

MAR 31 1972

NYTimes

MUSEUM CANCELS CUBAN FILM SHOW

Officials Were Told by U.S.
of Illegal Importation

By RALPH BLUMENTHAL

The Museum of Modern Art called off yesterday its scheduled showing of six Cuban films that are among 23 the Treasury Department has been trying to seize since last week as alleged smuggled contraband.

The cancellation of the program and its replacement by two West German films, a museum official said, came after the institution's attorney called the Treasury Department yesterday morning and was told that the films had been illegally imported.

Ironically, one of the six canceled Cuban films already had been shown twice this month by the museum with little publicity and no Government interference.

"After the flurry or uproar, we thought it wise to check with our counsel," said Richard H. Koch, the museum's director of administration and also a lawyer. He said the initiative was the museum's and that it was not a case of the Treasury Department's calling to order cancellation of the program.

The uproar he referred to followed Federal seizure of one of the Cuban films Saturday, the second and—as it turned out—final day of a planned 10-day Cuban festival at the Olympia Theater at 107th Street and Broadway.

Violation of Act Seen

The Treasury Department's Foreign Assets Control Division maintained that the festival's sponsor, American Documentary Films of 336 West 84th Street, did not declare the films at importation — from non-Cuban sources in Montreal, the sponsor asserts — and also stands in violation of the Trading With the Enemy Act.

The Government obtained two warrants to search for the films but has not found them. Michael Meyerson of American Documentary Films, who announced at a news conference Monday that he had brought the films in from Canada in his car, said yesterday that the films would have been delivered to the museum in time for the first showing at 2 P.M. if the museum had wanted them.

The third-world film group has been subpoenaed to a Treasury Department inquiry here Monday. A suit to compel the State Department to drop its ban on admitting four Cuban filmmakers is also pending.

Meanwhile, the American Film Institute in Washington, which planned to show the Cuban films from American Documentary Films April 19-29, clarified an earlier statement by the theater manager to emphasize that the program would be shown only if the Treasury Department cleared the importation of the films.

The films scheduled for showing at the museum yesterday after weeks of advertising were: "79 Springtimes," "Cerro Pelado," "For the First Time," "How and Why Was the General Murdered?," "Take-off at 18:00," and "Memories of Underdevelopment."

The last film was shown by the museum on March 11 and 13 as part of the New Directors series.