

History

of the

U. S. Food and Drug Administration

Interviewee: Walter Moses

Interviewer: Ronald T. Ottes

Date: May 21, 1987

Place: Springfield, Virginia

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.



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
Rockville MD 20857TAPE INDEX SHEETCASSETTE NUMBERS(S) 1, 2, 3GENERAL TOPIC OF INTERVIEW: History of the Food and Drug AdministrationDATE: May 21, 1987 PLACE: Springfield, VA LENGTH: 153 Min.INTERVIEWEEINTERVIEWERNAME: Walter MosesNAME: Ronald T. Ottes

ADDRESS: _____

ADDRESS: U.S. Food and Drug Admin.Springfield, VARockville, MDFDA SERVICE DATES: FROM 1937 TO 1970 RETIRED? YesTITLE: Chief, Food Case Branch, Division of Case Guidance
(If retired, title of last FDA position)

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DEED OF GIFT

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Walter Moses

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RO: This is another in a series of FDA oral history recordings. Today we are interviewing Mr. Walter Moses in his home in Springfield, Virginia. The date is May 21, 1987. I'm Ronald Ottles.

Walt, would you please briefly sketch your background: when and where you were born, where you were educated, when you joined the Food and Drug Administration, and the various positions that you held with FDA during your career?

WM: I was born in Kerr County, Texas, March 8, 1906. My father was a Baptist preacher. We moved frequently. I attended a number of public schools in Texas and graduated from Goliad High School in 1923. I entered Baylor University in the fall of 1925, and had to drop out because of illness in 1927. I taught rural school for two years. I received my B.A. degree in chemistry from Baylor in August 1930. I received my M.A. from Baylor in 1934. I taught in Texas public schools at Hewitt, Texas, near Waco for nearly five years, in Orange, Texas two years, and I was teaching at Hondo when I was interviewed for a seafood inspection job in 1937.

I reported to New Orleans Station July 27, 1937 as a seafood inspector. I worked at shrimp canning plants in Biloxi, in Bayou LaBatre, Alabama, and in Harvey, Louisiana. In February 1938, I was sent on temporary assignment to what was then New York Station, not District, where I worked in the office of the Chief Tea Examiner, collecting samples of tea.

RO: Who was the Chief Tea Examiner then?

WM: It was Fred Hutchinson, and I believe he was the examiner for many, many years. While there, I was given the opportunity to try out for a Food and Drug inspector position at Baltimore, and I went to Baltimore in April 1938. At the end of my year of probation in the seafood service, I was changed over to the Food and Drug inspector role. I remained in Baltimore as an inspector until February 1941. From February 1941 to November 1942, I was resident inspector at Charleston, West Virginia. I was the first resident inspector there.

In November 1942, I was transferred to San Antonio, Texas, as the first resident inspector at San Antonio. I served there until July 1, 1945, when I was made assistant chief of New Orleans Station. I served as assistant chief at New Orleans until July 1948, when at my own request I was transferred to Houston, Texas, as a resident inspector, where I served until January 1, 1960. On January 1, 1960, I was transferred to Washington and worked in the Bureau of Enforcement, then in the Bureau of Education and Voluntary Compliance, and last in the Bureau of Regulatory Compliance as Chief of the Food Case Branch in the Division of Case Guidance. I retired on May 1, 1970.

RO: When you first entered FDA, what kind of training did you have? When you went into the seafood inspection group, how many were in there when that started?

WM: As I recall, eighteen of us reported at that time. The inspection service had started in 1934. The inspection service had been started because so much of the shrimp was so bad, and the Food and Drug Administration was bringing seizure actions against so many shipments that the banks in Mississippi were going

broke, because they had loaned the money for the shrimp to be canned. A senator from Mississippi introduced a bill to provide for a voluntary inspection service under which the Food and Drug Administration would supervise the production of canned shrimp, and then each lot would carry a certificate of inspection, and the cans would be labeled, "Production supervised by U.S. Food and Drug Administration." As I recall, there were about thirty canneries under inspection service in 1937. It was a year when there was a tremendous production of shrimp, the largest production of canned shrimp, I guess, ever under inspection. Maybe ever, because later they began to put more of it into frozen shrimp.

RO: Well, if there were thirty plants under inspection and there were eighteen of you, you inspected more . . .

WM: There were eighteen new inspectors, in addition to those already in the service. The training we were given was very intensive; we were trained in sanitation, canned food processing, all the steps in the canning of the shrimp, steam processing--that had to be very exact--we had to use both recording thermometers and regular thermometers to check and keep a very accurate record, and it could not fall short at all of the required processing times.

The supervisors of the training which was given in the seafood industry at that time were Lewis Nelson, Lawrence Strasburger, and Walter McRae.

RO: Was this the Strasburger that started Strasburger and Siegel in Baltimore?

WM: No. Strasburger of Strasburger and Siegel in Baltimore was a brother of Larry. Larry later had his own consulting service in New Orleans, but he was a brother of the Strasburger of Strasburger and Siegel in Baltimore.

We had thorough training; we took written examinations at least every other day on these things. Then we were assigned to our stations in the various canneries. And we worked under the immediate supervision of one of the three supervisors. I was under the supervision of Lewis Nelson, who was very, very strict. In fact, I was the only new inspector that got a satisfactory rating from him that first month.

At Harvey, I was under the supervision of McRae. When we were hired, the salary was \$2,000 a year, and we were guaranteed only six months' work, because the canneries would usually run only about six months. But if there was enough income from the inspection service to pay the salaries, we might get the whole year and be put on some type of Food and Drug work. We were lucky that year; they took in enough money that they had money to keep us all on the payroll the entire year. As I said, I was sent to New York, and worked in the Tea Inspection office for two months. I picked up samples of tea from all over the New York City area, Lipton's over in Jersey City, an A & P out in Brooklyn, and warehouses down around South Ferry.

RO: Did they have the Tea Board then that kind of . . . ?

WM: Yes, the Tea Board met. I got to see the Tea Board in action; they met while I was up there. I got to see them during the testing and choice of standards. It was very interesting to me.

RO: Do you have any idea why you were selected to do tea inspection?

WM: No, I don't know why. There were two of us. Ernest Aderholt, who had been in the seafood service a couple years, and I were assigned to the Tea Inspection office. And later, Robert [Bob] Dick, who also came to work in the seafood service at the same time I did, became the Chief Tea Examiner.

RO: Of course, Bob is still with us.

WM: Yes. Bob Dick came in the seafood service the same day I did. But he was not sent to New York at that time; he was sent somewhat later. After I reported to Baltimore, I was given quite a bit of training under Jim Pearson, who was then the only younger inspector at Baltimore. I was replacing a man by the name of Earnshaw, who had been one of the original inspectors. And I inherited his Badge Number 11. We worked especially at that time on compliance with canned vegetable standards which had been promulgated under the McNary-Mapes Amendment to the Food and Drug Act of 1906, especially with peas. Another project at that time that we were giving a good deal of attention to were condoms, although they didn't call them that then. They were labeled prophylactics, "to be used only for prevention of disease."

RO: It's gained some popularity again for the prevention of disease.

WM: (laughter) Yes. But a great many of them were defective. In fact, you could almost be sure that if you collected a few samples, you'd get at least one seizure. That was in the early days; they've perfected the system of manufacturing and testing as a result of the work Food and Drug did then.

Then in the summer, we dealt with a problem of canned tomatoes that were moldy or rotten or improperly prepared. We had some problems with canned beans. In the fall of 1938, I was sent on my first solo field trip. On the first trip out by myself, I ran into a situation in Hagerstown, Maryland, where a large number of people were in the hospital. I contacted Dr. Cameron who was the district health officer. He took me around and I interviewed a bunch of these people who were still in the hospital. The symptoms were the classic symptoms of arsenic poisoning.

I wired Baltimore District to say that in assisting Dr. Cameron and investigating food poisoning, the symptoms suggested arsenic poisoning. Well, I hardly got back to Dr. Cameron's office before I got a call from Baltimore. Frank Wollard, then Station Chief, had unkind things to say about an inspector, "not yet dry behind the ears," getting out with a wild report like that! About two hours later, a wire came to Dr. Cameron from the head of the Baltimore State Department of Health laboratories: "Arsenic present in Ponhaus in huge amounts; quantitative analysis tomorrow." About 100 people got sick. None of them died, because there was so much arsenic in it that they vomited within a very few minutes and didn't absorb a great deal of it.

