

History

of the

U. S. Food and Drug Administration

Interviewee: John Zaic

Interviewer: Ronald T. Ottles

Date: December 4, 1986

Place: Rockville, Maryland

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

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Rockville MD 20857

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TAPE INDEX SHEETCASSETTE NUMBER(S) 1 & 2GENERAL TOPIC OF INTERVIEW: History of the Food and Drug AdministrationDATE: 12/4/86 PLACE: Rockville, MD LENGTH: 116 min.INTERVIEWEEINTERVIEWERNAME: John Zaic NAME: Ronald T. OttesADDRESS: [REDACTED] ADDRESS: [REDACTED][REDACTED] [REDACTED] U.S. Food and Drug AdministrationFDA SERVICE DATES: FROM 9/5/1939 TO 3/1/1980 RETIRED? yesTITLE: Deputy Director, International Affairs Office
(If retired, title of last FDA position)

CASS. NO.	SIDE NO.	EST. MIN. ON TAPE	PAGE NO.	SUBJECT
1	A	0	1	Zaic background.
1		6	3	George Larrick and Introduction to FDA.
1		9	4	Reporting to NY station.
1		11	5	Training as inspector eastern district.
		14	6	Tea examination.
1		16	7	Transfer to Boston.
1		18	8	Service in World War II.
1		23	10	Return to FDA
1		25	11	Poultry inspection.
1		27	12	Penobscot Poultry Case.
1		29	13	Delmarva Poultry Co.

TAPE INDEX PAGE 2

John Zaic Interview

CASS. NO.	SIDE NO.	EST. MIN. ON TAPE	PAGE NO.	SUBJECT
1	B	0	14	Diethylstilbesterol in Poultry.
1		9	19	Delson Thin Mints.
1		11	18	Food and Drug officer-imports.
1		13	19	FDA/foreign consulate briefings.
		15	20	FDA Import Strategy.
1		18	21	Transfer to International Affairs Staff.
1	A	20	22	Retirement from FDA.
1		22	23	Bulk drugs-inspection.
1		25	24	Cantharides.
1		29	26	Slaughtered Rabbits - inspection.
2		0	27	Incubator reject eggs.
2		4	29	New York district management.
2	B	22	38	International Affairs Office.
2		0	42	Fraud Fighters film.
2		8	46	Zaic - the prankster.
2		12	48	Closing remarks.

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John Zaic

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RO: This is another in a series of FDA oral history recordings. Today we're interviewing John Zaic, who held a number of important positions in the Food and Drug Administration. The date is December 4, 1986, and the recording is being made in the Parklawn Building in Rockville, Maryland. I'm Ronald Ottles.

John, these recordings will be transcribed and included in the collections of the FDA oral history interviews, located in the National Library of Medicine. Copies will also be placed in the library of Emory University, as well as the FDA History Office. John, we would like to start by asking you to give a brief resume of your career, starting back as far as you want to go and bringing us up into FDA.

JZ: I guess you want to know where I came from originally.

RO: Right, so that people who read this later on know from whence you're talking.

JZ: I came from Hibbing, Minnesota. It's a little iron-mining town way up in the northern part of the state. I was born in 1910, and I went to parochial school there. I graduated with honors, and was the valedictorian. I received a scholarship to St. John's Prep in Collegeville, Minnesota, and spent four years there. I played football.

I received scholastic distinctions and won a scholarship to St. John's University which really operates the prep school. I graduated from St. John's University in Collegeville, Minnesota in 1933 with a Bachelor of Science degree in chemistry. I had a minor in education and received a teacher's certifi-

cate from the State of Minnesota. I gave the valedictory address at the graduation ceremony. In 1931 and '32, I was the associate editor of the school paper and wrote a weekly column. I was president of the dramatic society, of which I was a member for four years. In 1932 and '33, I was editor of the college annual, and student representative of the Associated Press. For tuition credit, I was assistant to the chemistry professor at the prep school.

I quarterbacked the college football team for four years, during which time I also assisted coaching the prep football team. I received tuition credits for both of these activities.

RO: You're not very tall for a quarterback, at least by today's standards, John.

JZ: I was all of 138 pounds dripping wet in those days. I played first string and was only out of the game once in four years. In those days, Ron, we played offense and defense. When you went on the field, you were there for sixty minutes, offense and defense. And the difficult part for a small man was playing the safety position on defense, because when these people came barreling down on you, you had to stop them; you were between them and the goal.

In 1935, I came to Washington, D.C. with the intention of going to law school. This was depression time, and things were quite difficult employment-wise. I had planned to teach school and coach, and found out that for \$100 a month, I was going to be football, baseball, basketball coach, and principal of the high school. I was to teach English also, and take my turn at the study hall. All of this for \$100 a month! I told them I didn't think I could swing it,

so I went to Chicago and tried to get a job with Mallinckrodt Chemical. I had the chemistry qualifications, but it got to a bidding match between me and a Ph.D. from somewhere out East. The chemistry Ph.D. beat me out of the job. He decided to take the job at a little bit less than I would, and, of course, his qualifications were better. I decided, "The hell with all of this. I'll peddle insurance to live," which I did for a few years.

That didn't work out too well, so I came to Washington, D.C. to go to law school. Again, I had difficulty with jobs. I was sponsored by Senator Shipstead of Minnesota, who managed to get me into the Housing Authority, where I worked for almost two years. I met a lovely little lady named Mary Ann Kelley, who was working for Senator Harry Truman, and subsequently married her. It didn't take us long to start a family, so I had to quit the low-paying job with the housing authority and look for other work. I started selling insurance for the Metropolitan Insurance Company, but that was kind of rough because it kept me busy not only during the daytime, but required evening and night calls as well.

One day I was in downtown D.C. having just completed an insurance call when I met a former classmate from St. John's University, who invited me to have lunch with him. We went into a nearby restaurant where we met George Larrick, with whom my friend had an appointment. During lunch I poured out my troubles to my friends, and George Larrick said, "You know, at the Food and Drug Administration we have a new law that we're going to have to enforce, the Food, Drug, and Cosmetic Act of 1938, and we're going to need people. Would you be willing to travel?" I said, "For a decent job, I sure as hell would travel." George wrote out a summary of my qualifications and my

background right there at the restaurant, and this was later typed up and became the basis for my application for employment as a Food and Drug inspector.

RO: What was George's position at that time?

JZ: George was chief inspector for the entire country at the time. Well, George did, as a matter of fact, hire me after some negotiation and appointed me to the New York station, eastern district. Oddly enough, when I reported to New York, Bill Wharton, the eastern district chief, found me sitting in the waiting room and wanted to know where the hell I came from and who appointed me to New York station. Quite innocently I said, "Well, it was George Lar-rick." I guess he thought I was trying to impress him by dropping names, so I found myself in the doghouse with Wharton from the first day I showed up in New York.

RO: Was he chief of the eastern district?

JZ: Yes, he was chief of eastern district.

RO: How many investigators were there in New York at that time?

JZ: The investigation staff in New York was around twenty, I think. We were doing pesticides at that time, as well as regular Food and Drug work, but gave the pesticides work to the old FIFRA of the Department of Agriculture during

my first year. We new trainees for the eastern district outnumbered the total number of inspectors we had at New York at that time. I think there were twenty-some trainees, including old stand-bys' like Dick Williams, Ken Lennington—a lot of the people that later became rather important people in the Food and Drug Administration. They all came to New York for training and indoctrination. One of our training officers was McKay McKinnon. The director of the New York station was Austin Lowe. Lowe was happy to see me when I came to New York, but Wharton was not. Apparently, he hadn't been consulted on my appointment, so he was always curt and cool to me; but I did my job well and he thought that was important.

To begin with, we were going to test out a number of provisions of the new act. One of my early jobs was to put together a universe of the cosmetic firms in the New York area. John Cain, who was a veteran at New York at that time, was going to consolidate all districts' lists and make one universe of cosmetic firms for the entire United States. My assignment was New York station, which then included New York State, northern New Jersey, and eastern Connecticut. Southern Jersey was covered by Philadelphia, and western Connecticut was covered by Boston. That took up quite a lot of my time. Also, we were going to test out a number of the other aspects of the new Food and Drug law, to see whether or not they were going to work out, and what the courts might say about them.

