the district director in Atlanta. They'd meet in staff meetings with him. And that particular time he said, "Well, you guys have got a supervisor out there. I'll just meet the supervisors." So it meant that these heads of their programs out there were going to be among the troops, and they hollered. And they hollered to me so loud that I had to go to Paul with it. And Paul said, "Well, I think we will go down to Atlanta." So we had a meeting down in Atlanta where Paul held the rein for it. McMillan came up to

headquarters after that. He was transferred up here as a building consultant. You remember? McMillan laid the law down in very simple words that everybody could understand and become enraged over. So it was as a result of that that Paul wanted to go down there and I went along with him. That was a very short, very . . . That was quite a meeting. But apparently they had had some discussions later on, because then McMillan came up here and was that building consultant type. And then these people were put under Milunas down there, I think it was. They were supervised by Milunas down there. About that time Kinslow became the district director down there. They liked him.

RO: RFDD.

TK: Or RFDD, yes. He was well liked down there by these types.

RO: Well, then, after that assignment, in headquarters what did you do? You'd mentioned Charlie Armstrong before.

TK: Yes, well, I was still working on this type of thing. It was put under Charlie Armstrong when he came in to head up that division of . . .

RO: Field investigations.

TK: Yes, yes, yes. And I did things for Charlie at the time, whatever he wanted done. But my main concern was to work on the, coordinate the special programs out there, training programs. They'd get together with them on their regional training, your seminars or whatever you want to call them and things like that. I don't know how long that was. That went for probably three or four years. And then, and I was called the special assistant to him at that time. At first I had been the special assistant to Paul. And then when Charlie became ill, I was acting there for a while.

And then after that, well, I was acting, I took care of federal-state relations until they appointed that man from the field. You remember . . . He was from South Carolina or somewhere like that. He worked for Paul and for (Don) Heaton and some of the others there. I think he worked for Heaton, too. Federal-state relations.

RO: Well, you mean after Glen died.

TK: Yes, after Glen died. But then you see I acted there for a month or two or so until they got . . .

RO: Until Bill Cobb came in from North Carolina.

TK: North Carolina, yes. Well, I . . . When Glen passed away, then I was put in there, acting on that position until Cobb came in. And anyway, I was in a compliance area there afterwards.

RO: Well, after Charlie Armstrong retired--he got ill and retired--then Tony Celeste came in and . . .

TK: I worked for him for quite a while there and then took over the . . . About that time they were having reorganizations again, and then you would call it . . . Merl Ryan got sick, remember, and he and I traded places there for a while. And then finally he came back and died suddenly. So, I was in compliance programs and stuff like that under Heaton.

RO: Tom, while we were not recording you were talking about this compliance program clearance that you were working on with the bureaus and with headquarters. How did that finally end up?

TK: Well, I felt . . . First I'd like to mention that I think that that was one of the things that I did in Food and Drug that I felt the most satisfied with. Our compliance programs in the old days . . . When I first came on Food and Drug, the programs were developed entirely by the appropriate bureaus. They told us what they wanted, so on and so forth. They'd tell you how many inspections. In fact, there were programs that would say how many inspections and where. They would tell you what quota samples they wanted and when and so on and so forth. And, really, there was no input by the field people or the headquarters people monitoring field people in this area.

And the feeling grew and developed all along that in order to have a meaningful compliance program, it has to be developed not only by the people in headquarters who have responsibility for the overall monitoring of that program, but it also has to have significant input by the people in the field who are implementing it. And, of course, that involves the allocation of the total field time both in the laboratory and the field part and investigational, as well as how many samples that were to be collected, and how many samples were being collected for headquarters research and development type of thing, et cetera, et cetera. And, of course, the bureaus themselves will see emerging problems that they want to deal with through, say, drug investigations and evaluations, or things that are becoming a national problem in the area of food contamination, as an example.

So, we finally worked up a program of compliance program development. And with the encouragement of Don Heaton, as well as Paul Hile, and the recognition by the bureaus that this needed to be done, we had a group gathered together representing all these various factions wherein we developed how compliance programs would be developed--the timetables for them, who would have responsibility for various types of input to them. And in addition to that, after the program has been approved for application to the field, we had to have compliance policy guides that would have to be developed and also issued in conjunction with them.