RO: What was the source?

WM: The cause of it, as nearly as I was able to determine, was from a Pennsylvania Dutch product called ponhaus which is made from beef heads and similar to hogshead cheese. It's a mixture of the meat stripped from the boiled beef heads and spices and buckwheat flour. It was made in the barnyard with no controls at all. The ingredients were bought in paper bags in the local grocery store. Also, though, he had bought some calcium arsenate and the paper bag was unlabeled. A new employee apparently went in the barn and got what he thought was buckwheat flour. But it was calcium arsenate, and he dumped it into the mixture.

RO: How do you spell that?

WM: P-o-n-h-a-u-s. It's a Pennsylvania Dutch dish. That's the largest arsenic poisoning that had ever been reported in the United States up to that time. It got a good deal of publicity.

Another problem we were working on at that time was the storage of apple chops under filthy conditions. They were stored in huge warehouses. I reported one shipment from a warehouse in West Virginia to Biglerville, Pennsylvania, which resulted in a seizure of apple chops contaminated with mold, rodent hairs, and insects. It took the marshal twelve days to burn it when it was condemned, there was so much of it.

In 1939, the Food and Drug Administration was working very hard on the establishing of food standards under the new law. It called for a great many food inspections and the putting up of authentic packs. And most of my time in 1939 was spent on food standards inspections and supervising the putting up of

authentic packs, including fruit juices to be made into jams and jellies, and then the making of these into jams and jellies and apple butter. We also were inspecting bakeries to establish standards of identity for bread, canned corn, and canned beans.

The most troublesome packs to supervise were concentrated apple juice or cider. That required thirty-six hours on the job. Usually there would be two of us; one of us would get a few hours' sleep in the thirty-six hours. But there had to be continuous supervision from the time the apples were pressed until the juice went through the processes to remove the starch and remove a great deal of the pectin so it could be concentrated. Supervision continued through the concentration—from maintaining the identity from apples through till the finished product, getting "food standard samples," we called them.

RO: And then they were sent to Washington for examination?

WM: Some of them were sent to Washington, some of them were sent to Baltimore. And of course, the particular barrels or whatever the containers were had to be identified so that we could see them later made into apple jelly. It wasn't usually used in anything but apple jelly, although some of it was used at times in apple butter. Then there were packs of the various berries made into preserves. In the supervision of the manufacturing of the preserves or jellies, usually we were accompanied by someone or other from Food Division in the laboratory in Washington, usually either by Dr. Sale or Dr. Osborn.

RO: Who was the Chief of Baltimore at that time?

WM: Frank Wollard was the Chief until his death. McKay McKinnon, Jr. had been Chief Inspector, then was made Chief, and Allan Rayfield was made Chief Inspector. Fred Elliott was Chief Chemist.

In 1939, there was a meeting in Washington to plan for work under the new Food, Drug, and Cosmetic Act. This was attended mostly by the Chiefs from the three districts, Eastern, Central, and Western, and Chief Inspectors from the various stations. Let's cut it off for a minute.

(Interruption in tape.)

WM: Another thing in 1939 was the inspection of crab meat plants. Baltimore Station began the inspections under 402(a)(4), and Jim Pearson and I were given training at a conference in Washington just before we started inspecting. For the first time, we began to use cameras in inspections. In one crab meat plant over on the eastern shore of Maryland, Jim Pearson took a picture using a flash, which then was much brighter than the flashes now. A lot of the workers had never seen anything like that, and those black workers tore the screen door down getting out of the plant (laughter). We found some very, very horrible conditions in some of the crab meat plants.

Another thing we were doing at that time was inspecting corn meal mills that were here in Virginia and West Virginia and Maryland. There were corn meal mills, some of which had been operated since the early 1800s. They were open to rodents, birds, and insects. The only thing that most of those old corn meal mills used to keep down the rats and mice were blacksnakes, which made

you a little leery in making inspections down in the dark rooms (laughter). Of course, a great many of those began to close about that time, both for economic reasons and the fact that they could not possibly maintain them in sanitary conditions.

Another thing we started working on at that time was the creamery butter. Cream would be bought by buying stations or by stores that would test for butter fat, drop it into a ten-gallon can--no refrigeration. Sanitation on the farms, of course, was often very bad. It would sit there and more would be added until they had cans full, or the time came to ship it. Then it would be shipped, still without refrigeration, to the creameries. Much of it was filthy; much of it was badly decomposed. We were told to watch especially for odors and tastes, such as vomitous, ratty, fruity, and moldy. It was not at all uncommon to find maggots in the cream. I didn't eat breakfast before I tasted cream (laughter).

In the spring of 1941, there was a school held in St. Louis to train inspectors in cream tasting and smelling frozen eggs. J. O. Clarke was the principal one in arranging that, as well as the Chief Chemist from New Orleans, Ray Vandever, who had developed a method by which he could show that maggot fat was going into the butter. He had also developed what was called the Vandever system for cream classification. So we were taught the Vandever system.

(Interruption in tape.)

WM: Also, a number of packs of eggs had been put out under the supervision of the Division of Microbiology. These had known amounts of decomposition. We would drill those, smell them, and were trained in differentiating the various odors. In making decisions, we had to learn to distinguish the odors that would be violative. Members of the Division of Microbiology had also worked out various systems of making analyses to show whether it contained excess decomposition or mold or bacterial decomposition. Then we were given blindfold tests at the end of the school. I was the only one who scored perfectly on both, and I was fated to smell a lot of rotten eggs and taste a lot of rotten cream because of that (laughter).

I'd been transferred to Charleston, West Virginia as resident inspector in February of 1941. There was a good deal of creamery work to be done there. There were creameries at Parkersburg, Buchanan, and Morgantown--I don't remember all of them. But there were a large number of creameries and cream-buying stations. One man owned a number of those, and he used to send a letter around to his men when he was expecting me to start tasting the cream and so forth saying, "Boys, the devil will soon be with us" (laughter).

The first big job I had when I transferred to Charleston, however, was the first big recall of drugs. A lot of sulfathiazole had become contaminated with phenobarbital. Code MPO29. This called for interviewing lots of doctors and visiting lots of drugstores and hospitals, checking to see whether we could find anyone who had actually suffered as a result of using the contaminated sulfathiazole. I did not find anyone who had suffered from a contaminated product. In fact, I was never sure any of the contaminated product got to any of the people we interviewed. We know it got to the drugstores because it was taken

from there. But the thing that struck me was, all these interviews from Roanoke to Parkersburg, West Virginia, from Huntington to Clarksburg, West Virginia—all over that territory—I found only one person who had died of pneumonia. And up to that time, there would have been a great many. I realized that I was seeing a miracle, because all that territory where pneumonia is rampant, and only one death--and that was an elderly patient--I knew that these really were miracle drugs.

Another thing I worked on in West Virginia at that time was under the Filled Milk Act. There was a great deal of filled milk under the brand names of Carolene and Milnot shipped into West Virginia. Under the Filled Milk Act, it was illegal to ship it, but there was no seizure provision. So the only thing to be done was to prosecute. Prosecution was brought against the company and individual officers. The case was tried at Wheeling, West Virginia after I had been transferred to San Antonio in 1942. The trial was really hard-fought. There was a great deal of testimony on the part of nutrition experts as to whether the filled milk made with the butterfat extracted and replaced with vegetable oil was a nutritious product. They convinced the judge that it was a serious violation, and he not only gave a heavy fine, but also sentenced the officers to prison. But they obtained presidential pardons. The case went all the way up to the Supreme Court, and the law was upheld. But that was the last filled milk case.

RO: Do you know why there weren't seizure provisions in that act?

WM: No, I don't know why. But that act did not have any provision for seizures, so the only way we could proceed was by prosecution.

