

man from Iowa (Mr. MEZVINSKY) is recognized for 5 minutes.

Mr. MEZVINSKY. Mr. Speaker, the World Food Conference in Rome made some progress on the long-range aim of solving the world food problem by establishing a World Food Council. But little was done to deal with the immediate problem of how to save 500 million people from threatened starvation next year.

I cosponsored legislation earlier this year urging the United States to substantially increase its pledge to world food programs. I am introducing another piece of legislation today which I believe also speaks to the urgent need for immediate measures to prevent widespread starvation. This measure—which was introduced yesterday in the Senate by Senator DICK CLARK of Iowa—is aimed at easing the critical world food shortage by curbing the wasteful use of fertilizer for nonfood purposes.

About 15 percent of the fertilizer consumed today in the United States is used for such ornamental purposes as the improvement of suburban lawns, cemeteries, and golf courses. This is approximately 4 percent of total world fertilizer use. It is as much as the entire nation of India uses and more than is used yearly by most of the other less developed nations of the world.

There is currently a severe shortage of fertilizer throughout the world. Prices have skyrocketed and many farmers—especially in poor nations—have been unable to obtain fertilizer at any price. This has drastically reduced production throughout the world, exacerbating already short food supplies.

I believe that the American people would be willing to curtail their use of ornamental fertilizer—just as they turned down their thermostats last winter. But it is up to the Federal Government to set the example. This legislation requires the Federal Government to reduce its use of fertilizer for decorative purposes to not more than 10 percent of its average annual use for such purposes during the preceding 3 years. It directs the President to urge all State and local governments, businesses and private individuals to do the same. Finally, it calls on the President to establish a commission to determine methods of increasing fertilizer production.

I think this measure is a step in the right direction and I am hopeful that it will mark the beginning of a new sense of responsibility by the American Government and the American citizens toward the world's less fortunate people.

THE 11TH ANNIVERSARY OF VISIT OF PRESIDENT JOHN F. KENNEDY TO SAN ANTONIO, TEX.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, today marks the anniversary of a happy and triumphant day when President John F. Kennedy was very warmly received in my home city of San Antonio 11 years ago, but those wonderful moments have, un-

fortunately, always been eclipsed by that tragic and fateful day which followed.

And, unfortunately, although the passage of 11 years has helped to erase the trauma of that November 22, there are still some aspects of that day which some of us shall never forget, and perhaps to some extent we should not forget.

I never shall forget the chaos which took place at Parkland Hospital, and finding Mrs. Kennedy completely abandoned at one point and trying to comfort her.

The shock and confusion of what happened left all of us really not sure of what caused it to take place. We relied on the usual law enforcement bodies to investigate and a special national commission was later appointed.

No one in a responsible position seriously considered a conspiracy—at least not at that time. Everyone wanted to believe the results of the official conclusion—Lee Harvey Oswald, and Lee Harvey Oswald alone, killed President Kennedy, even though Oswald became the victim of murder himself before he had the chance to speak.

However, some of us have begun to have serious doubts, and I, for one, have for some time now had serious doubts about the thoroughness of the Warren Commission's findings.

My suspicions last year were greatly aroused as the result of some of the Watergate testimony regarding CIA-related activities and the Bay of Pigs.

A large body of scholarly and responsible people throughout the country have raised serious questions regarding aspects surrounding the assassination of President Kennedy, and I know that at least some of my colleagues would like to have some of their questions answered concerning the assassination.

For several months I have been studying the possibility of asking that Congress restudy the assassination of President Kennedy.

The official verdict is, I feel, unfortunately, inconclusive.

COPYRIGHT HEARING SET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 5 minutes.

Mr. KASTENMEIER. Mr. Speaker, the Judiciary Subcommittee on Courts, Civil Liberties, and the Administration of Justice, which also has responsibility for copyright law revision legislation, announces that a public hearing has been scheduled to be held on Tuesday, November 26, 1974, at 9 a.m., in room 2237, Rayburn House Office Building, on S. 3976, an act to amend title 17 of the United States Code to remove the expiration date for a limited copyright in sound recordings, to increase the criminal penalties for piracy and counterfeiting of sound recordings, to extend the duration of copyright protection in certain cases, to establish a National Commission on New Technological Uses of Copyrighted Works, and for other purposes.

The subcommittee will hear testimony of the Register of Copyrights, Ms. Barbara Ringer, on the following:

First. The proposed establishment of a National Commission on New Technological Uses of Copyrighted Works;

Second. The proposed extension of the duration of expiring copyrights in certain cases, including testimony concerning the beneficiaries of such extension; and

Third. A review of the present status of the pending copyright law revision (S. 1361).

Inasmuch as the House has recently passed my bill, H.R. 13364, dealing with the piracy of sound recordings, the Register will not be expected to discuss that subject.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 15 minutes.