Before that happened, the war came along and we began to have difficulty in the food area. Foods were being delivered to the military and the merchant marine, and they needed help with food inspection immediately. We dropped what we were doing and I became project leader for the examination

of food products going to government agencies who were supplying the maritime commission, and the army, navy, and the marine corps. This took up all of my FDA time until I subsequently went into the navy myself.

Let me backtrack just a little bit. While this was going on, I was also being trained to do tea work. The military was buying tea for the services, and the tea was coming in at various ports, so we needed an additional trained tea examiner. Well, I seemed to be able to detect the differences in teas, and I could tell quality, so I became a qualified tea examiner.

RO: You said an additional tea examiner. Who else was there?

JZ: Well, Charles Hutchinson was the chief tea examiner operating at New York. We also had one in Boston, Delvin Dean, and there was somebody out on the West Coast. The name escapes me right now, but I believe it was a woman chemist at San Francisco. Several chemists were also trained to do tea on a lesser scale, because they didn't get very much traffic in many ports. This brought up a very sticky point: was I to do tea or continue doing ships' stores? I was involved up to my ears with foods. By the time ships would come back from delivering whatever they did to the war zone, their food supply aboard was a disaster. I would go aboard, condemn what was unfit and have it destroyed or denatured for animal feed, then make sure there was no infestation in the storage areas.

Things were going well for me generally, so that when Ole Olson, who was an assistant to Bill Wharton, needed an assistant to take care of his factory

inspection review work, he detailed me to his office for several weeks on a tryout. Up to then, the job had been held by Allan Rayfield.

Bill Wharton was away at a conference or vacation or something, and when he returned a couple of weeks later, here I sat with a desk in his suite reviewing inspection reports—doing fine, too, and very proud of myself. I thought I was on the move. Mr. Wharton looked me over, then signaled for Ole Olson to follow him into his office. Later that day, Ole said to me, "Sorry, John, I've got to send you back to Leo Lusby. Mr. Wharton says you're trained to do tea." It was decided that Mr. Wharton would discuss the matter with headquarters and have me transferred to Boston as a tea examiner. Delvin Dean, who was then the tea examiner in Boston, was to come down to New York. Why the switch was going to be made neither Dean nor I knew, since both of us did inspection work and we both did tea. But Bill Wharton had made the arrangement with the commissioner's office, and the transfer papers were cut. I believe Dr. Dunbar was the commissioner at the time.

I dutifully went up to Boston and tried to find a place to live. I spent two solid weeks looking for an apartment that I could afford, but could not find a place. I had two kids by this time. Delvin Dean also had a bunch of kids, and he wasn't very hot about the transfer idea, either, since the war was going full blast and available housing was scarce and expensive. I asked to go back to New York, but Cyril Sullivan said, "Bill Wharton says stay put." So I stayed put.

After a couple more weeks, I said, "Cyril, I'm just not going to find a place that I can possibly pay for—just no way." So he got on the phone with Mr. Wharton, and I guess he got some static but Wharton finally said, "Okay,

you'd better send him back." I came back to New York and reluctantly re-entered Wharton's doghouse.

I was working with John Cain one day shortly after I got back from Boston, doing some powdered-egg examinations of product made in the U.S. and shipped to Iceland on a military vessel. The eggs had gotten wet because the sea had been rough and had spoiled. Cain was bragging, "You know, I almost got a commission out of the army. If I had gotten it, I would have left the Food and Drug Administration." I said, "John, how come you didn't get it?" He replied, "They said I was too old for one stripe, and not qualified for one and a half." I bet him five dollars that I could get a commission in the navy, and the next day I applied at Whitehall St. in New York City. The bet was on. Five bucks was big dough in those days, and wouldn't you know, I got the commission—a stripe and a half. This also irritated Mr. Wharton because at that time, the Food and Drug personnel were being given occupational exemptions from military service, and I was exempt. In order to be released into the navy to take my commission, I had to get permission from headquarters, and Bill Wharton had to request it even though FDA was slowly losing trained people to the military.

RO: What year was that?

JZ: That was in 1944. Dr. Dunbar finally came through with a nice little note that said, "We'd be happy to help the military services to give John his commission in the navy." So I went into the navy and stayed there for two years, all of my time on sea duty. I went in as lieutenant [J.G.], USNR in May of

1944, and came out in May of '46 as lieutenant commander, USNR. Incidentally, I never did collect the five bucks from John Cain. After indoctrination, I was assigned a ship and went immediately into the Atlantic theater, into the Mediterranean. We got mixed up with action at Salerno, ran up the Rhone River, and encountered a few German pop guns. I got initiated in a hurry.

We came back to the States, to Norfolk, and had some additional work done on the ship, because we were moving into the Pacific theater. We cleared New York, went through the Panama Canal, and headed out. We stopped at Hawaii for gunnery practice, then staged at Eniwetok for the Okinawa invasion. After Okinawa we shifted military personnel from the Philippines to the island of Ie Shima a few miles off the coast of Okinawa. This was our base as we prepared for the invasion of Japan. The peace treaty was signed at Ie Shima while we were anchored there. After the treaty, we returned to Norfolk via Pearl Harbor, Seattle, San Francisco, San Diego, and the Panama Canal.

When we got the ship to Seattle on the way home, the captain, who was in process of fighting a divorce action that his wife was bringing against him down in Miami, flew from Seattle to Florida, and I became the commanding officer of this big, cumbersome, 459-foot tub. Believe it, Ron, it was a worry and a pain in the butt. But we got her through the canal, and into Norfolk without any bumps or bruises.

RO: What was the name of that ship?

JZ: The U.S.S. Arcturus, after the constellation Arcturus. Anyway, I brought her into Norfolk. The captain never did come back, so I decommissioned her,

and at my request was placed in the inactive reserve and returned to New York to civilian life. I returned to the Food and Drug, New York district, and reported to my friend, Bill Wharton, who said, "Yes, well, you're in Boston district now. Your transfer was and is effective, but if you insist on coming back to New York, I guess we can arrange it." So we arranged it.

This was in 1946, and it didn't take long before I picked up where I had left off before the war. There were a couple of sections of the act of 1938 that needed to be tested to see what part of the new law would work and what wouldn't. One of the things that was bothering us was that poultry products were not covered by the Meat Inspection Act but were the responsibility of the Food and Drug Administration, and unfit poultry and poultry products were being picked up by cooperating health agencies, especially around the New York area. My district started out by assigning the problem to John Zaic, because he was at loose ends and was always willing to try anything.

After the first couple of tours of the markets, I said, "Hey, I don't know my A from my E about this poultry business. Somebody's got to teach me. Can I borrow a veterinarian from the New York City Department of Health?" Sure enough, Leo Lusby got me a good man from the city board of health, a Dr. Brands, who was an excellent veterinarian. Brands and I worked together in the New York City markets for a long time, several years, in fact, and I learned all about the pathology of a chicken. In those days, interstate packers used to ship poultry as "New York dressed," that is, the birds had the feathers off, the heads still on, and the guts still inside. So we used to do post-mortem examinations, and I soon became just as proficient as the next guy. I got my-

self one of these folding grapefruit knives, had it honed razor-sharp, and I used to do post-mortems right along with my companion veterinarian.

Anyway, when we took poultry cases to court, we would have to take the New York City veterinarian to testify. After a couple years of this, the industry as well as consumers began to get uneasy about the large numbers of seizures and prosecutions of filthy, decomposed, and diseased chickens and turkeys that FDA was turning up. We were making waves and had Delaware, Maryland, Virginia, the Carolinas, where most of the poultry was coming from, up in arms. The administration put the districts to work; Philadelphia, Baltimore, Atlanta, Boston—they all began to do factory inspection work and market survey work on poultry. I kept on examining objectively in the New York markets with a veterinarian, making the seizures and sending the reports to the districts, and they would do factory inspections and initiate prosecutions.

RO: You must have been looking, then, for diseased birds and cull birds. Later on in FDA, we were looking more for fecal matter and things like that. But early on that must have been different.