Up to that time, West Virginia had been somewhat of a dumping ground for low-grade foods and quack remedies. Their warehouses were largely given little attention to sanitation storage of cereals and so forth. I found 400 cases of raisins at Bluefield where the maggots had even begun to crawl out of the raisins onto the boxes, and the boxes were covered with maggots. The new flour would be stored in cloth bags right next to old flour that was contaminated with weevils and confused flour beetles and various other insects, and of course, it would quickly become contaminated.

Conditions in some of the food establishments were extremely filthy. For instance, the first case that we prosecuted was a bakery in West Virginia for preparing foods in violation of 402(a)(4), the Silver Dream Cake Company. I had gotten a tip-off from a Railway Express Agency employee. He just said, "If I were you, I'd go stick my head in the door there." When I stuck my head in the door, the odor of rodent excreta and urine was so strong that it overcame all the various flavoring extracts and so forth being used.

Candy factories were filthy. There was just more work than you could do. Also, as would be expected, fake olive oil was being shipped into there. You probably know of the teaseed oil and the counterfeit cans.

RO: Yes. Didn't this originate up in the New York area?

WM: Right. New York and Philadelphia had done a big part of the work on that. They had given us guidelines to watch for counterfeit Italian and Spanish olive

oil cans, and how to detect them. They were shipping some of those into West Virginia.

Then, of course, the war started. On the day of Pearl Harbor, I was helping the State Department of Agriculture employees supervise a sorting-out of material from a big fire at Charleston Grocery Company. I went home for lunch late and I was there when we got the news of the raid on Pearl Harbor. We did quite a bit of work on fire-damaged stocks of food and drugs, both there and also here in Virginia.

Then in the fall of 1942, I was transferred to San Antonio. The main interest in setting up an inspectors station in San Antonio was the fact that there was a need to inspect a great deal of the food and many of the drugs being bought for the armed services. There was a general depot in San Antonio where a lot of this was concentrated.

RO: So you were really the first resident, then, and you opened up a resident post at San Antonio?

WM: I opened up one in Charleston. My office in Charleston was in the state capitol building. The Commissioner of Agriculture gave me a room in his part of the state capitol building. San Antonio didn't have an office, so I worked entirely from my home and a post office box.

In addition to collecting a great many samples of food and drugs from the army depot, I had to inspect a great many egg breaking and freezing plants or drying plants and poultry dressing plants--they didn't have poultry freezing yet. The government was buying the eggs and they had trouble getting places to ship

them before they could be broken out and frozen or made into dried eggs. They also ran out of the wooden crates that had been previously used for shipping eggs. I forget the exact amount of cases held, but when they started making cardboard cases, as the cardboard cases would go in and out of cold storage--they had to be moved some--they'd often sweat and soften, allowing the eggs to be crushed.

Then also there was a great deal of loss of all kinds of food shipped in boxcars because the untrained employees did not know how to brace the cases. So there was a tremendous amount of breakage of eggs, and they'd get moldy. For instance, at an American Co. plant in one of the little Texas towns, they were getting just about half the amount of egg magma out of a crate as would be normally expected. Normally, you could expect thirty-six to thirty-eight pounds, and they were getting about eighteen pounds. It wasn't too good. It was not at all uncommon for women working in the candling rooms candling the eggs to open a case, and it would be so terribly rotten that they would vomit. It was a horrible situation.

RO: Did we have trouble with incubator rejects at that time?

WM: Well, we didn't worry about that right then. That came later. No, we weren't worried, things were so bad. These were government eggs, but part of them were broken out by private contractors for the government. The War Food Administration could not get enough inspectors to put resident inspectors in these plants. They made a deal by which an employee of the company would be put under bond and made the inspector, but he or she would still draw his or

her pay from the company, not from the government. And their first loyalty, of course, would be to the company. This was a very bad situation, bad enough at the very best because of the bad eggs.

We had quite a few cases of seizures of frozen or dried eggs. The biggest seizure of the dried eggs was at Memphis, Tennessee. These had been packed by Joe Lowe Corporation in San Antonio. They had been packed under supervision of a paid employee with the Department of Agriculture, but he had had no training at all in sanitation or in egg breaking. The plant was quite sanitary; they were quite proud of their steel buckets and their sanitation, and the white dresses that the women wore. But they packed some terrible eggs. They shipped these to Tennessee. A trial was held in Memphis, Tennessee contesting the seizure. The seizure was upheld. It went all the way to the Supreme Court, and was upheld all the way. In that case, I did not have to testify. When the superintendent of the plant took the stand, the U.S. Attorney started his questioning by saying, "Do you know Inspector Moses?" "Yes." "Has he ever been to your plant?" "About every three weeks" (laughter). Then later on, he told them how many bad eggs I'd found there drilling, how many the state had condemned. He gave them the whole story. I didn't have to take the stand. He testified to all that I would have had to testify to.

On making an inspection at the firm of Bredt and Haley in Rockdale, Texas, I found that the War Food Administration and the Department of Agriculture had agreed that they could put up eggs that did not meet the Defense Department requirements and label these as Grade B eggs, and sell those to civilians. I knew the plant was operating on some very bad eggs, and I could tell by the way it had slowed down, and by the action of the people there, that it

was not operating normally while I was there. But I couldn't find the frozen material that was bad.

While I was at lunch, I heard a low whisper behind me: "Meet me in the alley." An employee told me exactly where to look. He said he was tired of their packing that sort of thing for his son to eat while fighting in the Pacific. I found the bad eggs, and I was telling one of the partners in the office, in the presence of Mr. Bybee, who was the Texas State supervisor for this program, that I had drilled these eggs and they were decomposed. He said, "Mr. Bybee says they're Grade B and we can sell them to civilians." I said, "These eggs are decomposed. If you ship them in interstate commerce and we find them, I can assure you they'll be seized, and we may prosecute you." Mr. Bybee's face was turning red. He tried again: "Mr. Bybee says we can sell those to civilians." I said, "I don't care what Mr. Bybee's telling you. I'm telling you the position of the Food and Drug Administration. If you ship those rotten eggs in interstate commerce, and we find them, they'll be seized and you may be prosecuted. That's all I have to say."

Well, I knew hell was going to pop. I drove back into San Antonio and I didn't go to sleep that night until I'd prepared a telegram to George Larrick telling him the whole story. As a result, FDA officials went to the War Food Administration, and they came down like a ton of bricks on the Dallas office. So then they filed a complaint against Inspector Moses for not cooperating with them. But the thing that came out of it was that the War Food Administration had to have qualified egg examiners drill and examine every can of those Grade B eggs that had been packed in the whole country. They found lots of rotten eggs in them, incidentally.

During the war, the Rio Grande Valley was doing a great deal of canning grapefruit juice, orange juice, other citrus products, and vegetable products for use of the armed services. There were at that time, as I recall, some thirty-odd canneries in the Rio Grande Valley, and some of them were canning large quantities of grapefruit juice. In 1943 and '44, we found a great deal of it being packed under very filthy conditions. Waste material in some cases was being run out into fields, where it would sour and breed scavenger flies by the millions. Those scavenger flies would lay eggs in the grapefruit or smashed grapefruit in the bins, and that would go on through into the reamers. The flies themselves would sometimes get in all through the cannery. So as they would fill, the flies would actually be getting into the grapefruit juice going into the cans. We got one injunction against Christensen Canning Company at Weslaco, Texas. Earlier that week, they had been awarded the Army-Navy E, and then we got an injunction to stop them from shipping filthy grapefruit juice.

Friction developed at this time between the Food and Drug Administration and the Agricultural Marketing Administration, because a good deal of this was being packed under the supervision of the inspectors of the Agricultural Marketing Service. They resented our coming into the canneries where they were supposed to be supervising. Actually, they were just grading; they were not paying attention to the sanitary conditions particularly. Weldon Durrenburger, another inspector from Houston, went into a plant owned by Bredo Christensen, one of the brothers, and the USDA inspector there tried to physically bar him from going into the plant. Bredo came up, saw the fuss going on, and he knew better than to try to keep Durrenburger out. He shook his finger in the face of this USDA inspector and said, "Mr. Dumburger can come into this factory any

time he wants to. He can come in the front door, he can come in the back door, he can even come down the chimney like Santa Claus if he wants to" (laughter). But there again, we had to get an agreement between the Food and Drug Administration and the Agricultural Marketing Service so that there would be an understanding. We realized their position, that theirs was a voluntary service, paid for by the canner, and therefore their inspectors could not help to point out to the FDA insanitary practices or unfit materials. But we agreed to point out to them the filthy conditions we observed, or any that might lead to actions against any product that was bearing the USDA inspection mark.