[Mr. ALEXANDER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. FRASER) is recognized for 15 minutes.

[Mr. FRASER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

REPORT ON DAIRYLEA AND THE NEED FOR FURTHER INVESTIGATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KOCH) is recognized for 10 minutes.

Mr. KOCH. Mr. Speaker, I should like to keep our colleagues advised of the Dairylea Milk Cooperative investigation now going on in New York. Last week 12 former and present employees were indicted by a grand jury in New York. The cooperative was charged with 89 counts of possessing false reports on milk processing and with 89 counts of filing those reports with the State of New York. These are felony counts carrying several fines in addition to criminal penalties that could total \$1.78 million. I think it would be helpful for our colleagues interested in consumer fraud to be aware of the ongoing record of correspondence which I have had and continue to have with various agencies in this matter. This correspondence is appended.

While New York State is now apparently pursuing this matter with diligence, having failed to do so for a considerable period of time, it is important that there be a nationwide investigation to detect what other consumer frauds exist in the agricultural area. I have requested the Agriculture Committee to initiate such an investigation and renew my request particularly in view of the New York indictment.

Mr. J. R. Donnan, president of Dairylea Cooperative Inc., took exception to my correspondence on this matter with the House Agriculture Committee in his letter of October 25 stating therein:

I hope you will not be moved to action by Mr. Koch's letter, which unfairly reflects upon rural America, its organizations and its public officials.

It is not my intention to unfairly reflect on rural America but rather on the bad apples in rural America who ruin it for the good farmers and abuse consumers. At this time I would like to renew my request of that committee as well as that of the Judiciary Committee which has jurisdiction in this matter as it relates to exemption provided to nationwide milk cooperatives, through normal statutory prohibitions against restraints of trade and price fixing.

In my letter to the Judiciary Committee, which is part of the correspondence appended, I have requested Chairman RODINO to consider a broad investigation into the cartels which are manipulating prices and which are responsible for much of our inflation; citing in particular those cartels controlling oil and sugar, as well as the industries providing other raw materials and food stuffs in this country. That investigation should include not only the farmer but the processors and the middlemen all the way up to the ultimate retail sale:

WASHINGTON, D.C.,
November 21, 1974.

Mr. JOHN V. GRAZIANO,
Director, Office of Investigation, Department
of Agriculture, Washington, D.C.

DEAR MR. GRAZIANO: With reference to your letter of October 11th in which you state that your office "is considering investigation of possible adverse effects of Dairy-
lea irregularities upon other USDA programs in which dairy products are used", I am writing to ascertain if any such investigation has been initiated. I am prompted to write at this time because of the indictments of the Dairy-
lea milk cooperative and 12 former and present employees recently handed up by an Albany, New York grand jury. The cooperative was charged with 89 counts of possessing false reports on milk processing, and with 89 counts of filing those false reports with the state.

Now that the cooperative has been indicted, wouldn't it be advisable for the Department to determine whether it may have been the victim of similar fraudulent actions by the cooperative in the execution of the federal school lunch program? If such actions were found to have occurred in the State of New York, isn't it likely that similar practices could exist elsewhere in the United States.

I would appreciate your comments as to the possibility of initiating an investigation covering all the states, pursuing the Dairy-
lea matter further.

Sincerely,

EDWARD I. KOCH,

WASHINGTON, D.C.,
November 21, 1974.

Hon. PETER RODINO,
Chairman, House Judiciary Committee, Ray-
burn House Office Building.

DEAR MR. CHAIRMAN: I don't have to tell you how the cost of raw sugar has escalated in the last twelve months by 500% from \$11.15 to \$56.54 a pound. Many consumers, myself included, do not believe that the price rises are due simply to real shortages. We believe the prices are artificially administered and set by international cartels in which U.S. corporations in the sugar industry participate. I feel that it is not only the sugar industry which is engaged in this horrendous practice but a whole host of others with one of the most dramatic being the oil industry.

Certainly this Congress must address itself to a number of alternatives dealing with inflation including controls on the economy and an excess profits tax. However, we must also undertake a thorough Congressional investigation into these cartels and those other basic food producing industries such as the milk industry.

I urge you to give a priority to this issue and to have the appropriate subcommittee initiate such investigation immediately. I know your committee is concerned at this time with the Vice Presidential confirmation hearings. I would hope that not withstanding that matter, you could assign staff to begin the preliminary investigation into these cartels now.

Sincerely,

EDWARD I. KOCH.

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C.

Mr. SAM D. FINE,
Associate Commissioner for Compliance, Food
and Drug Administration, Rockville, Md.