So we got this group together and after long talks and discussions and developing drafts of this, that, and the other thing, it turned out as I remember it that the bureaus would still have the various areas of activity that they were responsible for. They would make their promotions and suggestions in those areas. Then the field people would look at those and put their input to them, too, as they perceived field coverage inspection as well as laboratory analytical problems were concerned. And also the priorities that the compliance here at headquarters would have for it, too, what they thought the administration wanted accomplished in those areas.

So, these were various documents and procedures were developed, and at the time I left, they were working quite well because of the cooperation of the various bureaus that were involved. Some that had a problem with it were the people in radiological health. They had been so independent themselves and had worked so closely with regulated industry that our approach as was applied in other areas was rather foreign to them and rather difficult to accept. But they did accept it and at that time, as we knew our responsibilities, it was working out quite well.

RO: You mentioned Paul Hile and Don Healton. At that time Paul Hile was the associate commissioner for compliance.

TK: That's correct.

RO: And Don Healton was the executive director of regional operations.

TK: That's right.

RO: Okay.

TK: So, Healton was very interested in making sure that the field, both the field inspectional force and the compliance forces in the field and the laboratory people,

experience and knowledge of these areas were fully reflected in the programs that were developed for the field. And we also knew that certain districts, certain parts of the country had greater problems in a given area than say another one would have. And this had to be worked out. And that was one of the biggest problems with our own people, to get them to all recognize that it isn't just a total number of hours that the field has to put in under drugs, but a certain portion, maybe a very large portion, would be given to those districts that have a large drug industry.

RO: Sure.

TK: So there was a lot of maneuvering, and a lot of talking, and a lot of planning, and a lot of encouragement, and a lot of support was needed to do this. And, of course, it turned out that the field operations and compliance became one, but at that one time there it was very separate and their thrusts were quite different at that time. And, of course, the bureaus, too, had felt . . . I know especially when I came into Food and Drug that the bureaus were the big voice as far as the way field did things.

And I remember at times when we had these great numbers of pesticide samples that we would have to collect. Well, the district would be given a tremendous number and then the laboratory there would have to gear up to do them. And after they had allocated a certain amount of manpower to it, then you had to keep them busy; you couldn't just leave them in the lurch. You and I know how that worked out in Baltimore. It was a pain to you at times, and it was a pain to me at times to make sure that we all fulfilled our quotas without killing one or the other with over work, you know.

RO: That's right.

TK: So I think that a lot of that was kind of ironed out and worked out as we went along the line there.

RO: Well, Tom, are there some other areas of the investigative work that you did that you'd like to talk about?

TK: I would like to mention one that took quite a time. It took about a month of my work while I was in Baltimore.

New York district had received some complaint or a bit of knowledge from some source that one or two of their drug inspectors there were perhaps not dealing with regulated industry the way Food and Drug was intended to handle matters. So I was called in to Rayfield's office and given the names of a couple of people and background and also told to investigate it. Here, again, I was given my book of travel vouchers and so on and so forth. It involved, as I say, a couple investigators in the New York district.

Rayfield wanted to make very sure that those complaints were either totally unfounded or just what they were, how much involvement there was, and if there was he wanted that cleared up. He didn't want any shadows or things like that around. So it became a deal where you would, these people that are involved, you would check out their credit ratings, you would check out their accounts . . .

RO: You mean our FDA employees?

TK: Our FDA employees. You check out, well, what firms that they had covered, where they had been. Also we wanted to find out just what types of spending these people were doing. And we were doing in those days things that probably you would be tossed out of court today if you did them. But if the people involved were all right. For instance, one of the things that I wanted to do, one man had two checking

accounts with two different banks. And I wanted to look at the individual checks. Well, you go into a . . .

(Interruption)

TK: So, when I wanted, for instance, I wanted to look at the complete checks in those days. You didn't have the sophisticated transfer checks like we have now. The checks had to be physically transferred through the various clearing banks. So it required that I had to go to the banking association out on Wall Street and talk to the head honcho there, explain to him what my problems were. And after long and careful discussion with him and his thinking about it and talking with some of his people and then going back the second time, he issued me a letter giving me full permission as far as the banking industry was concerned that I could have this knowledge.

So I was able to check these people out. It was very involved. National credit rating operations here in D.C. had to be checked out and looked into and what accounts are involved.