One of the more interesting drug cases I worked on in San Antonio was one involving the Colusa Remedy Company of California. Colusa was the name of an oil field in California. A driller drilled and just got a well that brought in a couple barrels a day. He started selling it as a remedy for all sorts of skin diseases, and called it Colusa Oil. The case was tried in California, and Colusa Remedy Oil lost. But the case was reversed by the circuit court of appeals because a man who claimed to be an outstanding doctor and pharmacologist, by the name of Dr. C. E. von Hoover, had been refused permission to testify when it had become apparent that he knew nothing at all about the subject. So the fifth circuit reversed the case, saying that he had testified that he had trained in schools in Vienna and London, and yet this imminent man had not been permitted to testify. There the circuit court reversed the lower court decision.

We'd made some seizures in Texas, and seizures had been made in a number of places. We had made one in San Antonio. Colusa planned to contest it. Well, von Hoover lived in San Antonio. I was asked to investigate his credentials as to whether he had ever acquired these degrees he had claimed to have

acquired. I soon found that he had been prosecuted and fined for practicing medicine without a license; there was an injunction against him to stop him from practicing; his then-wife's farm had been put up as security to assure compliance with the injunction; he had been married twice before, and hadn't gotten divorced to marry his third wife.

Then on a trip to Houston, Walt Simmons and I decided to see if we could find anything in the records in Houston. We found there that he had been prosecuted and fined for practicing law without a license. We found that in San Antonio he had represented himself as a veteran and had become a member of the American Legion. In fact, he was doing the arrangement of funerals of veterans who had died without families. There was an agreement with Robert B. Green Memorial Hospital, which is a charity hospital in San Antonio. He couldn't have been in the army because he had always had a bone condition that prevented him from being taken into any of the services. His second marriage was to Mary Ann, who I discovered was the daughter of a man who for many years was the clerk of the court for the western district of Texas, and a very good friend of mine. He had claimed to her that he was a graduate of the University of Virginia. He had heard that Mary Ann's father was from Virginia. She did not get a divorce from him. Instead, they had gotten an annulment in Fort Worth, Texas.

So I went to Fort Worth to get the records of this, and I noticed the name of the lawyer who had represented Hoover--his real name was Hoover, not von Hoover--in the case there. So I asked the clerk of the court if this lawyer was still around, and the clerk pointed to his name on an office right across the street. So I interviewed this lawyer and got a little more. Hoover had lived in

Corsicana, Texas; he'd gotten in trouble there for practicing law without a license. He had left his first wife, Mamie, and his son, Herbert, and had gone off with this lawyer to Amarillo, where he became a runner for him. He'd go down to the jail to get arrested persons as clients for his employer. He had syphilis so bad, he needed to be nursed, and he went back to Mamie.

Of course, we were really set for him to take the stand. If he had taken the stand . . . But I guess he found out. Anyway, the seizures were being brought there from all over to have all of them tried at once. And then, apparently the company found out what they might run into. At any rate, they did not go forward with the case there at the time. But eventually, the cases were consolidated for trial at Waterloo, Iowa. All the goods that had been consolidated at San Antonio were ultimately destroyed.

Later, von Hoover got a job with the State Department, and I learned that he was taking what amounted to bribes. I notified Food and Drug, and they gave his record to the State Department, and of course, he was fired instantly. The last time I had any contact with him was when Texas passed a law called the "Basic Science Law" to license naturopaths and some of the other healing arts. He claimed to be an outstanding expert in that, and almost got appointed to the state board. I was able to head that off, and they found out that he didn't have any of the qualifications he'd claimed to have. He was one of the most interesting characters I ever dealt with (laughter).

RO: Well, what was his connection with Colusa, other than that he was going to testify?

WM: He was going to testify as an expert that he had tested this and found that it did the things claimed for it.

RO: He had no financial interest in it?

WM: No, he had no financial interest; he was just a consultant to them, and their expert witness.

The most important case that I was involved in while I was a resident of San Antonio, was the Fadal Square Drug case in Waco, which was the first habit-forming drug case brought by the Food and Drug Administration. We learned that a man by the name of Lonnie Gibson had died in the jail at Waco from an overdose of barbiturates. George Larrick and Walt Simmons were in New Orleans. We talked it over, and they assigned me to see if I could find out more about this and build a case if a druggist was involved. This Lonnie Gibson had taken a handful of the pills just before he was put in his cell--they didn't know how many. They accused the jailor of murder because he was going to confiscate the pills, but Lonnie said, "Well, let me take one or two." He said, "Well, if you won't take the whole thing" is the story that I got. And he died in the jail.

I learned that Fadal Square Drug in Waco was the source of these, and we built the case. But in view of the fact that it was a new area and we had to proceed very carefully--that was before the Sullivan Amendment--they wanted to get a full background. So I checked on the background of what all was happening as a result of these sales. For example, William Shakespeare and his brother Sam had spent about two-thirds of the previous year in either the city

or county jail because of being "goofed up," as they put it. Clarence Klein was taking them so he could sleep during the daytime and work at night. He was giving them to the children to keep them quiet, and some of them got injured while trying to do things while they were unsteady, under the influence. The two Smith Brothers had had some narrow escapes. They had passed out in dangerous positions in their jobs. There had been divorces because of the behavior of the men or women who became addicted to it.

I prepared the entire background in order to present the case when it did come to trial. We brought the prosecution case in Waco, and the U. S. Attorney, Henry Moursund, presented the general facts. Then Judge Boynton asked me to present the details. I gave the details of how many days addicts had spent in jail, how much it would cost McLennan County and the city of Waco to take care of the ones that I had investigated: the injuries and, of course, the death of Lonnie Gibson. And there were some other instances. One beer parlor right close there had lost its license because they claimed it was serving drinks to drunk persons. Well, they weren't drunk; they went in there and took the pills with the beer and it knocked them out and they fell off the stools.

When I got through, there wasn't a face in that courtroom that didn't show some strong emotion. The judge sent Otis Fadal to jail for that night. He'd been out on his own recognizances; he didn't even have bond posted. But they put him in jail for that one night, and the next day, Judge Boynton passed sentence: a \$600-dollar fine, a one-year prison sentence suspended for five years, and probation.

The first national publicity out of that was an article in Hygeia magazine, which was the lay magazine of the American Medical Association: "Waco Was a

Barbiturate Hot Spot." Then a writer for the Saturday Evening Post was preparing an article. She had interviewed the police in New York City who had run into some problem with this. She got the full report on this case, and she wrote an article in the Saturday Evening Post: "Sleeping Pills Aren't Candy," which brought public attention to the "pill heads," as they called themselves. The "red birds" were the seconal, the "yellow jackets" nembutal, "blue heavens"--I forget what it was that had the blue capsule. These articles reported all the damage was being done, and also the fact that barbiturates were habit-forming.

This publicity kept on, then, as various movie actresses and others died from overdoses. In 1948, the Journal of the American Pharmaceutical Association had an article saying it was time to get a law dealing specifically with these habit-forming drugs. One of the things they said in there was, "Certain stories have been told over and over until they've become classics," and they quoted some of these from our report on the Klein family. Eventually, of course, it did lead to a new law and a new division. But that was the first case, and it really got started from that.

There were other cases, later, that were very harrowing, some of them. When I was a resident in Houston, I interviewed Annie Laurie Williams. Annie Laurie Williams had killed her two boys. She did it by giving them seconal first, and then she held them under the water in the bathtub until she was sure they'd quit breathing. Then she tried to dissolve the bodies with a lye. When that didn't work, she cut them up and wrapped them and asked a friend to take them out and bury them. She said it was some spoiled venison, but someone happened to open it up. She had brought her seconal in from Mexico. So there was nothing we could do about it.