JZ: Early on, it was wide open. You could find any kind of trash in a poultry box or barrel. The culls used to come in 150-pound barrels with a little ice on them. Sometimes they even smelled bad. But they had every disease in the book! Tumors as big as baseballs. They were a miserable mess of birds. But as we worked, and as the districts began to do factory inspections and bear down on the packers at the source, conditions began to improve and out-and-out culls became scarce. Then we began to look for diseases that weren't visible

externally and found that we needed our own veterinarian. We hired Dr. Tarr, who suddenly became the project leader for poultry. Up to this time, I had been it for several years.

At about this time, there was stirring in Congress about the poultry situation, and bills were proposed for a poultry products inspection act, something to take care of all of these damn, sick chickens that New York was picking up coming from all over the country. One of the congressmen from the Delmarva area—I don't recall his name—at that time was facetiously calling his version the "Zaic Bill," because my name was on so many seizures that were being made. Louie Tarr and I had full-time poultry work in New York, and even had to get help from other inspectors in order to cover all of the markets. And of course, the New York City Department of Health continued to work with us.

After Dr. Tarr became acclimated to the markets, we prepared the famous Penobscot Poultry case based on fecal filth in eviscerated turkeys. I was a fast-talking New Yorker who wore a little jazzy bow tie which was fashionable in those days. I was put on the stand one afternoon as the star witness for the prosecution in the trial. The jury consisted of solid country folks from the area in Bangor, Maine, obviously sympathetic toward their local poultry producer. After the adjournment for the day, our attorney said to me, "Hey, John, for to-morrow get rid of that bow tie, try not to act so superior, and quit using unnecessary medical or technical terms. Forget fecal matter and feces. Up here it's manure. Use terms that they are familiar with."

So the next morning, I had yesterday's shirt on and I had a four-in-hand tie slightly askew, and was sure it wasn't quite snug and a little off side. While dressing, I took pains to see that there was a stray hair dangling. I used a few

country expressions and acted quite humble all day, and was sure we were going to win that case. And we did! But it was reversed on appeal.

I bring this case up because it was the last action that Dr. Tarr helped to prepare for the government. He started the Penobscot case with me, but before we went to trial, he quit the Food and Drug and he went to work as a consultant. One of the firms that hired him was the Penobscot Poultry Company in Bangor, Maine. During the trial, Louie Tarr sat at the defense table. After the trial we met in front of the courthouse, and we greeted each other, "Hi, John." "Hi, Lou. Tarr spelled backwards is 'Rrat.'" We never met again. By the time that Dr. Tarr left us the poultry work was petering out because the Poultry Products Inspection Act was a virtual certainty.

Our next and final poultry case was in progress against the Delmarva Poultry Company in Wilmington, Delaware. While we were trying this one, the Poultry Products Inspection Act was passed and signed by the president. The judge interrupted the proceedings and said, "There is no point proceeding further with this trial because the requirements of the Poultry Products Inspection Act will provide that this firm will have an inspector aboard in the future so that this type of thing can't happen again." That was our last poultry case.

[Interruption in tape]

JZ: When we quit doing poultry work for disease and fecal matter, there were still a few little things about the industry that needed covering. One of them was the implantation of cockerels, male chicks, with diethylstilbesterol to create a sort of a chemically caponized bird. These chemically caponized cocker-

els were called "caponettes" or "capettes," and upon maturity developed fleshy breasts and took on many other characteristics of the surgical capon. But when the diethylstilbesterol pellet that was implanted up at the top of the head to produce the capette effect wore off, the bird began to revert to his male status, grew back his spurs, and again became a rooster. This mandated that the implanted pellets be large enough so that they didn't dissolve before the birds went to market. When we began work on this aspect of poultry, I was again designated the project leader not only for New York, but northern New Jersey, and also western Connecticut, even though these latter areas had already been re-districted to Philadelphia and Boston districts, respectively. But Weems Clevenger had come in at about this time as chief inspector for New York district, and he wasn't much for respecting boundaries.

RO: As chief inspector or the regional Food and Drug director?

JZ: When the diethylstilbesterol work got started, Weems was the chief inspector, and Charlie Herrmann was the district director. While I was investigating the diethylstilbesterol activity visiting growers and slaughterhouses, I found that some of the implantation that occurred to birds that were being processed in New York was being done across the line in Connecticut as well as in New Jersey. One afternoon very late I called Weems from western Connecticut and explained the situation, and he said, "No holds barred. You go right ahead into Connecticut, and I will telephone Boston district."

In the meantime, who was to tell Dominic Ziccardi, the resident inspector in Hartford, that Zaic was authorized to enter his territory? Since I wasn't

able to reach Dominic the next morning, I proceeded to a kosher chicken factory in Hartford that was slaughtering implanted birds, and in walked Ziccardi. "What the hell are you doing in this district?" he asked. We called Boston district and everything got itself straightened out. Old free-wheeling Weems, you know, wasn't trusted in those days. There was work to do, so he had me out until 9:00 or 10:00 at night, and we took care of the implantation problem in good shape.

As we were getting this corrected, I was looking for possible peripheral problems while in the area. While I was doing a follow-up job in Rhode Island, I found a producer who was shipping implanted live poultry to the kosher market in Long Island City, New York. There was a whole trailer load going down, so I got in my old Ford, and made it in time because the truck held back so as to arrive about 3:00 or 4:00 in the morning when the live market opened. I was there in time to catch the truck as it came in to the unloading dock. I examined some of the birds by palpating the head and neck while they were live, and sure enough, the pellets were well down below the crown, well into the edible portion of the bird. I called the city board of health and awakened Abramson, the director, at his Queens, New York home at about 6:00 a.m. Abe Abramson and I were good friends, so he got a city veterinarian out of bed and told him, "Get yourself over at the Long Island City, and help John with this load of live chickens."

The city of New York embargoed the whole truckload for the account of FDA, then helped with post-mortem examinations. As soon as the Food and Drug opened for business in New York, I called Charlie Herrmann and told him where I was. He groaned and said, "What in the hell did you do now?" "Well,

Charlie," I said, "we've got to do something immediately. I've got a load of live chickens and the owner wants his truck. The birds are loaded with diethylstilbesterol and nobody else wants to touch them since they're embargoed and still alive. You've got to get me a custodian to look out for them." So he said, "Stay right where you are. I'll have to call you back." He called Washington, and after about a half an hour, he came back and growled, "Well, it's a fine mess you made for us." I said, "Well, Charlie, I think I've got the problem solved. New York City said that they would supervise the slaughter of these chickens, and we would recondition them by cutting the necks off at the shoulders and destroying all of the necks so that there will be no danger of the pellets remaining in the edible bird." So the problem was solved, and Charlie told Weems to keep me at home for a while.

RO: Charlie was the district director at that time, wasn't he?

JZ: Yes, he was district director. I don't know what he would have done, nor do I know what he had gotten out of Washington. But I think Washington supported me. It was food that had moved in interstate commerce, and I had evidence of adulteration. We would simply have to do something about it. We would probably have had to slaughter them and hold the slaughtered birds in the freezer. Anyway, I was told, "No more live poultry"!

Which brings up another point. During the course of all of my poultry work, when we did make seizures, we had a problem. "What are we going to do with these chickens that are not frozen?" They used to come in freshly packed in ice. Invariably I would cluck, cluck, cluck a few times, and I would tell the

dealer that he should put the lot for seizure into the freezer to the account of the shipper. This went on till the day I quit the poultry work. We never paid a dime for storage, and I used to throw in my sample for free with the lot, all sealed and ready to be used as evidence if needed.

Now, this cluck, clucking, Ron, was something I had learned from Gilbert Goldhammer during my initial training in New York district back in 1939. Goldhammer and I were walking through a warehouse one day doing surveillance. On the first floor near the rear truck platform, we saw a group of people doing a re-labeling job. They were taking the labels off of canned bonita, and putting on tuna labels. Goldhammer stood back, crossed his arms on his chest, shook his head from side to side, and started to cluck [makes clucking noise]. I found over the years that this was one of the best devices you could use to get attention and instill a bit of fear. Anyway, this clucking gimmick was something I used extensively during my poultry work.

The diethylstilbesterol work finally petered out, and I began to do other things. Do you remember that deceptive packaging case involving Delson thin mints?

RO: Yes, I certainly do.

