

U.S. FOOD PANEL FOUND 'IN ERROR'

Minority Assails Proposals
for Federal Controls

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The National Commission on Food Marketing, which will recommend sweeping regulations of the food industry, has been accused of reaching a verdict without having developed supporting evidence.

A six-member minority of the 15-member commission, authorized by Congress to study food marketing from farm to retail stores, has disputed nearly every major recommendation of the majority. It has opposed, among other things, the need for broad legislative actions to prevent undue concentration and monopolistic practices in the industry.

The majority proposals would shackle the industry with Federal controls, and stunt rather than foster competition, the minority contended. The minority members have filed separate views for President Johnson and Congress on a voluminous majority report. The report, made after a two-year study, is due July 1.

One minority document charged:

"In the main, the majority's 'conclusions' are predilections, political and economic, antedating the commission's work. The major ones—on concentration, competition and farm marketing—are largely subjective and, in their major premises, in error. Adopted as public policy they would do lasting harm to the consumer and the nation's economy."

Statement by Hruska

This statement came from Senator Roman L. Hruska, Republican on Nebraska. He was joined by Senator Thruston B. Morton, Republican of Kentucky, and William M. Batten of New York, president of the J. C. Penney Company.

A conservative Texas Democrat, Representative Graham Purcell, was joined in another minority dissent by Representative Catherine May, Republican of Washington, and Albert K. Mitchell, cattleman from Albert, N. M. This view was also approved by the other minority members.

The majority includes the chairman, Phil S. Gibson, retired Chief Justice of the California Supreme Court, along with Elmer R. Kiehl, dean of the School of Agriculture at the University of Missouri, and Fred J. Marshall of Grove City, Minn., former Democratic members of the House.

It also consists of three Democratic Senators—Warren G. Magnuson of Washington, Gale W. McGee of Wyoming and

Philip A. Hart of Michigan—two Democratic House members, Representative Leonor K. Sullivan of Missouri and Benjamin S. Rosenthal of New York, and one Republican, Representative Glenn Cunningham of Nebraska.

"A strangely inverted procedure was imposed by the majority to develop the 'conclusions' and report," Senator Hruska wrote.

First, he said, recommendations, later renamed 'conclusions,' were voted.

"Next the report was contrived to give the 'conclusions' credibility," he said. "Thereafter—weeks later—staff documents were completed, from which the 'conclusions' and the report purport to have been drawn.

"The conclusions, therefore, could as well have been formulated before the commission met."

Mandate Called Exceeded

The minority views also charged that the commission had exceeded its Congressional mandate despite protests. Congress had directed that the commission not translate its findings and conclusions into specific recommendations but only to study and appraise the industry.

Staff research and contributions by Government agencies and the business community were praised as of great value in the years ahead, but this was "cheapened," the minority held, "by specious reasoning contrived to validate the conclusions."

The minority found that the majority's "broad legislative proposals" had been discarded by Congress years ago. The majority's "reversionary bent," they said, had let to "the collection of legislative period pieces conceived a generation or more ago and since repudiated."

On the majority's contention that advertising and promotion added to the consumer's food bill, the minority countered that "the more likely result will be increased advertising and sales promotion to offset the 'equalizing' effect of grading."

The minority alleged that "no study was made of what grade labeling and its attendant bureaucracy would cost the food industry, consumers through increased prices and the tax-paying public."

They also concluded that legislation for "truth-in-packaging" was not needed. Current proposals, the dissent by Senator Hruska said, were not directed against fraud and deceit but "toward the subjection of packaging to Federal control."

The need for a Federal Department of Consumers, as advocated by the majority, was described as "a fancy, not a finding" by Senator Hruska.