In July 1945, I was made assistant chief of the New Orleans Station, assistant to E. C. Boudreaux.

RO: I guess that was kind of the forerunner of the Food and Drug officer, is that right?

WM: Yes, that was the forerunner of a Food and Drug officer, because I handled a mixture of things. I helped with the training of inspectors, I participated in the supervising of the few seafood plants that were still under inspection, I usually handled the contacts through the U. S. Attorneys in court cases—generally, whatever Mr. Boudreaux didn't want to do or didn't have time to do, I did.

I would guess that Billy Goodrich has told you about the Clover Leaf Butter Company case.

RO: Why don't you give your side? You're probably closer to some of those things than Billy was.

WM: Well, the Clover Leaf Butter Company in Birmingham, Alabama was owned by Mr. Kidd. Some years before I went to New Orleans as assistant chief, the Food and Drug Administration had seized a lot of butter that had been shipped there for renovation. Packing stock butter, it was called. They claimed that that was not under the supervision of the Food and Drug Administration, that was under the law that was enforced by the Department of Agriculture. And

they said the renovated butter and the packing stock butter used in making the renovated butter were subject only to the Renovated Butter Act.

But the case was tried and went to the fifth circuit, to the Supreme Court, and was remanded back. It went again to the fifth circuit and back again. By the time I went into New Orleans as assistant chief, or shortly thereafter, it was finally decided that the Food and Drug did have jurisdiction. I then went over to Birmingham to prepare for a retrial of the case. But this had been in the courts so long that they finally gave up and destroyed the butter under supervision. It was made into soap stock, which was expensive soap (laughter), having been in the circuit court three times, and the Supreme Court twice, then, I believe.

Kidd then went out of the renovated butter business, and that ended the renovated butter business, although there were some discussions later, after I was in Washington, about what they should do about the Renovated Butter Act. A plant in Baltimore that I had inspected early in my career had closed years before. So this ended activities under the Renovated Butter Act.

RO: Did you ever get involved in Ginger Jake?

WM: No, I wasn't involved in that.

RO: Was that earlier?

WM: That was quite a bit earlier, yes. That was back during National Prohibition. That was about ten years before I entered the Food and Drug. The

nearest thing we had to that while I was in New Orleans, was when a firm in Birmingham used monochloroacetic acid in their orange drink and made a number of people sick. When they started investigating the use of monochloroacetic acid, they discovered it was being used in wines in California. So Food and Drug had a drive on to seize all those wines that contained monochloroacetic acid.

We had a peculiar situation in Mississippi, in that Mississippi was dry. A lot of that wine was going into Mississippi, and of course, there was no question that the state knew that people were bringing it in. But if it became a matter of federal court record that wine had been seized in their possession, then they couldn't ignore it anymore. So generally, when we were sampling wine in Mississippi, the recipient would be allowed to pour it down the drain before we even examined the sample, because that way there would be no record; they preferred to take the loss of it rather than to have it put on the record that they were dealing in wine (laughter).

It was during the time that I was assistant chief that the Hoxsey Cancer Clinic began. At the very beginning, I prepared an injunction recommendation. But others in FDA didn't think it was worth bothering with at that time, so they refused to send an injunction forward. Well, as a result, Hoxsey's business grew and grew until finally there were a number of trials. The last one I took part in was in Pittsburgh, Pennsylvania. We had wanted at first to make a seizure of all his drugs and get an injunction, but the administration wouldn't go along. As a result, a lot of expensive investigation and litigation had to take place, leading up finally to this (showing a poster).

RO: A big poster. Where did he start his clinic originally?

WM: I believe it started in California. As I recall, the reason we could make the seizure there . . . I think he moved all his stuff from California there to Dallas, so that it was an interstate shipment.

There was another decision that was made at the time I was there. By the time that World War II ended, much more of the shrimp was being frozen than canned. As a result of that, it was making it very expensive for a canner to pay for inspection, because there were only a few canners left, and their canned production was low; so it made it quite expensive per can. Some of them were talking about discontinuing inspection. But there was consideration to whether Food and Drug should offer an inspection service on the frozen product.

Charlie Crawford, who was then Commissioner, and J. O. Clarke, who was Chief of the Central District, came down, and they and Mr. Boudreaux and I spent two days discussing all the possibilities, pro and con. Mr. Crawford was seriously considering setting up an inspection for frozen shrimp. Both Mr. Boudreaux and J. O. Clarke were strongly opposed to it. I gave some things on each side, because I knew the inspection service was doomed before very long if something wasn't done. But after two days of arguing, finally, Mr. Crawford called in the chief clerk and dictated a letter which said the decision had been reached that they would not offer an inspection service to the frozen shrimp industry.

RO: When did the seafood service really end? What you came under was that seafood service inspection program. When did that actually end? That didn't last very long, did it, Walt?

WM: There were a few plants that continued to operate. It was extended to canned oysters, and there were more canned oyster plants toward the end than there were canned shrimp plants. I don't know exactly when the last plant gave up inspection, but most of them gave up inspection in the period between 1945 and 1950. I don't remember exactly, but it was after I left New Orleans to go back to Houston that the last plant gave up inspection and the service was discontinued.

RO: Of course, if the service would have been extended to the frozen shrimp, then it probably would have continued . . .

WM: It probably would still be going like the National Marine Fisheries Service Inspection is now, because that was set up to take care of the vacuum that was left when the Food and Drug Administration did not set up a service. Of course, this inspection service started in the Department of the Interior, but it's now in the Department of Commerce. But that probably would not have been set up had the Food and Drug not left.

One of the things that both Mr. Clarke and Mr. Boudreaux bitterly opposed it for was the fear that we could not maintain assurance of quality in the storage of the frozen shrimp till it reached the consumer, which was a problem.

When I returned to Houston as resident inspector in 1948--this was done at my own request because of family reasons--there were a number of projects we worked on during that period. By that time, a lot of the canneries in the Rio

Grande Valley had closed. There weren't nearly as many down there. And then the freezes in the 1950s killed a great many of the orchards. The plants kept canning as long as the juice they got from the grapefruit or oranges was fit. But by Sunday night after the freeze, all of them had to discontinue, because by that time, all of the fruit had deteriorated. And some of the canneries never did open up again. The biggest canner of grapefruit juice never did reopen.

Unfortunately, a firm had gone in there to make frozen concentrated juice. They were to open just before that freeze. I visited them while I was down there working on the frozen fruit to keep me up on what was going on. They had a sign on the door: "No gotta da orange, no gotta da grapefruit. Gotta the concentrate plant" (laughter). They never did turn a wheel. Well, they did some test runs, but by the time the orchards grew again, why, there was no fruit.

RO: You were involved in that famous Cal Tex, weren't you?

WM: Cal Tex case, yes. That was one that got a great deal of attention. The van Liews were putting up fresh orange juice that they claimed was pure orange juice. But what they were doing was buying a very sour frozen concentrate from California, and they were adding sugar and water to it. Then they would squeeze enough fresh oranges mixed with it to give it a fresh orange flavor. You know, you can take the frozen concentrate, and if you'll squeeze a couple of fresh oranges into it, it tastes just like fresh juice when you reconstitute it. They were reconstituting that, and they were making a tremendous amount of money.

We brought a case which we based only on the analytical evidence to show that the product was adulterated. The officers of the company swore on the stand that they had never added water other than to adjust some of the concentrate they sometimes added to the fresh juice. That was only rare, they claimed. They'd never added sugar, which was a lie. The judge said, "Well, these are honorable businessmen. They swear they didn't." The analytical evidence was presented by Dr. Osborne. He didn't convince the judge, who refused to issue the injunction.

We had an idea of what they were doing, but we had to get proof. One of the problems was that we had not been able to find any records of any sale of sugar.

(Interruption in tape.)

WM: Well, the decision was made both by the Food and Drug Administration and by the Assistant U. S. Attorney at Houston named Mr. Maley, that we ought to proceed with a more thorough investigation. Do you want me to go into the story?

RO: Sure.

