

WHAT ARE THEY HIDING?

Continued
from page 4

Judge George A. Brown was acting under instructions from the State Director of Agriculture to keep the content and dosage of the application of economic poisons on table and wine grapes a secret, though Assistant State Director Allen A. Lemmon testified the directives were only staff instructions and did not have the force of law.

Lemmons said he knew of "at least some" cases where farm workers had been injured by the use of pesticides and cited an incident in Delano in which 16 out of 24 grape workers had been hospitalized for Parkinson poisoning. The workers had entered the field 33 days after the poisoning was applied.

Fields are usually declared safe after two or three weeks, he said. In the most heated discussion of the hearings, Averbuck attempted to introduce a summary of reports filed by doctors with the Bureau of Occupational Health of the State Public Health Department.

Though authenticated by Dr. Milby chief of the Bureau, the report was for some reason unacceptable to County attorney Jordan, who objected to its introduction. Cohen said the report listed "many, many" cases of farm workers who had been poisoned as the result of working with pesticides in the fields.

Morely told the Court "no farm workers have been injured by the application of economic poisons in Kern County to my knowledge."

Lemmon, the State Assistant Director, and a pesticides specialist, mentioned several Kern County cases later in the hearings.

Thomas C. Griffin, owner of a spraying and dusting company, testified he had abandoned the use of the pesticide TEPP (tetra-ethyl pyrophosphate) after he himself had become seriously ill as a result of working with the chemical, but he refused to say whether other companies in the area were still using the substance.

He said releasing details of poison application to the public would be continued on page 11

On January 7, UFWOC General Counsel Jerome Cohen sent a letter to Stephen Wall, a Bakersfield attorney who represents a number of grape growers. "The most pressing problem which faces us as of now is the ever-increasing danger to farm workers' health and safety which arises from the use of dangerous pesticides in the vineyards," Cohen wrote.

He sent along a proposal to all, in which an agreement between growers and pesticide applicators on the one hand, and the Union on the other, was suggested.

The purpose: to avoid litigation on the pesticide question and provide for a cooperative effort in protecting farm workers and consumers from the dangers of deadly economic poisons, some of which are based on "nerve gases" developed by the Third German Reich for the extermination of humans.

The answer of Mr. Wall, Esquire, to Mr. Cohen's proposal, began as follows:

"This is in answer to your January 7, 1969 letter to me enclosing a copy of what you propose for agreement between the United Farm Workers Organizing Committee, my clients, and others. It is obvious either that we completely failed to communicate or else you are trying to be funny."

"I understood you to say also that your only other interest in seeing these specific reports on file now was for your use in formulating some pertinent language for future use in negotiating labor contracts, hopefully. You definitely stated that you were not interested in seeing the subject reports or using any part of the contained data in connection with your boycott effort or as the basis of filing any lawsuit or lawsuits."

"Your actual purpose is clearly evident and there is not even a coincidental resemblance to the ones you expressed. But the end justifies the means in your league—right?"

"Very truly yours, Stephen E. Wall"

To this, Cohen replied on January 9,

"Let me assure you that the United Farm Workers Organizing Committee is attempting to act reasonably and develop adequate safeguards concerning the use of economic poisons in the vineyards. We are available to meet to discuss this subject at your convenience. We hope that such a meeting will take place soon, for the delay in working out safeguards only hurts the workers and consumers."

"There was no further word from Wall or the growers, and on January 14, Cesar Chavez sent the letter which was described at length on page 3 of the January 15 issue of EL MALCRIADO.

"There is one critical issue of such overriding

CONTINUED ON PAGE 11

THIODAN® DIAZINON® 3-2 Dust

BS.

By 3%
97%
97%

L342

ACCORDANCE
REGIONS, AND
REGULATIONS.
CONSEQUENCE
WE RECOMMEND
MENT STRATIONS

OUT OF SMOKE.

Cabbage Looper,
k. Nymph Larvae,
s. Harlequin Bug,
or apply within 7

The farm worker on our cover is spraying this dangerous chemical, Thiodan Diazinon 3-2 Dust, on a field of broccoli near Indio.

DELANO, December 30--"Trade secrets" and "private information" continued to be the key words today in the second day of Superior Court hearings on whether or not officials of the United Farm Workers Organizing Committee should be permitted to inspect records on the use of dangerous poisonous pesticides in Kern County.

Kern County Counsel Ralph Jordan, representing County Agricultural Commissioner Sheldon Morely, objected vigorously this afternoon to the introduction of evidence from the State Department of Public Health in this afternoon's session, as UFWOC attorney David Averbuck sought to show the necessity for making what he called "public records" available for inspection by the public.

According to testimony, growers and commercial pesticide applicators who use poisonous chemicals to control insects and plant dis-

READ THE LABEL

KEEP OUT OF REACH OF CHILDREN

CAUTION: Harmful if swallowed, inhaled or absorbed through skin. Irritating to skin. Avoid contact with skin, eyes or clothing. In case of contact with skin or eyes, flush with plenty of water for eyes, get medical attention. Wash with soap and water after handling or before eating or smoking wear clean clothing. Avoid contamination of feed and foodstuffs. Do not apply or allow to drift to areas occupied by unpropagated humans or beneficial animals. Workers entering treated areas the day of application should wear protective clothing. Use of this material in a manner or at a time other than in accordance with the directions may produce plant injury. Do not apply under conditions involving possible drift to food, forage or other plantings that might be damaged or the crops thereof rendered unfit for sale, use or consumption.

Toxic to fish and wildlife. Do not contaminate any body of water nor apply to any area not specified on the label.

HEAD LETTUCE, DIPSLEAF LEAF MINERS, CABBAGE LOOPERS, SPINACH DIAMOND-BACK MOTH LARVAE, IMPORTED CABOCHARD, BEANS—23 to 33 lbs. per acre. Do not apply more than 14 days of applications after flowering. Do not apply after 14 days of rain. Remove unpropagated leaves. Do not feed crops before harvest.

PEACHES, GREEN PEACH APHID, FLEA BEETLE, THIGS—33 lbs. per acre. Apply when insects first appear and re-apply as required. Do not apply within 5 days of harvest.

POTATOES, APHID, BLISTER BEETLE, CALIFORNIA POTATO BEETLE, BEANS, GREEN BEAN BEG, WHITEFLY—17 lbs. per acre. Beans—17 to 23 lbs. per acre. Tomato Fruitworm, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th.

NOTICE ON CONDITIONS OF SALE: Chemagro Chemical Company Chemicals warrants that the material conforms to the chemical description on the label and is reasonably pure for use as directed herein. Chemagro neither makes, nor authorizes any agent or representative to make, or other warranty, guarantee or representation, express or implied, concerning this material.

2. Because of its inherent nature beyond Chemagro's control greater care should be exercised in connection with the use of chemicals on through responsibility for such use. Buyer and user acknowledge and assume all risks and liability for any loss sustained by Chemagro under any circumstances, including, but not limited to, fire, theft, damage, and use of the

prohibiting Morely from divulging the contents of the reports.

The present hearings are a three-sided affair. Crop dusting companies, represented by attorney Stephen Wall, are technically the plaintiffs, while Morely, represented by County attorney Jordan, are the defendants.

Cohen, represented by Averbuck, is the third party in the suit. To courtroom observers, it is clear that plaintiffs and defendants are on the same side, while Cohen and Averbuck represent the opposition.

Morely testified this morning that even though he was enjoined from making the records public, he had taken the information "in confidence," and would keep it confidential regardless of Judge Steele's temporary order, which still stands after five months.

The Commissioner told hearing continued on page 5