DEAR MR. FINE: I have received the letter written by Robert C. Wetherell, Director of the Office of Legislative Services, in response to mine of September 25 on the subject of the FDA's responsibility to consumers with regard to the adulteration of milk. I find the response unacceptable.

Dairy-
lea has admitted to adulterating milk for over five years. Such adulteration is in direct violation of Section 307 of the Federal Food, Drug and Cosmetic Act. This section makes it a violation to introduce into interstate commerce food that has been adulterated. Clearly, this is what Dairy-
lea has done.

While it may be true that "most fluid milk products on the market do not move in interstate commerce," as stated by Mr. Wetherell, and thus the FDA has "traditionally left the regulation of such products to State and local authorities," this cannot be used as an excuse for inaction by the FDA in the Dairy-
lea case. Adulterated food did cross state lines and thus the company's corporate officials should be subject to criminal proceedings as provided by the Act. It is my understanding that violators of the Act are subject to not more than 1 year in jail or a \$1,000 fine or both. Despite what is suggested by Mr. Wetherell in his letter, a year's imprisonment of Dairy-
lea officials would be a greater penalty than the \$150,000 fine paid out of corporate funds.

The reason such corporate violations occur is because of the very bureaucratic buck-passing we have witnessed in this case. The federal agencies say that the states should handle the matter, the state agencies say its up to local prosecutors, and then local officials say the scope of the offense extends beyond their jurisdiction. The result is that the violators effectively rest immune from prosecution. What instead should be happening is that corporate violators are subject to prosecution from all levels of government for the laws they violate. Thus, while New York's Attorney General is now investigating this matter, the federal government should nevertheless be prosecuting violations of the federal law.

The courts have upheld the FDA's right to hold corporate executives accountable for violations of the Food, Drug and Cosmetic Act committed by their companies. The Dairy-
lea case is one in which a violation was clearly committed and one in which intent was involved and not simply the product of a breakdown in the maintenance of a plant; it also is something that went on for a long time.

The FDA will never get full compliance from those it regulates if it doesn't seek prosecution of offenders. As far as I know, the FDA has not even had a hearing on this matter with Dairy-
lea officials as is provided

by Section 305 of the Act before the matter is referred to the Justice Department.

The FDA, if it is indeed concerned with protecting the interests of the public—and surely milk is a common food, it should be doing three things. First, referring the violations committed by Dairy-
lea to the Justice Department for prosecution. Second, conducting a nationwide investigation to determine if there are other cases of milk adulteration by large milk producers. And third, including in the FDA's milk inspection program tests for the watering down of milk—something which I recommended in my letter of September 25, but which was not commented on in your agency's response.

Sincerely,

EDWARD I. KOCH.

FOOD AND DRUG ADMINISTRATION,
Rockville, Md., November 8, 1974.

Hon. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR MR. KOCH: This replies to your letter of October 23, 1974, regarding the practices of Dairy-
lea Cooperative.

In the Dairy-
lea case, the public was not deprived of the food for which it had paid. The milk had not been watered but had been standardized using reconstituted skim milk which has the same food value as the skim milk usually used. We see no way of demonstrating to a court that the consuming public was injured by this practice.

As public officials concerned with protecting the public interest as it relates to foods we all consume, it is necessary that we enlist the help of officials at all levels of Government. It is impossible for the Food and Drug Administration (FDA) to do the job alone. In this case, it appears that the State is doing its part.

As to the prosecution of officials of Dairy-
lea Cooperative, under the Federal Food, Drug, and Cosmetic Act, with the aim of subjecting them to jail sentences, please let us explain. An investigation for this purpose would be both expensive and time consuming. If the necessary evidence was developed and presented to the court there is little likelihood of the imposition of a jail sentence, particularly in view of our inability to show injury to the public. Very few convictions for violation of the food provisions of the law result in the imposition of jail sentences, and in the majority of even those few cases, the sentences are suspended.

We see no reason to conduct a nationwide investigation to determine if milk is being watered by large milk producers. The authorities, who are presently monitoring the milk supply, are well aware of the possibility of watering, and their people are adequately trained and equipped to detect and correct this type of adulteration.

Neither do we see any reason for FDA to duplicate the examination of milk supplies for watering which is now being done by State and local authorities. Such duplication would be wasteful, unwarranted and would necessitate the diversion of our already severely limited manpower and other resources from activities now being conducted by FDA which are vital to the public safety and which cannot be handled at State and local levels.

If we can be of further assistance, please let us know.

Sincerely yours,

ROBERT C. WETHERELL, JR.,
Director, Office of Legislative Services.

WASHINGTON, D.C.,
October 29, 1974.

To Members of the House Agriculture Com-
mittee:

I have just received a copy of the letter to you by Dairy-
lea Cooperative, Inc., dated October 25, 1974, in which they urge you not take the action proposed in my letter of