JZ: We received a consumer complaint decrying the large size of a Delson mint package for the small number of mints enclosed. One morning the chief said to me, "John, you don't have much to do anymore. The chickens are kind of all gone. Why don't you see what you can do with this thing?" The deceptive packaging provisions of the 1938 act had to be tested, so I set up the Delson

mint case. I had all of the witnesses I needed, and this thing seemed to be cut and dried. The package violated the Food, Drug, and Cosmetic Act of 1938 as it was written; there was no question. It appeared to be an open and shut case. We thought we had it won before we went to trial! Unfortunately, it was tried before Judge Rayfiel in Newark. Judge Rayfiel looked the case over as the trial started and he said, "My God, what are you doing wasting time with this? My family loves Delson mints. Is this all FDA has to do?" We knew then and there we were dead, but the trial went on. The facts were all there, our witnesses were good, and things were all on our side; but we lost the case. General counsel studied the case and decided to forget that provision of the law.

In 1961, I fell off of a stack of tea chests in a warehouse and injured my back, and had to stay out of work for two months. While I was out on sick leave, Charlie Herrmann was very sympathetic. He said, "John, when you come back, I'm going to keep you inside. You've done enough outside work in your life." I guess he felt safer if I had an office across from his, so I became a Food and Drug officer, doing primarily import work. All through my career in the Food and Drug, I had been involved in one way or another with imports from the day I came aboard. When I first reported to New York district, I didn't know 42nd Street from the Bowery; so I was assigned to work with an old native New Yorker, Jerry Martel, who was head of the imports in New York. He showed me New York, and how to get from place to place, both by car and by subway. I worked with Jerry for a couple of months, until I got to be pretty good at getting around the area doing import inspection work. I knew

the import regulations before I really knew how we enforced the Food and Drug law and regulations.

When I took on the Food and Drug officer work for imports, Food and Drug officers were pretty well screwed up with import detentions and final adjudication of detained shipments. There had never been anyone previously assigned to it. My instructions were, "John, you take over, and see what you can do. See if you can organize this import business so that we all know what we're doing." As I began to get the big picture and the feel of what was going on, I began to find out that a lot of the import detentions could be corrected before the material ever came over to the States. I began to hold meetings with some of the foreign consulate officials regarding detentions. New York district held the first FDA/foreign consulate briefing at the U.S. Customs Courthouse. United States Customs Judge Rao gladly loaned me his ceremonial courtroom to hold the briefing, and was my first speaker. It was such a huge success that we began to hold similar briefings annually.

In 1970, after our fourth or fifth successful consulate briefing at New York, I was sent to headquarters to help the International Affairs staff director, Joseph DeLorenzo, set up the first ever FDA/foreign embassy briefing. Sam Fine, associate commissioner for compliance, was our main speaker.

I had just been back in New York for a few days when I got a call from Paul Hile, executive director of regional operations. He said, "John, our national import program is a disaster and needs some help. I want you to come down and put together a national import program. Take as long as you need. You can take days off from time to time to go home, but I want you to be

stationed at headquarters until you have finished the job. I'll give you an office and some help, and you put together an import program for all of the districts." I came down in '71, right after the first of the year, and Paul assigned Dick Klug to work with me. Dick and I worked closely together, and we finally put together a package that was approved and accepted. We briefed the commissioner's staff on it, and they accepted it. We called it "FDA's Import Strategy."

Paul offered me the job of administering the strategy, but I wasn't ready to leave New York. I recommended Richard Klug. I told him, "We still have kids in school." By this time, I had seven children, which is one reason I was never quite in a position to transfer out of New York. There were too many complications, like several different schools going at the same time. Dick Klug was given the job with the understanding that any time he wanted me down, I would come to help him. I spent more time in headquarters for the next year and a half or so than I did in New York. When George Gerstenberg became the district director at New York, he decided that I would have to start spending more time in New York or find another position.

RO: George Gerstenberg was chief inspector, but . . .

JZ: But he became chief of the district late in 1972 or early in 1973. I happened to be on the phone with Bob Shelton of the International Affairs staff one day in connection with a consulate briefing. I said, "Bob, I understand Joe DeLorenzo is leaving. Are you going to take over?" He stalled a bit and said, "Well, Sam Fine told me to kind of take over until he could make it

permanent, and I suppose he will." "Great," I said. "I guess you're going to need an additional staff member." "Yes, I think so," he said. "How soon can I know?" I asked. "I'd like the job." He replied, "Where are you right this minute?" I said, "I'm back in the tea room, Bob, having a cup of tea. This is a good phone because it's not piped into Gerstenberg's office." "Okay, give me the number. I'll call you back in thirty minutes." So he went up to see Sam Fine, and evidently Sam must have been in and he saw him right away, because in a matter of fifteen minutes, Shelton called back and he said, "You're in, John! You're going to be working for me." So I took the transfer.

This was in '73. I remember several days after I came in, I saw Paul Hile out in the hall, and he said, "I understand you're coming to headquarters." I said, "I'm here, Paul." "Yeah? Where are you?" He thought I was in EDRO. I said, "No, I'm a traitor; I went to work for Sam Fine. I'm in the International office." "Well, I suppose that's the right place for you, but the International Affairs staff really should be in our office, in EDRO." I agreed with him, and to this day I think it should have been in EDRO.

RO: What was the title of your job, then, in International Affairs, John?

JZ: I was a Consumer Safety officer. I stayed there until my retirement. When Bob Shelton left, we had several people come in as acting directors. Mary Ellis came in, and several others. Eventually I wound up holding the fort. Dr. Mark Novitch asked me if I cared to be considered for the office, but I declined. My wife's emphysema had gotten pretty bad, to the point where I couldn't leave her for very long. I said, "No, I'm going to retire early next year, but I will

take the permanent deputyship to whoever you appoint, and I'll stay with him and help him as long as I can." I became the deputy director, and retired within about six months.

RO: What year was that, John?

JZ: Nineteen-eighty. I left on the first day of March. I was appointed as a consultant to Nathaniel Geary in EDRO, so I finally did go back to EDRO. I was to report to Nat Geary in June for a particular job that Paul Hile wanted me to do. But after spending some months at home, I knew that it would mean being away from home, and I'd have to do some traveling. I just couldn't leave my wife alone in her condition. So I quit and went to consulting on my own. After two years, I had to quit the consultancy because you can't really consult operating out of your home. If you're going to be an efficient consultant, you've got to get out. And I wasn't getting out.

RO: Let's take a break here, John.

[Interruption in tape]

RO: Well, John, you've kind of brought us up through your career in Food and Drug Administration up until the time you retired. I'd like to back up now, and maybe we can go over some of the exciting and important incidents that happened along the way. One of the things I understand is that you might have been responsible for FDA getting into some of the bulk drug work early on

through your inquisitive mode, wondering about what some of those chemicals that were being imported really were. Do you remember that and do you want to talk about it?

JZ: That came about kind of as serendipity—you know, sort of like Columbus discovering America when looking for India. During the summer months in New York district, we had dull periods. The districts in those day used to be judged on the basis of how many seizures they made, and how many prosecutions and so forth. And during the summer months, production was off. So what's to do? For several summers, I would go out alone on warehouse surveys in the metropolitan New York area and by field examinations confirmed by the laboratory would provide the district with more than our quota of seizures, as well as set up several warehouses for prosecution.

One day I was inspecting the Republic Warehouse on West Street at 59th Street, New York, and on several floors there were stored lots of licorice root from Russia and various other botanicals. They were heavily insect infested, and all belonged to the Meer Corporation on West 54th Street. Anyway, I had to call for help on this job from the district office because of the large number of violative lots found. While fellow inspectors were cleaning up Republic, I followed up with a visit to the premises of the owner of all of these lots, the Meer Corporation. The only reason that they were storing at Republic was that their warehouse was jammed full, right up to the ninth floor, and most of the lots, mostly botanicals, were infested or moldy.