While these inspectors weren't really flagrantly in violation, they were doing inordinate . . . For one thing, what I saw involved there was there was check kiting, where you'd write a check on a bank and then you'd have money floating over the weekends, you know, and that type of thing. But there was never anything that we could really nail down where a person was taking, where we could say taking money or any other gratuities from an industry.

And going back to these industries and talking with them in a general way without them really knowing what we were all about, like I was making a follow up in . . . I could go into an industry and talk to them about a certain product they have and interest in this and that and then, in the meantime, ask them how they like the coverage they'd had by previous inspectors or whatever. Nothing was ever disclosed that would cause any alarm here.

The average person probably wasn't as well educated as to his rights as he perhaps should be. But I know there were a number of instances where the agency would have someone that was doing something that was unsuitable or unsatisfactory, and especially in those cases where we did have a flagrant violation of a set rule, usually you would talk to that person and you'd say, "Hey . . ." The responsible person for them would talk to them and say, "Look, we've noted this and that and the other thing here. Now, as I see it, you've got two alternatives. You've got an alternative of just resigning, or you've got an alternative of telling us that we're full of hot air and that you want to have a hearing on this." And in most cases we would never confront the person until we had enough that they could see that it would be best just to fold tent and move on.

RO: Now that one you were just talking about. Where do you suppose those rumors started? Did it start in-house that somebody was trying to get these investigators or . . . How does something like that start? You know, that could be very damaging to an employee's career.

TK: That's right. I always felt very sensitive to the fact that on anything that I went out on, I would do anything I could to get information I wanted. By wanted I mean I'm seeking out facts and things like that. But I wanted facts. I don't want somebody's rumor on something. If they say he'd taken money, I'd like to know when and where. Who saw it? How much? Was it a check or whatever. I don't know where those rumors were coming from.

Like I mentioned to you on that one investigation of the import inspectors. A newer inspector would go out with an older one and see something going on that he just didn't quite like and he'd bring that up. I think in a district as large as New York was, where at one time inspectors--hard to believe--some inspectors didn't have a driver's license.

RO: Well, that's right.

TK: And they had to go on out on public transportation to do inspections. I often wondered how you do a grain elevator and take the trier along or whatever. And some of those people saw in their cities that there was a lot of chicanery going on. The truck stop out in front of a building could be, you could park in that if you were a person that--or a truck vacant part at the curb--you could park there if you owned the place in front of it, or the institution on the other side of the sidewalk there. But the policeman would come along and he'd put a ticket on anyone else. Of course, that policeman was probably, and I've been told, given gratuities along the line here to kind of watch out for the people that were in business along those lines.

RO: You know, Tom, in the case that you just cited here, after it appeared that there was nothing valid at all to those rumors, were the employees ever told, you know, and counseled, that, "Hey, we've had these . . ." or was it just kind of . . .

TK: I don't know. I think primarily the feeling was we're getting some vibes here that don't look good. Let's just look into them and see what's going on. Now, like in the case of the import stuff, that was flagrant. You could see that. And there were other instances where, like on that inner tube thing I was telling you about, you know, there were a lot of those.

As far as the rumors, there were a lot of rumors going around in a lot of places in the country here that . . . They were probably in house as much as anything. I don't think they came from regulated industry themselves, although they might have. I don't know, but usually when I would be called on something like this, they would, sometimes it would be something that had a valid basis upon which to work. You might even have industry itself that would tell you something like that. That's a different story, but . . .

RO: Well, you know, there was always rumors that there were NAI inspectors. You know, they . . .

TK: Oh yes, oh yes.

RO: They could walk in insects up to their knees and never see anything.

TK: That's right. Well . . .

RO: I don't think that that's an exaggerated thing, but there were some investigators that just had a nose for finding violations and others that just didn't.

TK: That's right. Well, in that regard, there was one inspector that wasn't a real inspector and he, early on in his training period, got the reputation of being an NAI inspector. And he was told that we didn't think that he would meet the criteria. He had gone into several warehouses and had collected a few samples and said that the warehouse itself was satisfactory.

And I personally had to go and say I was his supervisor to get him at one noon hour for something back at the office, and when I went into this place to hunt him down, I almost slipped and fell on the larvae and stuff that were on the floor. There were just clouds of moths in the air. And I was aghast at that and when I found the guy I told him to pack up his stuff and get back to the office, pronto. And then I went back and I got the chief inspector and brought him over. And I remember him going in, and all he said, "Lawd a'mighty." He's looking around.