WM: One of the things we did was to find a garage apartment that overlooked the back end of their plant, where we could see what was coming in. Pitt Smith and Herschel Howell rented this garage apartment overlooking the yard where they could watch the sugar being brought in. Because of the testimony about

the sugar content of the orange juice in the first trial, the firm began adding some glucose as well as the sucrose. The inspectors could see these things being brought in in trucks and unloaded into a shed. Then I did some checking around and found that the water being used in that plant was from two wells in the Houston water district. I got samples of both of those and also got their analyses which showed consistently over the years a little over a part per million of fluoride in the water.

We got a search warrant eventually, and the marshal went in with us on the search warrant. We made the inspection. Pitt Smith and his wife were watching from the garage, and they knew when we walked in the door. They said that immediately, orange peels just started pouring out over the conveyor. He said that Hazel said, "They're in!" They held us up for a minute even with the search warrant. We heard a toilet flush, and we wondered why. But then they came out and let us in.

We started taking samples immediately of the juice that they were putting out, and we took samples every hour. That was analyzed for fluoride. It started out that the analysis showed almost the fluoride content of the water from the Houston water wells. But it ended up with very little fluoride by the end of the day because they were putting out essentially pure orange juice. I searched the shed where they'd seen the sugar bags carried in and couldn't find anything. Finally, I felt something crunch underfoot. I took my flashlight out, and there was a little trail of some spilled sugar. There was a bank wall of cartons, and we started tearing that down. It had just been thrown up there. About three cartons deep were torn down, and back there we found the sugar.

We never did find the glucose they'd been buying. Later, an employee told me what they'd done. It had been out in an open tool shed there, and they had thrown boards over these small drums, thrown a canvas over that, and laid all their tools on top of it.

I knew there were only a few sources in Houston of glucose. I went to one, and there was no record of sale to Cal Tex. They had quit buying sugar on invoice; they were paying in \$100 bills. Well, you know, if a sugar dealer in those days saw a \$100 bill, he was supposed to get the license of the truck and report it to the Internal Revenue Service. So he'd taken the license number of the truck. I checked in Austin to find out who that belonged to, and it belonged to Transportation Leasing, Incorporated. That was a company which had been set up with the same officers as Cal Tex. I went back to see if Transportation Leasing had bought the glucose, and they had. Then later I checked the records at the dock where, before the first trial, Transportation Leasing had been buying truckloads of sugar at the same time they were claiming they weren't using any sugar. But it was under the name of Transportation Leasing; that's why I hadn't been able to find that record.

They didn't know that the glucose left a marker that could indicate that glucose had been added. So an analysis showed an addition of glucose. I also found that they'd been buying Vitamin C from McKesson-Robbins. We suspected that that's what went down the toilet when we went in. Anyway, I got the records of their purchases of Vitamin C. So they were added to try to prevent the analysis tripping them up, but they tripped themselves.

Then the case was brought; they were sentenced to jail: Gordon van Liew, Del van Liew, Arthur R. Becker, and Verne C. Madison. The charges included

conspiracy to violate the Food, Drug, and Cosmetic Act, violations of the Food, Drug, and Cosmetic Act, and perjury. They appealed the case, and it was remanded. So they got a new lawyer. I can't think of his name; he was nationally known for getting murderers off from a death sentence, and one of the most expensive lawyers in the country. He made a deal that they would plead guilty to the Food, Drug, and Cosmetic Act violations, and they got off with a fine and a suspended sentence. So none of them ever spent time in jail. The story of this was included in the book, The Federal Investigators, by Miriam Ottenberg.

RO: That was an interesting sleuthing job.

WM: It was also written up in a detective story magazine. I guess the author did send me one copy of the article that he wrote. But it was one of these cheap, detective story magazines. But the story spread all through the industry; it attracted a great deal of interest. Because everyone from California to Florida knew that this was a big cheat.

RO: How long were they really in business?

WM: I don't remember exactly, but they had been in business two or three years when we started the investigation, so several years--long enough that their reputation had spread all through the industry. And then, of course, they continued in business even after the trial.

RO: I've got an interest in a couple of cases. Maybe you were going to mention them anyway, but let me ask you. Do you remember anything about the Allbrook Strawberry case? I think that was a case, Walt, where strawberries were shipped and then they were frozen after they were in interstate commerce.

WM: Oh, yes, that was an important case because it enabled us to take action against foods that had been processed from interstate raw materials.

RO: Yes, that's right. But you weren't involved in that?

WM: I wasn't involved in that one.

RO: It is my understanding that when they approved seizure on that, there was supposed to have been the typical memo to accompany the seizure recommendation to give a little bit of the details. But in this particular case, that memo for one reason or another, wasn't included. I think Kirk is the one that had approved seizure. But had they known the circumstances here, it was my understanding that they may not have approved the seizure. And there was just some question whether the memo to accompany was purposely not attached. But you weren't involved in that.

WM: I wasn't involved in that at all, so I don't know any of the details of that. You were going to ask about another case.

RO: Were you involved in the Triwonda case?

WM: No, not directly.

A big part of time down in Houston was spent in cottonseed and peanut oil mill inspections. The first inspections we made were because of complaints from the butter industry that we were getting after them for filth in their butter, and they thought that the pink boll worm from the cotton was getting into the margarine. We got into looking at some of the oil mills, and there was no filth hazard from pink bollworms. But, especially the old hydraulic press oil mills, were extremely filthy: cockroaches, rats, mice, the oil running down onto the presses, over the floor, through the channels--all kinds of filth getting into the oil. Which they argued would all be taken out in the refining process. There were several things that worked against the little oil mills. One thing was, they only operated a few months out of the year, so they couldn't keep trained help. They could not pay good wages, because they operated just a short time. There were other things in the economy that were beginning to work against them.

As we made inspections, a good many of these had to close because they just could not bring those old mills into compliance with sanitary requirements. One of the mills that was closed was one at Navasota, which was the oldest cotton mill in the United States. That's where Wesson Oil originated. They tried to go over to the expeller process, but they were not trained in it and their first batches were ruined. It ruined the company; they went bankrupt. Another company was Seguin Cotton Oil Company, against whom we got an injunction. We enjoined them from shipping oil that was prepared under extremely filthy

conditions. They even pumped some of the oil up from out on the ground outside and put it back in.

There was another problem that arose in connection with these that from a health standpoint was much more serious. The U. S. Department of Defense encouraged the growing of castor beans and the processing of castor bean oil. The only way this could be done safely in the regular oil mills was to have a conveyor directly from the car in which the castor beans were brought in to the grinding equipment; not going through any of the equipment that handled the peanuts or cottonseed. If you took it into the seed house, it was almost impossible to clean up the seed house. There is enough rilin in a castor bean to kill a bull; it's that powerful a poison.

The only cottonseed oil mill that got into serious trouble with this was Taft Cotton Oil Mill Company in Taft, Texas, which had been built originally by the Taft family of Ohio. They took the castor bean seed into the regular cottonseed storage house and moved it through their cottonseed-handling equipment. They just couldn't get rid of all that poison. I presume it was purely accidental, but the mill burned down, and that got rid of it.

Eventually all of the old mills using hydraulic presses closed. The expeller process was more sanitary and more efficient. Finally, only large mills with huge seed storage warehouses that could operate year round survived.

Then we had problems with rice mills. Most of the rice mills had storage that was not protected against rodents and insects. We prosecuted several of them because of the unsanitary conditions in their mills, because of insect and rodent infestation. Sometimes there was bird infestation. Not only the rice mills,

but also the rice elevators. Conditions in rice storage elevators were not corrected, though, until after Dallas District was set up in 1960.

Another big project was dealing with sanitation in the grain elevators and flour mills. There, the rodent and insect infestation was very high in many of these elevators. A lot of the times that the storage wasn't very good to begin with, there was a tremendous production of wheat that had to be stored somewhere. They stored anything they could get to store it in. For a time at Mexia, Texas, a lot of wheat was stored in old oil storage tanks. They put in blower pipes to areate it, but they couldn't turn it, and a lot of that was ruined because of local overheating and infestation.

The biggest mess, though, was at Fort Worth, Texas, where about twelve million bushels were stored under plastic out on the ground. They put it on plastic sheets then clear plastic was put over it, which was a bad mistake. Had the plastic remained intact, it would have protected the grain. But the birds could see the grain through the plastic, and they pecked through the plastic. Then when the rains came, the water got in, it heated, it molded—it was very badly damaged.

