

Toxins Listed As Chemicals, Escape Ban

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The Defense Department acknowledged yesterday that deadly toxins that make up a major part of the nation's biological warfare planning, are now officially considered to be chemicals and, therefore, exempt from President Nixon's recent ban on germ warfare.

The disclosure indicates that the Presidential ban may be less sweeping than it first appeared to be.

Among the nation's arsenal of biological weapons, toxins were considered the most practical and among the most effective. Though highly lethal, they cannot reproduce or be transmitted from one person to another.

High Death Rate

The chief toxin in the U.S. stockpile is botulin, which causes botulism, a disease with a 65 per cent mortality rate, in which death results from respiratory failure.

According to reports published two months ago and not refuted by the Pentagon, 20,000 bullets containing botulin are stockpiled at Pine Bluff (Ark.) Arsenal, the nation's only facility for producing biological weapons.

Though not living organisms themselves, toxins are poisonous substances derived from living organisms. For that reason, they were officially consid-

ered as part of the biological warfare activities by the United States until recently.

Pentagon spokesman Jerry W. Frieheim said yesterday that the National Security Council has based its decision, which the President accepted, on a similar interpretation made by a 14-nation United Nations study group last summer.

In Agreement

"The United States agrees with this definition," the Defense Department spokesman said.

Nonetheless, the United States rejected the U.N.'s authority to interpret another aspect of the Geneva Protocol's ban on lethal gas warfare this week.

The U.N. General Assembly, by a 58 to 3 vote with 35 abstentions, interpreted the Protocol to ban use of tear gas and defoliants in warfare. The United States, which uses both in Vietnam, said the UN "is not the proper forum to decide such disputed questions of international law."

Chief of Team

The 14-nation study group's determination that toxins are chemicals and not biological agents was compiled and drafted by a team headed by Dr. Ivan Bennett, a Pentagon consultant and director of the New York University Medical Center.

The Defense Department acknowledged the re-classification yesterday after the American Friends Service Committee disclosed it.