I started on the ninth floor and had to call for additional help immediately. I could simply not handle it alone! There were live and dead insect infestation,

Ron, from the top of the warehouse right down to the shipping floor. Every floor had some infested or moldy botanicals and crude drugs. We started to examine and sample for seizure until the Meers began to ship lots out of the building. I promptly called the New York City Department of Health for embargoes pending U.S. marshal seizures. When the city inspectors observed the situation, they embargoed the whole damn warehouse. They were told that nothing could move out of the warehouse without permission of the city department of health on a lot-by-lot basis. Later at a hearing at the New York district office, Ellis Meer, president of the corporation, cried unashamedly in front of the hearing officer, a stenographer, New York City inspector, and another FDA inspector and me.

This mess at Meer Corporation got us to thinking that if this one firm had all of these infested botanicals, surely other firms in the business could have similar problems. We followed up at S.B. Pennick and at private warehouses that stored these materials. We found that, in fact, there were botanicals, many lots of them, and many crude drugs that were being used that were insect and/or rodent infested, and otherwise contaminated. It was a hot and busy summer that year at New York district. The result was that warehouse inspection was put on our work project for the next several summers.

RO: Do you remember a particular lot of cantharides? Was it involved in this warehouse case?

JZ: Yes, Ron, that was an interesting seizure at one of the east side warehouses in no way connected with Meer Corporation or S.B. Pennick. There

were three heavy, wooden cases, tightly sealed and solidly packed with dried, iridescent Spanish flies, or cantharides. Hundreds of little brown beetles were having a feast on these critters. I took an official sample and made my field examination report, and put one of our Food and Drug seals on each case, dated and duly signed by me. I clucked at the warehouse man that was with me and told him the lot was embargoed. On my collection report and field examination report, I called the product "Insect infested Spanish fly." The seizure went through all right, but the charge was changed to "Does not comply with compendium standard for cantharides, in that the article is insect infested."

But this was one of many. I had several pet warehouses in New York where I could get a seizure almost for sure. Whenever the statistics got low, Leo Lusby used to say, "John, I need a couple of seizures; what can you do?" I would always reply, "Well, I'm in the middle of so-and-so, but starting Tuesday, I'll go out and bring you in a few." We'd do the field examination, and then bring in a few specimens so that the lab would confirm that what I said was insect or rodent infestation was, in fact, insect or rodent infestation. And, of course, I would accompany this with photographs, especially if there was a chance of a subsequent warehouse prosecution.

During the course of this work, we trained a number of chemists to do warehouse work. I used to take the chemist out with me so that we didn't even have to bring in samples. I would make my field examination as though I were alone, and he would follow up with his lenses and other portable laboratory equipment, and complete the formal analysis right in the field. This was the first time to my knowledge that FDA had ever discussed a mobile laboratory, but evidently the proper time had not yet arrived for that.

witness stand, and I mentioned rabbits and was told to shut up about rabbits because they weren't part of this trial.

RO: Was that Koslof?

JZ: Koslof, yes.

RO: You mentioned a while ago some of the dried eggs going to the bakeries. For a while, we had quite an active program, what we called "Incubator Reject Eggs." Was that part of what you were talking about?

JZ: That was the beginning of it. Goldhammer was doing the egg business when I came into New York district because he was our number-one egg smeller. I worked with Goldhammer. We had a couple of very interesting incidents. One time we got a tip that there were some incubator rejects, "inkies" we called them, coming across a bridge in Philipsburg, Pennsylvania into New Jersey. We wanted to apprehend the truck going interstate as it crossed the line. Gilbert and I set up at the bridge and at about midnight, when they were changing the toll taker, we learned that there was another bridge three or four miles down river. So Goldhammer took one bridge, and I took the other. Ron, I was just a rookie at this time, and it was dark and very cold, and I was given a bridge to watch all by myself.

Whoever got the truck was supposed to have the bridge attendant call the other bridge at once and pass the word. Sure enough, the truck came barreling in on me before I could make up my mind what I wanted to do. I climbed on-

RO: We were quite heavily involved, at one time, in the rabbits coming in from Australia. You surely had a problem with that in New York, didn't you?

JZ: Yes, but I think the big problem came when the rabbits began to come in from the Midwest. We started out looking at the Australian rabbits, and since I was the nearest thing to a veterinarian in New York, I was called in to decide whether or not this one smelled bad, or did this have bunny hairs or other flesh on the inside of the cavity, or did the flesh look as if it might be a diseased rabbit. So I inherited the bunny work in addition to my chicken work. As we began bringing the Australian cottontails into the laboratory, I noticed other rabbits in the market. These were jacks that were being shipped into New York from different parts of this country, mostly from the Middle West. Generally, these had dark red flesh and were all beaten to hell. I think they killed these jackrabbits with clubs.

The Australian rabbit situation was resolved finally only after we communicated with the Australian consul general in New York who got the word, with detail, back to Aussie-land. Some of the jacks were being shipped by one of the fish importers who used to bring in Canadian whitefish infested with cysts. He would also ship rabbits into the New York area, because when the Canadians sent a load of fish, they would also include a number of boxes of jackrabbits. He, of course, had no market for them in the Detroit area, so he found customers for them in New York. When we had a whitefish trial against this individual in Detroit, the subject of rabbits came up while I was on the

to the running board, and stuck my badge and my head into the cab through the window. The identification was there. This was my truck all right. There were two big, burly truck drivers sitting there. Here it is past midnight, dark, freezing cold, and here's skinny little me getting up on the running board of that truck and saying, "Hey, I want to see what's in the back of your truck." One of them said, "We've got to make a delivery; we're in a hurry." So what did I do, Ron? What would you have done? I reached over and pulled the key out of the ignition and put it in my pocket. I said, "I want you to open that truck" (laughter).

Gilbert came over from his bridge and we examined the eggs. They were our eggs, all right! But we couldn't seize the truck where it was, so we had to wait until it went to destination. The truck took off and we followed. He'd stop and he'd take an hour's nap, and we had to sit up and wait. Then he'd proceed some more and stop again, and finally he took his load out into a farmyard, and dumped the eggs out in the field. The farmer didn't know the first damn thing about it. So we really lost that load, but it was an interesting run. Good indoctrination for a rookie Food and Drug inspector.

RO: You worked under a number of different directors in the broad sense. You mentioned Bill Wharton that you never seemed to get along with, or he didn't like you. And you mentioned Charlie Herrmann. Of course, in between there, they changed from the three districts, the eastern, the western, and the central, going back into districts. Charlie Herrmann was a district director there, and then Weems Clevenger followed him. Would you care to talk a little bit

about the differences in their philosophies, at least, of enforcing the Food, Drug and Cosmetic Act?

JZ: Let's first speak about Bill Wharton and his style. He was somewhat of a tyrant. He knew the Food and Drug law as it existed before the '38 act and he measured everything by the old act. He was quite stern, but a good district director. The fact that I didn't quite get along with him had to be my fault. I didn't always want to be told what to do, but saw what I thought needed doing and went right ahead and consulted later. Nowadays, young employees do what I used to do. But early on you were expected to follow the rule a bit more.

Austin Lowe was sort of a puppet. He moved only when the strings were pulled. Ole Olson, who was Wharton's assistant for inspection, was a little more modern and up-to-date; you could bend Ole some. Charlie Herrmann, who was Wharton's assistant for laboratory functions, was a true misplaced chemist, a stickler for detail, long winded, very demanding, and boring as well. He shuddered when any of us did anything unorthodox. To wit, the live poultry episode. Leo Lusby, the chief inspector, had been in Washington, D.C. before coming to FDA. Leo Lusby was an old butcher. He was my first chief inspector, and my chief inspector for a number of years. An outstanding individual. A good man and a good manager. Within what he had and what he had to do, he was excellent.

After Lusby, we began to get into the younger people. I think Dick Williams came first, and then we got Kenny Lennington, followed by Fred Lofsvold. After Austin Lowe, our station director was McKay McKinnon, the pre-'38 act Weems Clevenger. When Ken Lennington became my chief inspector, I

knew I would have some small problems. I had been in New York district as much as two weeks before the class of Act of '38 indoctrination began. McKay McKinnon was one of the instructors. Kenny Lennington, among others, was in the group. And as far as I was concerned, he was nothing but a little country bumpkin that had Dick Williams and me picking straws off his back all the time. I was just a country boy from Minnesota myself. Ken never forgot it!