RO: Was this being held waiting for export in Fort Worth?

WM: Well, it was being held for whatever use they could make of it. But this twelve million bushels were eventually exported. But somehow or other, Congress got wind. I was just going to bed in a hotel in Central Texas when I got a telephone call from Jack Harvey. He said he was going to have to go before Congress about this, and that Food and Drug had no information on it. So he

told me to be at the office of Elevator B at Galveston, Texas, when they opened the next morning at 8:00 to check on whether this was shipped in accord with the buyer's specifications, and in accord with laws of the countries to which it was shipped.

As to the laws of the country to which shipped, I wasn't able to check too much on, but what he needed to know was so he could tell Congress that it was in accord with the buyer's specifications and for uses that apparently would be in accord with accepted use. Some of it was shipped to Belgium, some to England. So I checked the records at Elevator B, one of the municipal elevators in Galveston from which most of it was shipped. They had the samples there with the orders from the shipper, of the firms buying it. The firms buying it had examined the samples, so it was in accord with their specifications. I was able to call him and let him know that they'd bought on sample and it was in accord with the specifications. Most of the firms buying it were distillers or others who would make use of it other than for food or feed.

Another big problem we ran into in all these places was the dangerous use of 1080 (sodium fluoroacetate). In one rice mill, I intercepted a man sweeping up a bunch of rice that was contaminated with 1080, and it was going to go back in for remilling. It was misused in warehouses, misused in bakeries, misused in grain elevators and in rice mills. That was a big problem.

Two investigations that are of interest. One involved ornithosis in turkeys. In 1951, I got a call from someone telling me that workers in the turkey killing plant of Fairmont in Giddings, Texas were getting sick from Newcastle Disease. I couldn't believe that that was true, because Newcastle Disease just produces an irritation of the eyes in human beings. But these were very sick people. So I

went to Giddings, and there I met Dr. V. E. Irons, who was head of the Texas State Health Department Laboratories, and an investigator from the Communicable Disease Center in Atlanta. What these employees had was ornithosis, and of the forty-four who got the disease that we know of, eleven died. This was a very hot virus. They didn't find out what it was until a black doctor in Taylor, Texas, treating some of these black employees, decided this looked like psittacosis. He called Dr. Irons and told him of his suspicion. Dr. Irons ran a serological test on them, and he was right. So then they began giving them antibiotics for this.

Then in 1952, there was a very widespread outbreak of it. There were cases again in Giddings, there were cases at Lampasas, there were cases at Brady. All over the main turkey raising area of Texas, fanning out in a funnel shape north of San Antonio, there were about 200 cases, all told. But there was only one death among the workers. There was a worker in a plant in Austin whose case wasn't diagnosed soon enough; it was too late when they gave him the antibiotics. In the USDA Yearbook 1956, there's an article written by Dr. Delaplane of Texas A & M. One of the other veterinarians there with whom I worked in connection with the investigation died from it. He made post-mortem examinations of the sick birds. But there were several of the USDA inspectors in USDA inspected plants that came very close to dying.

RO: What were the symptoms?

WM: It's an atypical pneumonia. In the turkeys, the symptoms are fever and diarrhea with a very peculiar whitish-greenish cast to the watery feces. Those

are the main visible symptoms. And the reason that Food and Drug was so concerned was that we know that some of those sick turkeys were killed and shipped, in violation of the prohibition against food from diseased animals. But we never could prove it. We know they were shipped, but we never could find the virus in samples from the frozen turkeys which had been shipped.

Another animal disease that called for a lot of work during the period between 1952 or so and 1955 in Texas was anthrax. The first assignment I got was to sample some imported bone meal that was suspected of containing anthrax spores, and then following through on investigations of distribution of feeds that might have been made from this, and any case of anthrax that might have been caused from it. Not a whole lot of the bone meal had been shipped into Texas, and it would have been a simple thing had it not been that at that time there was a severe drouth on in Texas. And in time of severe drouth, stock will graze grass right down to the ground and snuffle up dust. If there had been animals that died of anthrax in the area, there were spores in the soil. So with the outbreak of anthrax all over Texas during this period, we didn't know whether it was from feed or from close grazing.

I worked with the Texas Livestock Sanitary Commission and with the State Health Department and with the State Feed Control people. Because of the connection between feed and these animals, I never was able to trace any of it to imported feed. But we found that dead animals were being hauled to rendering plants, and then without any cleaning or sanitation of the truck, the feed would be hauled in sacks in the same trucks. So the state of Texas took action through these various agencies to regulate or require that either they had to handle the feed in a separate truck that hadn't had any dead animals in it, or

the truck had to be washed and sanitized. This called for investigation of a good many rendering plants, which isn't the most enjoyable work (laughter).

One incident that also got some publicity was when endrin was first released for use, but before the Food and Drug Administration established any tolerances for its use. A lot of the growers in the Rio Grande Valley were urged to use it by the manufacturers, and there was fear they were going to. So I sent to the Rio Grande Valley to try to notify the growers and shippers that if we found endrin residues on vegetables we would take action against it. The president of the Texas Fruit and Vegetable Growers and Shippers Association arranged for me to be interviewed on TV to warn the growers not to use it.

Also, there was a man who had a farm program called "Rankin R F D" on radio. Rankin interviewed me for thirty minutes for his regular morning broadcast to the growers. I also contacted the organization of the crop dusters down there, and we got the word out. As far as we were able to learn, nobody used endrin. This got a little national publicity, too.

One of the most interesting products made in Louisiana during these years was Hadacol. I had very little to do with it, although I had some interviews with Dudley Le Blanc, the manufacturer, when I was in New Orleans. Shortly after I went to Houston, he sold the Hadacol business. But before he sold it, he was still advertising it for all sorts of things. One day, I was going from San Antonio back into Houston, and one of his trucks passed me. It was going terrifically fast, but not so fast that I couldn't see it was covered with signs: "Hadacol" for tuberculosis, for typhoid, for all kinds of diseases. Well, I took off after it, praying that a state cop would stop it (laughter). Finally, the driver stopped for a cup of coffee, and I jumped out and got my camera and took pic-

tures of the truck. When he came out, he wouldn't speak to me, but I finally got him stopped again before we got into Houston and found out he had delivered some of this to Southwestern Drug Company in Houston. So the next morning I was there to sample it and get an affidavit that it had been delivered from this truck with this sign on it. That night, I got a call from Dudley Le Blanc apologizing, saying, "We didn't intend to send that truck over into Texas. This was supposed to have been kept in Louisiana, but we didn't have any other truck; we had this rush shipment." He called George Larrick in Washington and told him the same thing. He said they were taking it off of all their trucks, all these signs. Someone checked, and sure enough, he had repainted them and gotten all these signs about all these diseases off.

Then he started advertising on the radio. He had a thirty-minute program on Sunday mornings, where he'd speak fifteen minutes in French and fifteen minutes in English. I found out he was going to be giving one on high blood pressure and low blood pressure. Well, there wasn't any station in Houston that carried it, so I went to Port Arthur where they did carry it and arranged for the engineer of the radio station to record his speech. I don't know how Dudley found out about this, but the next Tuesday morning, he was in Washington seeing the Food and Drug and the Federal Trade Commission both, saying, "We're taking all those off the air; I'm discontinuing it" (laughter). I hadn't even gotten the report to Washington when he was up there.

RO: He had some spies someplace.

WM: Yes. Another thing that happened in Houston was the one that led to the banning of lithium in salt substitutes. You'll remember Adolph's. A doctor in a Houston medical center called me and he told me he had a patient that he had had on low salt, using this salt substitute containing lithium, and this patient nearly died. But the doctor recognized the symptoms, and he made up a glass of tomato juice with a lot of salt in it and made the patient drink it. It saved him. But the doctor knew then that the lithium was to blame. So he reported it, and I reported that. That was the beginning of the investigation that led to the lithium being taken out of not only salt substitutes but out of some of the drinks it had been used in. It was that doctor in Houston who triggered that.

