OVER WAR TOXIN State Department Opposes Production by Army as Negating Nixon Ruling

2 AGENCIES CLASH

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By ROBERT M. SMITH Special to The New York Times

WASHINGTON, Dec. 15 The Pentagon and the State Department are at loggerheads over whether President Nixon's decision last month on chemical-biological warfare included some of the most potent and practical elements in this area of America's arsenal-diseaseproducing toxins.

The quarrel has reached the point, according to informed sources, where Dr. Henry A. Kissinger, the President's adviser on national security af- t fairs, has instructed the Army to stop producing toxins until t the National Security Council can clarify the President's de-t cision.

In the meantime, however, State Department officials have made it clear in private conversations that if the Army is f allowed to continue producing I toxins, they feel the United I States will lose both the practical and propaganda advan-f tages it has reaped in the wake of the President's announcement.

On Nov. 25, Mr. Nixon renounced the first use by this country of chemicals and the use of all biological agents.

He also ordered the destruction of existing stocks of germ weapons and the limitation of biological research to defensive measures.

A few experts in the chemical-biological area regard the Army's insistence on keeping its stockpile of toxins and on producing more as an "end run" to defeat the limitation on chemical-biological facilities and stocks ordered by the President. Continued on Page 17, Column 3

Continued From Page 1, Col. 2 chemical, not biological, agents. nent authority on chemical-

The more widely accepted inbe that Mr. Nixon's speech left the question of toxins up in the air and that the Army began to produce toxins again becau it regarded them as chemicals. The President's decision did not restrict the production of chem-ical agents. Toxins are the dead but products of bacteria. Since they are not living, the Army—and

generate toxins.

Keeping It Going

"The assembly line [at Pine Bluff] would just keep going," said one official who had pre-dicted after the Presidnet's speech that the arsenal would be dismantled.

be dismantled. Some of those familiar with chemical-biological warfae, see the continued operation of the Pine Bluf facility as a threat to any effect the President's in chemical-biological weapons. "We try to match any weap-ons wee know other countries have, and sometimes we try to match weapons we suspect they have," one expert com-mented. "Now turn that around. Here we are still operating a biological facility at Pine Bluff." biological facility at Pine Bluff." "We say we would it "We say we would be producing biological agents at Pine Bluff only to get toxins," one official said. "But a bio-logical is a biological logical is a biological— how would Russia know we aren't producing germs there to usse as weapons?" The officcial also expressed

The official also expressed concern that the international goodwill generated by the Pres-ident's decision "would go dow the drain." "Other countries are likely to think the whole thing was meaningless, a hoax," he said, if the Unitedd States keeps on producing toxins.

A Pentagon spokesman con-firmed at a press briefing last Friday that the Defense De-partment reagrded toxins as

be that Mr. Nixon's speech left diseases that can be induced by like nerve gas.

products of bacteria. Since they are not living, the Army—and many experts—do not consider them agents of biological war-fare. On the other hand, the toxins of possible military value cannot be produced without producing bacteria. What this means, the experts point out, i s that the Army's biological production facility at Pine Bluff Arsenal in Arkansas would have to be maintained to produce the germs that generate toxins.

An Army technical manual, biological warfare said that "Military Biology and Biolog- toxins were not as reliable terpretation, however, seems to ical Agents" lists some of the weapons as chemical agents

vomiting, stomach cramps, sev-ere diarhea and prostration." It is known that the Army has manufactured and stored at Pine Bluff more than 20,000 bullets containing botulinum toxin bulle. toxin. ^Tn his th

announcement last In his announcement last month, the President also said the United States would sup-port a British draft treaty sub-mitted to the Geneva disarma-ment conference. The treaty prohibits the production, stock-piling and use of biological agents.

A spokesman for the British Embassy here said that his Government was interpreting the treaty ban to includeb toring. toxins.

One usually reliable source issue of whether the draft treaty should include toxins.