I'd been out on a couple days' trip, and when I came back to New York station, who in hell did I find sitting at that chief inspector's desk but Kenny Lennington. I said, "Well, hello, Ken" [laughter]. He rubbed his hands with glee. I was smoking a big, black cigar, and he said to me, "We'll soon take care of that cigar business." He tried to ride me, but it didn't last very long because I did my work well, and he appreciated that.

But Kenny, for all of the differences that we had, whenever he had a job that needed doing, a ticklish one, he would send me. For instance, we had a candy manufacturer on 16th Street in New York City, down within a half a mile or so of our office. He had some definite violations, but at the time of inspection by John Cain, he wouldn't give him shipments—nothing. We had the inspection, we had the evidence including photographs, we had the firm by the tail; but we needed an official sample or two quickly so that we could get our samples and seizures and prosecution moving. I said, "Hell, that's no problem." We were quitting at 5:00 in those days, and I think it was already 4:30. It would take me ten, fifteen minutes to get over to the firm. I had opened my big mouth, so Ken said, "John, go over there and get shipments now. I'll wait here for you so that we can call the appropriate district today."

I learned from Johnny Cain that they were very obstreperous, nasty people. I got to see the boss, and I said, "Before I tell you what I came for, please show me the men's room, would you?" "Straight on back," he said. I went "straight on back" as directed, and took out my little book. On the way coming and going I took down names and addresses from packed cartons. The owner caught me just as I was getting back to his office. He raised all kinds of hell, but I got my shipments and brought them back. We made a couple of seizures and got the prosecution. Kenny knew that as much as he used to get annoyed with some of my tactics, he could still send me out when he needed a job done.

You know, when I first came to FDA, Ron, we didn't have too much muscle. Under the old act, which we operated under for a long time, even after the act of '38 was passed, we had to get permission to enforce the law, or thought we did. We didn't know how much muscle we really had until we flexed a few times. Instead, we used all kinds of gimmicks and devices to try to get around this voluntary business. I didn't know whether I could force him to show me shipments; and if he didn't I would get annoyed, but I couldn't let him know it. So we had to find other ways to get what we needed.

RO: Part of that was that Charlie Herrmann was district director, and he was kind of the old school, wasn't he?

JZ: Yes, Charlie was a reversion. We had Dick Williams who was great, Kenny Lennington who was great--they were the younger people. Weems Clevenger. All good, aggressive, young people who were looking at the new act as it was

written and were willing to work on it. And then we got Charlie Herrmann thrown at us. We inherited him from the regional office. He was one of Bill Wharton's assistants, and a reviewing officer for laboratory reports.

RO: In the eastern district.

JZ: Yes, in the eastern district. After he became district director, he was like an anchor that we had to drag along as we tried to move forward. Finally, when Dr. Goddard became the commissioner, he tried every polite way he knew to squeeze Charlie out until it finally happened. When Weems came in to replace him, it became an entirely new ball game.

RO: Well, Weems came in about the time that Goddard was our commissioner, and of course, Goddard brought in an entirely new philosophy as far as the agency was concerned. Weems was one of those that kind of went along with the fact that the district directors reported directly to the commissioner and did what he wanted.

JZ: Weems tried to anticipate Goddard, I think. That's one of the reasons I used to have trouble at headquarters. Weems was my boss and he would give me jobs to do, and I did them regardless of what Parklawn wanted. I got painted with his brush. They would say, "You're just like Clevenger. You're just like your boss." Sure, I was like my boss. I liked much of what he did. He cut a lot of corners and he did some things that I wouldn't approve of. But Weems is Weems. He's Clevenger! But I was loyal to him. I rarely let him

down. The only time I had difficulty with Weems was when I defended Paul Hile, whom I was fond of. I said, "You know, Weems, I would prefer if you found somebody else to do this particular job, because you're going directly contrary to what Paul wants."

RO: And of course, at that time, Paul was the executive director of regional operations.

JZ: That's right. I said, "This is absolutely wrong. We can't do that, Weems." So he gave me a roar, and he and Mary Dolan practically threw me out of his office. The next week I was back in again, but he took me off the job that I didn't care to do.

RO: That was as far as the imports were concerned, is that right?

JZ: It had something to do with one of the import things, yes.

RO: I think you mentioned earlier that it was about that time that we had the International office here which was coordinating our foreign inspections. Some of the foreign inspections were being made by our good friend, Charlie Wayne, who was stationed in New York. I think I'm right that Weems decided that he was going to set up the International Inspection section in New York, didn't he?

JZ: Yes. That was one of our points of disagreement. Also, I had a complete file of foreign consulate offices in the New York area. He thought that we should really take over this work, and that the International office actually ought to be in New York, where he claimed all the activity was. I told him that I didn't agree, and that rightly we should take our lead from EDRO. But he went ahead with his inspections. That's when Frank Bruno came in and agreed to work with Weems on inspections. I got squeezed out, but I kept what I really wanted to do, anyway. I was a Food and Drug officer. I wanted to do the legal work for the imports, and I would talk to the consulate people. But there was no circumventing embassies. That I wouldn't do.

RO: New York used to have an import section that was kind of separate from the domestic inspectional staff. When did that occur?

JZ: This occurred shortly after Weems got there. It had always been an adjunct to the interstate inspection staff, but what Weems did was cut it off from the chief inspector, sort of. He put Bruno in charge of import inspection and had him report almost directly to him. I say "almost" because it soon became evident that Weems didn't have time for such nonsense, and the import section was promptly returned to the chief inspector. George Gerstenberg, who had just come to New York from Philadelphia, insisted on the re-alignment.

But it was almost a catastrophe for a while. At one point, we had set up a little office in the customhouse that was a part of the import inspection office in Brooklyn, and Gerstenberg had nothing to do with it. Weems was out to make a kingdom for himself for sure. When he was first appointed RFDD, we in

New York already knew Weems, with his big, red, handlebar mustache. Somebody had an 8 X 11 picture of that old German King--Frederick, I think--the one that Weems looks like. Bud Loftus hung it on the bulletin board, and captioned it, "Our Next Director--All Heil!" While Charlie Wayne and I were looking at the picture and laughing, we felt someone behind us and turned. It was Clevenger. We said hello and moved on out. Mary took the picture down. Weems really made life interesting, but his appointment was timely, I suppose. When you look back on it, Weems was absolutely necessary for the forward movement of the Food and Drug, particularly New York district which was slowly coming out of a long slumber. He was radical; he was way out. But I think it worked out quite well.

RO: You mentioned Mary Dolan. What was her position?

JZ: Mary Dolan and Weems had been quite good buddies. I think before he came to New York, they were both in Philadelphia, weren't they?

RO: Could be. Mary was in Philadelphia for a while.

JZ: When he came to New York as the district director, he brought Mary over as chief chemist.

RO: At one time, we had the district director and we had a deputy district director. Was she the latter under Weems, do you remember?

JZ: Yes, I do. Originally, Mary Dolan had the chief chemist's desk in the laboratory. She always wore a white lab coat down to her ankles, and you could see and hear her come chop-chopping through the corridor from the laboratory. Mary was an excellent chief chemist. After a short while she was given a desk in Clevenger's office, and we learned that she had been appointed deputy. Mary was an excellent person, a very bright and capable girl. She had one enemy, and that's undoubtedly what killed her. I was the last Food and Drugger to see her alive. She was in the Georgetown Hospital and after her second operation I went over to take her a book. She appeared to be recuperating well. The surgeon who worked on her was the one who worked on President Eisenhower. And while I was talking to Mary, the surgeon came in and gave her a last-minute checkup. He said it looked like she was going to be all right. The next morning we got a call that she died during the night.

RO: Under Weems' regime there, it seemed to me--of course, I was in another district at that time--but we used to think that the agency's import policy was being set in New York district by Johnny Zaic. When we didn't know exactly what we should do about something, we used to call John Zaic, rather than calling headquarters to find out what we were going to do. But it seems like there was quite a change in the approach to dealing with imports as far as the importers. Commissioner Goddard had an idea about self-certification, as far as the domestic industry was concerned, and we had a pilot program. But it seemed like you were working up there on kind of what amounted to self-certification with some of the importers. I remember they were working with dif-

ferent industries—Spice Trade Association, for example—in trying to get a kind of self-certification program. Were you heavily involved in that, John?