So that inspector decided after rather persuasive discussions that he was going to resign and go elsewhere. And in those cases we could take care of that ourselves. And that was something that we would find. NAI inspectors . . . Usually a district would confront the person right off the bat. And he would be either straightened out or he would find out that he'd better get a job somewhere else.

But what we really didn't like are those who became awfully friendly or who might take gifts. At Christmas time you go out as an inspector into some of these firms, and especially warehouses, and they have a whole case of fifths out there, and you come in there, and they'd offer you a bottle. "What's that for?" "Well, we give every salesman and detail man in here a fifth." "Well, I'm not one of them. Put it back." Now, that type of thing we didn't like. One of the things was that you would never accept is gratuitous candy.

I remember one of the first inspections I went out on was a peanut butter firm--Skippy Peanut Butter in Minneapolis. They had a new process there where they'd take their peanuts, and they'd grind them, extract the oil, and then that would be processed somewhere else and then be paste and have it reintroduced into it, and they had a very delicious peanut butter. I remember when it first came out in the late forties or early fifties. That was the peanut butter to buy, because all the others stuck to your tongue and had the oil laying on the top of the jar when you opened it.

And this older inspector and I went into this place, and we were impressed with it, beautiful plant. And there was a high school group that was going through, or a grade school group. A school group anyway. So after we got through and we had no problems, and while we didn't tell the man, "Oh, you're doing fine," and slap him on the back or anything, we just said we had no real adverse comments to make on your operation here. He was going to proffer us a pound jar each of peanut butter. And we said, "No, we don't take products out of the place." He said, "Why not? We give them to each of these kids that go through." And we said, "Well, that's fine there, but they aren't inspecting." And that's the way we expected our people to be.

The same with candy. I remember, I'd never gotten involved with it, but I was told that back about the early fifties there was a candy company out in Chicago territory that was brought into court with, I don't know, contamination of the candy some way or another. And Food and Drug had a pretty good case on them. Well,

they got in and they contested that in court. And the defendants, they asked for one of our inspectors to be called. They brought him in, and he had to acknowledge under oath that he had taken a box of candy at Christmas time when he had inspected there. And they asked him did he think it was pretty good candy? Yes. Well, did he feed it to his family? Did they eat it? Yes. Well, you know where our case was on something like that.

RO: Yes. That's right. Well Tom, is there anything else? Before we leave, though, what year did you retire?

TK: In '88.

RO: Nineteen eighty-eight.

TK: May of 1988.

RO: And that was after . . . Well, let's see . . .

TK: May fifth. May third, May third.

RO: You came in . . .

TK: I came on in May of 1948.

RO: So that was forty years.

TK: Forty-one, something like that.

RO: Just about forty-one, plus your military.

TK: Plus my military. I had a little over forty-four years in when it was all done. I had some other work that applied too. I worked for the war department for a while, and I got some credit for that, so I had forty-four plus, something like that.

RO: Well, is there anything else you want to add?

TK: Just one little thing. When I used to recruit, I used to tell them that when I was at St. John's they didn't have a counseling service for the graduates on how you should look to a, what you had for a life work. But I remember one old monk there who said that he felt that if a person wanted a half way worthwhile life experience, that they should go into the area probably where they got their education. Otherwise you wouldn't . . . You'd get your education in some area that you're experienced in. So you should seek out work in that particular area.

Another thing is that you should work at as well as you can and work in that particular area and then leave it a little better than when you got into it. And I hope and I feel that I have contributed a little to that as far as Food and Drug is concerned, because the training I had in school, the training I had in the service, and my interests were greatly served by Food and Drug. Food and Drug was something that is work, certainly helping the consumer public. And I think that my working in that area with all the other guys and gals, that when I left in '88 it was a little more efficient and better organization than it was when I got in back in '48.

RO: Well, things changed an awful lot.

TK: Oh yes, and they're changing now.

RO: Sure they are.

TK: And I, you know, as a retired person I am . . . What is it, Kessler now. Yes. For whatever it's worth, he certainly is getting some very positive press on what he is doing there. A number of those things that a number of us wished had been done while we were around and, which shows that the outfit's getting better and better and it didn't go to pot when we left, you know.

RO: Well, Tom, we'll have a chance to edit this and look at it when we get it transcribed, and if there's anything that we've missed we can add it.

TK: Okay.

RO: I want to thank you, very much.

(Interruption)