I spent a lot of time on the chloromycetin investigation. I got stacks and stacks of hospital records on people who had gotten aplastic anemia. The first was a girl who died in Corpus Christi, Texas.

RO: They're still having problems with that, too.

WM: Oh, yes, it's a problem. Oh, there were some sad cases. There were twin boys in Houston, real nice youngsters. Their mother insisted on the doctor giving them something for a cold. He gave them chloromycetin. It would make you cry to read those records.

RO: I bet. Did you get involved in elixir of sulfanilamide?

WM: No. That occurred while I was still in the seafood inspection. I was at Bayou LaBatre as a seafood inspector when that occurred. Lewis Nelson, my

supervisor, got involved in it, but I was not. My only involvement in that came much later when I was investigating injuries from the Taylor Pharmacal Company from the Novocain that had a pH of a little over 1. It had been used on a woman in Waco, Texas for tonsilectomy, and the whole inside of her throat sloughed out. She survived. But her doctor, whom I interviewed, said, "By the way . . ." and he pulled out one of the samples of sulfanilamide that he'd found in some drugs bought from a defunct clinic there in Waco. I think that's in the museum down there now. That was years after the recalls. So George Larrick says that showed you can't be too sure about the recall of a product ever being complete.

I came to Washington in January of 1960. I worked first in the Bureau of Enforcement, then in the Bureau of Education and Voluntary Compliance. In the Bureau of Education and Voluntary Compliance, they did not have chiefs of the Food and Drug sections, but I was in charge of the Food section, and Abe Ledder was in charge of the Drug section.

RO: What were the prime duties in BEVC?

WM: Prime duties in the Bureau of Education and Voluntary Compliance included providing food and drug manufacturers and dealers and so forth with answers to their inquiries, where it didn't involve a regulatory case. The regulatory people handled the cases, but we answered just the inquiries. We prepared the answers to a great many letters to Congressmen where their constituents wrote about foods, drugs, and dietary foods and so forth. We

provided comment on labeling, comment on proposed formulas, comment on any problem that was brought to us.

RO: Kind of advisory opinions?

WM: Well, the advisory opinions, yes, some of that we did. But we did not have the formal issuance of advisory opinions. That came after I was transferred into the Bureau of Regulatory Compliance. It was decided that it would be helpful to industry and would help the Food and Drug to have the Compliance Policy Guides. The earliest ones of these were prepared under my supervision. At first, it was very informal, and then they put out the Compliance Policy Guidelines and made it much more formal. That took up a great deal of my time the last few years I was working for Food and Drug--the preparation and supervision of the preparation of these.

Also during that time, I testified on the labeling of peanut butter in the peanut butter hearings. And then I spent a tremendous amount of time preparing for the special dietary food hearings on the labeling of the foods for special dietary uses. Sydney Weisenberg was handling the vitamins and that angle, but I handled those that were for weight loss and for diabetics. That involved collecting a tremendous number of labels, preparing them, and preparing testimony. It wasn't until about eleven years later that they finally got around to issuing regulations for labeling of these. By that time, all that I'd testified about cyclamates was out the window (laughter).

Then the second to last thing I had to deal with that took a great deal of time was the cyclamate ban. Winton Rankin must have had some premonition

about what was going to happen. So he made a ruling as quickly as the secretary of HEW banned the cyclamates that either I or Taylor Quinn or both should be present at every interview involving cyclamates no matter what was involved—foods, drugs, or special dietary foods. At all interviews, we were to be present and one or the other of us was to prepare a memo or get a record of it. That proved to be fortunate because in one afternoon, Dr. Ley, Winton Rankin, and Ken Kirk were all fired. Taylor and I were the only ones who could tell the incoming Commissioner, Dr. Edwards, what had happened. So one of the first things he did after he came in was to spend a day getting from Taylor and me and Billy Goodrich the story of what had happened.

RO: You mentioned the firing of Kirk and Ley. Do you have any insights into really what caused that, besides what's on the record? You were close to at least what caused it.

WM: I knew that there was a lot of criticism of Dr. Ley. Also, Fred Malek was Nixon's hatchet man. I'd gotten a hint of the possibility of that sort of thing happening. After Hurricane Camille, I went down immediately to help the canners whose canned shrimp and canned oysters had been subjected to the contaminated waters. They wanted some special permission to ship those canned goods, and of course, we couldn't let them do that. But I did all I could to help them to get equipment and the means in there to sanitize and relabel any cans that could be saved. They appreciated that.

Then Senator Eastland shortly after that had a problem of people wanting to can oysters from waters that had been subject to flooding. He had gotten a

meeting set up in the office of the Undersecretary of the Interior, and I was asked to attend. Specifically, Eastland had asked for me because the canners in Biloxi had been well acquainted with my attitude and how I'd tried to help them after Camille. Immediately upon my return from the office of this man--and incidentally, this Undersecretary was from Louisiana State University in Baton Rouge and well acquainted with the situation down there--immediately after I got back to the office from this meeting, I was given strict orders that I was not to have any more to do with this, that this was being taken out of my hands completely. The next day, we learned that Fred Malek had fired this Undersecretary. Here we'd sat all afternoon in this meeting.

As far as the firing of those three, the first I knew of it, I went up to Ken Kirk's office. You see, I had lots of dealings directly with him, because of the enforcement work. His secretary was just crying as hard as she could cry; she was almost hysterical. I asked her what the problem was, and she told me. That was the first news I'd had of it.

(Interruption in tape.)

RO: Walt, would you comment on the management styles and personalities of some of the Commissioners you served under?

WM: I served under each of the Commissioners of Food and Drug from Walter Campbell until Dr. Edwards came in. I knew Walter Campbell only briefly, but I knew that he liked to get Food and Drug personnel into poker games and judge their character by their reaction in a poker game.

I knew Dr. Dunbar quite well. He was an expert on the history of the Battle of Gettysburg and liked to talk about it. In 1954, the Association of Food and Drug officials of the United States held their convention at Galveston, Texas. Dr. Dunbar liked to swim in the Gulf, and our hotel was right on the beach. He liked to swim at about 5:30 in the morning, and I was the only one that would get up at that time and go swimming with him (laughter).

I first met Charles Crawford when he came to New Orleans in the fall of 1937 in connection with some personnel problems in seafood inspection service. I did not become well acquainted with him, however, until much later when I was assistant chief at New Orleans District, and he came down in connection with various matters, including whether the seafood inspection should be carried into frozen seafood inspection. He was a very conscientious man, devoted as few men are to the service of the country. In fact, he sacrificed his health in order to help Congress in the passage of the Food, Drug, and Cosmetic Act.

I first met George Larrick at an inspector training school in New York City in January 1940. He would go with us out on the docks in sub-zero weather, as early as 6:00 in the morning, in connection with the training. He would get a donut and coffee with us at a stand that might be open at that time of morning. I became much better acquainted with him later in visits to Washington from Baltimore, and then visits he made when I was resident inspector at Charleston, West Virginia, when I was an inspector in San Antonio, when I was assistant chief at New Orleans, and later still, when I was a resident at Houston. Of course, I worked closely with him after I came to Washington.

All of these men were very capable men who had come up through the ranks and had been prepared by Walter Campbell to become successors in the job. They knew the Food and Drug industry, the law, and all were well qualified by long experience. The first Commissioner appointed from outside the Food and Drug Administration was Dr. Goddard. I did not have many direct contacts with Dr. Goddard. Most of my contacts with him were through Al Barnard, who was Director of the Bureau of Regulatory Compliance.

Dr. Ley was brought in from the outside. I had more direct contacts with Dr. Ley on various occasions, including some informal hearings.

(Interruption in tape.)

WM: When Dr. Edwards came in as Commissioner, the big problem involved the ban on cyclamates. Taylor Quinn and I had been involved in all of the meetings held by the Food and Drug in connection with cyclamates, and we spent a large part of one day with Dr. Edwards, Mr. Grant, and Billy Goodrich discussing what had happened and what had been done up to that date with regard to cyclamates.

RO: And you retired shortly after Dr. Edwards came.

WM: I retired while Dr. Edwards was still Commissioner.

RO: Well, Walt, do you have anything else you'd like to add to the record? If not, then, I think we'll just close this session.