JZ: I was at the outset, but I soon found myself on the outside. It was my feeling that self-certification by whole industries had to be a national policy and coordinated with EDRO. I suppose that is why Paul Hile, who detected this, decided we needed an import strategy for all the districts. He said, "Let's put this thing together, and see what we can do. We'll do it all the same way, and we'll do it out of headquarters. Weems Clevenger to the contrary be damned. We're still going to do it the way it ought to be done. And if New York can give us the most input, fine. But let's do it all alike, and let's do it uniformly."

The one thing I fought with Weems about was headquarters control. Because he was my boss, when he gave me an assignment, I did it. At the same time, I used to get in trouble with him and with Mary, too, because I'd tell them, "Hey, look! Why am I doing this? It's not our business." And I got the answer, "You haven't got the guts I thought you had." You know the attitude. Many times I didn't know what the hell direction to go.

RO: Well, Weems became the regional Food and Drug director. It was about that time we had the mandate to set up regional offices. But you were still there when Weems left the Food and Drug Administration, weren't you?

JZ: Yes. When Weems left, I was on detail to headquarters doing the import strategy. One of the big surprises I got when I came down to EDRO . . . Re-

member Bob Martin, who had been the district director when Weems was regional director? I came to Parklawn and had a little office alongside of Sterk Larson. I was walking down the hall with him one day going to lunch when he said, "There's an old friend of yours in there." I walked in. It was an office about the size of this, Ron, up against the window on the north side—a beautiful office, a great, big mahogany desk. And Bob Martin—not a damn thing to do! He's sitting on his hands, and he's unhappy as hell. He had gotten into some difficulty in New York, and they transferred him. You know the story, Ron, I'm sure. This was sort of my end, too, because Gerstenberg then came in as district director at New York.

RO: About that time, you decided that headquarters would probably be a better place not only for your family, but maybe for yourself?

JZ: For myself, too, because at that point, I didn't know where in the hell New York was or where it was going. I had been painted with Weems' brush, but I had a maverick streak of my own, and you don't re-write your own history with your employer. I had mellowed through the years and it had now come down to finding a job that I liked, or retirement.

RO: John, when you came into the headquarters here in the Office of International Affairs, what were some of the duties you had then?

JZ: Ron, when Bob Shelton first interviewed me for the job when I was still on the New York district staff, he was very emphatic as to what Sam Fine and he

wanted in the person who was to take Joe DeLorenzo's slot on the International staff. Bob pointed out that he was a microbiologist, and Dr. Weinroth, another staff member, was an M.D.--an anaesthesiologist. What was needed was someone with wide knowledge and experience in inspection and investigative work, who also knew the Food, Drug, and Cosmetic Act and the regulations in Title 21 U.S. Code, and preferably someone who had served for some time as a Food and Drug officer. He needed an aggressive person who was at ease in all social situations, and who didn't object to overtime work as situations required. This sounded like a pitch intended to scare me off, and if I hadn't been rather desperate at the time, I might have told him to forget it. Bob had quizzed me extensively on my activities with the FDA/consulate briefing in New York, and that brought me around.

After I reported for duty to Shelton at Parklawn and went upstairs for a chat with Sam Fine, I felt right at home. Sam and I were both from the class of 1939--he for laboratory and I for inspection.

Bob took me to lunch and as we talked he laid out my duties this way: "John, I want you to become a telephone buddy of as many embassies as you can, then follow up with personal acquaintanceships. You'll get the commercial officers or any other officers that have to do with the functioning of food, drug, cosmetic, or device firms in their countries that ship merchandise to this country. Find out what, if anything, we can do to assist them in complying with the U.S. Import Food and Drug law. I want you to be an accessible friend to people in all of the embassies. You'll go to their receptions, you'll go to luncheons, you'll go to whatever public functions they put on. You've got to attend a certain number. I'm not going to give you a percentage, but I want

you to go to as many as you possibly can. There's one bad thing. When foreign government officials come in to visit you here, you cannot get reimbursed for taking them out to a fancy lunch. You can get reimbursed for their lunch, but not for your own. I'll go with you the first few times."

Ron, it cost me dough to take some of these people to lunch. I remember one time we had the brother of the presidente of Mexico come in. He was a high official in his own right in his brother's government. He came in with two hotshots, and I took the four of us to lunch. This one cost me over \$100, and I got about fifteen bucks back. I wasn't about to take too many groups in the future. I couldn't afford them! But it was not only permitted, but I was encouraged to accept their invitations. On balance, I'm sure I broke even.

Anyway, that was the idea. "You're going to be the hand-shaker for FDA; you're going to be the first contact man. I will be, too. You watch me and I'm sure you'll pick it up quickly. I believe that this is the way we should go. And another thing: you and I are going to do very little traveling overseas. The traveling should be done the way you were doing it in New York. You just continue your policy. If you need an expert on figs, we'll go to the Bureau of Foods and get their top fig man, and we'll send him over. You don't have to go. Once in a while, if it's a matter of policy and they want you or me, one of us can go. It's proper and really more efficient to send experts. We've got them on cosmetics, on foods, on drugs, on microbiology—we've got experts in every aspect of food and drug activity, and the bureaus can provide them. And remember we have to sign off on all foreign travel; so if you have a doubt as to the need for any proposed trip, check with the bureau director before you sign off.

that RKO was producing. You know that any good Food and Drugger is going to say, "Yes, of course; it would be the greatest thing in the world."

The only reason I got involved was that I happened to be in the inspection office when they came in to look around. They asked me what I thought of a movie short on FDA inspection activity. I said, "It sounds like a great idea." "Well, how would you like to do it?" I said, "Fine! I'll see that the sequences are technically correct, and they they follow FDA procedures." "Well, do you feel qualified to see that he stays within bounds?" Herrmann asked. I said, "Sure." I thought I was just going to stand at the shoulder of the movie director while he was shooting real movie stars. But I wound up as the "Inspector Kennedy" of the piece. There was one scene where my hand appeared in a close-up putting a padlock on a garage door. I don't know if you recall the film or not. But this garage was the manufacturing plant, where the operator was making this violative stuff out of gallon jugs or something.

RO: What was the product?

JZ: It was called Elixer-ex, and it was supposed to be good for everything from falling hair and in-grown toenails to whatever. At one point, the movie director wanted me to go in with a hammer and smash bottles. I said, "Hey, we don't do that. Even the U.S. marshal doesn't do that. This is the way we do it." But that was the only time he listened to me. Other than that, why, they pretty much went on their own, although we did consult beforehand. I think the script, really, was put together at headquarters, but I was supposed to be the watchdog. I thought they were going to photograph scenes at New York

"DeLorenzo traveled primarily on drug assignments, and he was a good drug man. But EDRO and the Bureau of Drugs have people just as good. If we're going to do a favor for Rumania, for instance, on their paprika, we're going to send Bill Eisenberg down, or we're going to send somebody else that knows about microbiology and can use a microscope. We'll get Al Campbell, and send him down on pistachio nuts. We'll go to the Department of Agriculture. There's a guy down in Raleigh that knows pistachios like the back of his hand. We'll get him to go down." Which we did. As soon as DeLorenzo left and I came into the International office in Parklawn, there was a brand-new direction on travel almost immediately. Of course, Joe DeLorenzo was gone. Bob Shelton was there, and Bob and I saw foreign travel the same way. He had me transferred to his staff for the precise reason that we had similar ideas for the functioning of the international staff.

"We will have FDA embassy briefings," he added. I had an embassy briefing every year that I was there, as well as group meetings geared to specific countries for particular products or industries.

RO: I remember that office, at least, used to coordinate the foreign visitors. It seemed like they always wanted to spend some time in headquarters, and then visit field offices.

JZ: Yes, I did a lot of that, Ron, but at first Clem Miller did most of it. Remember old Clem Miller?

RO: Sure do.

JZ: Clem was doing it when I came from New York, and I used to take over for him when he was out. He was in his late seventies when I first came to Parklawn. Yes, I arranged many of those visits, and, of course, we thought that they were important. Foreign governments would send delegations, for instance, from Indonesia, and they insisted that Bob or I should come to their country. I could have handled it, I think, but it was contrary to our office policy. Bill Eisenberg was the right one to go, and he did and received many compliments. But when the Indonesians wanted somebody to come up to New York and talk at a chamber of commerce luncheon, I went. That type of thing was part of my job. If an embassy had a group in from its country and wanted somebody to come up and talk about regulations or compliance policy for a specific product or products, I would do that also, and did on a number of occasions.

[Interruption in tape]

RO: John, how did it happen that you got involved in the film, Fraud Fighters?

JZ: Fraud Fighters, Ron, was put together either late in 1946, or early '47. I'm pretty sure it was in the fall of the year. The commissioner's office sent somebody from RKO Studio to New York to talk to the director at that time—I believe it was Charlie Herrmann. He wanted to know whether or not we thought that the functioning of the inspection and investigational staff of the Food and Drug Administration might make a good unit for the "This is America" series

district only, and that I was just going to stand by. I suppose somebody had picked up my application and found that I had four years in the dramatic club while I was in college, and said, "Well, this guy should know how to act; let's give him a try." There weren't any questions, no tryouts, no nothing.

RO: How long did it take?

JZ: The better part of maybe three days. More maybe, because we worked about two days around New York, doing bits here and bits there; and then we went up to Monroe, New York, where we did the cemetery scene, and also photographed the road sign, "Monroe, New York." I remember there was a large billboard, regular billboard size with "Entering Monroe, New York" printed on it, and an enormous picture of Marilyn Monroe in the famous scene where the breezes from the subway vent are blowing her skirts in the air while she's trying to hold them down. She had no connection with Monroe, New York, I understand, but her studio, I suppose, thought it was good, cheap publicity.

The people in the Monroe scenes were all natives. The women that I was supposed to be interviewing at the several houses were residents of Monroe that they had set up. But there were no professionals used at all, as far as I know. We used Teddy Maraviglia's big feet in one scene. You know, there's an early-on shot where Inspector Kennedy is shown from a distance, and then they close in on his tiring feet. Well, my shoes were too small, so they got Teddy with his big, flat feet. And later, they took another shot of him, but he only came on for his feet.

It was an interesting episode and apparently successful, because this led to another one. Within months we did another short on the examination of imported foods. I don't know what happened to that one. There was an inspector by the name of Tom Sciacca who was on this one with me. I saw it after it was produced, and it was shown in-house a few times both in New York district and the other port districts like Boston, Philadelphia, San Francisco. I don't even remember the name of that movie.

RO: Was that done by RKO?

JZ: No, it was done by a small studio in New York City on the west side, in the sixties somewhere, about 64th Street near the Hudson River. I don't know if this classic was a movie or a one-cylinder short, but it never showed up anywhere except in-house, to my knowledge.

RO: When did RKO initially show this?

JZ: Oh, Fraud Fighters was in the movies shortly after production, maybe right after New Year's. You used to get Pathe news, selected shorts, world news, comics, and cartoons in the movies before the feature film. This was one of the selected shorts. It was shown quite extensively when it was first produced. I used to catch it every once in a while during the summer when there'd be a rained-out ball game on television. Fraud Fighters would pop up as a fill-in instead of a ball game in New York.

It's over forty years old now and outdated, but it was quite authentic when produced. And it was reasonably accurate technically, with one glaring faux pas as far as we in the know are concerned. The film director wanted me to make an identification seal for my sample just the way we actually do it, and slap it across the label of the bottle over the name, "Elixer-ex." I told him that we would want the label to show in full, but he insisted that the camera wanted to see my seal superpositioning the name of this deadly, violative product. I told him that wasn't the way we do it, but if he insisted, I'd cross my fingers and do it his way—poetic license, you know.

RO: I think there's been a number of people that have commented on that.

JZ: Oh, yes, I think I was one of the first ones that did. It's a good thing I fought some of their other ideas. Imagine what you guys would have said if they'd seen me running into the garage—factory—with a hammer, smashing bottles.

RO: John, you were noted for being kind of a practical joker in at least some of your early days, maybe continuing on. Do you remember any of those practical jokes you pulled on some of your colleagues?

JZ: How risque can I get [laughter]?

RO: I remember somebody telling me that you slipped a great, big bolt or something into one of your friends' briefcase that he carried all the time.

JZ: That's almost correct. I guess I can tell that one. We had an inspector by the name of Louis King at New York district early on. He was a hotshot, a hot dog. He claimed to know how to do anything better than anybody else. He was overbearing, and kind of an obnoxious character, we thought. You remember these black fiber boxes that the inspectors had to carry all of their equipment in? We were all able to put most of our needs in that black fiber box, the regular size one—maybe twenty-four inches long. But not Louie King! He had to have a large one made for his many needs, a tremendous one thirty or more inches long. We kept asking him, "What the hell do you need the large box for? You never come close to filling it, anyway." "Oh, I need it for samples and other things," he said.

So one day to prove that we were right, I took one of these paving blocks from a road-repair site in back of the appraisers stores where we were located at that time, and brought it upstairs, and we wrapped it up in old newspaper. When King wasn't around, we put it right smack in the middle of his box. We rearranged his camera over here, and his other stuff there, and covered everything with his lab coat. And do you know he carried that damn stuff around for several weeks before he finally discovered the paving block. He came into the office one day and was livid, absolutely livid, and yelled, "I'll catch the S.O.B. that put that damn rock in my bag" [laughter]

Ron, there were other pranks that I participated in during my inspection days, but we were mostly young and fun-loving and had to let off steam. But one thing is for sure: we never hurt anyone, at least not physically.

RO: Well, John, have we covered everything, or are there things you would like to add about any of your peers or colleagues?

JZ: Ron, I would like to add one little thing: the names of a few of the people that I thought very highly of over the years in the Food and Drug Administration. One of them, of course, was George Larrick, partly, I suppose, because he hired me. Another one would be Leo Lusby. He was a hell of a good chief inspector. As a matter of fact, I liked most of my chief inspectors—Dick Williams, Kenny Lennington. McKay McKinnon as district director was a character, but he was capable and a nice guy. Paul Hile, I thought, was one of the greats. I like Paul. He was a good, all-around person, and somebody that should have gone a little further than he did. And there is my old buddy Merv Shumate. Merv and I used to consult on Food and Drug compliance matters by phone from our different locations—he in Buffalo and later headquarters, and I from New York and later headquarters. I still have an occasional lunch with him. He typifies the straightforward Food and Drugger—capable and completely devoted to FDA.

Lots of them who helped make FDA what it is: Sam Fine, Bob Shelton, Ted Byers, and yes, Bill Wharton. They helped mold the agency. The FDA now, of course, has outgrown the older of us. We're now considered the middle-age pioneers—we helped to put it together. Among my accomplishments that may not show but that I'm proud of is that I helped to test out many provisions of the Food and Drug Act of 1938. Any sections that needed testing we tried out, and we came out either with a precedent or a disappointing fizz (e.g., the Delson mint case). And remember, the foreign government indoctrination into

import provisions of the Food, Drug, and Cosmetic Act was assisted to a large extent through FDA/foreign embassy and consulate briefings.

RO: There was a big change in the policies or the philosophies of the agency when Billy Goodrich left. We talked about Billy Goodrich when we were not recording here. But there was all the time that Billy Goodrich was general counsel. Billy used to try to set policy by good cases, make a test case out of it. Peter Hutt came along, and he wanted to have it all spelled out in regulations, and things of that kind. But you're right, John, there's been a great change in the agency over the years. I'm not saying that it's bad.

JZ: I think, Ron, that Food and Drug is still not run-of-the-mill government. We have been a consumer protection agency that really knew what its mission was and tried to accomplish it. I think we still do today. I don't think we're far off the track. When people talk about government being for the birds, you know, that never applied to FDA. I never was ashamed of working for the government while I was with the Food and Drug Administration--never! I was very proud of the fact because I think we did much, much good work--many good things.

RO: Well, John, we want to thank you. We'll get this transcribed, and you'll have an opportunity to go over it and correct it. We can insert some of the names that neither one of us could think about at that time. So we'll get that back to you. Make any changes you want to, and if you think of things that

you would have liked to have included in this, we can have another session or we can include it at the time that we go over the draft of the transcripts.

JZ: Okay.