



**Department of
Health & Human Services**
US Food & Drug Administration

HISTORY OF THE U.S. FOOD & DRUG ADMINISTRATION

Interviewee: James W. Swanson

Interviewer: Fred Lofsvold

Date: June 21 - 23, 1988

Place: Seattle District Office of FDA

INTRODUCTION

This is a transcript of a taped oral history interview, one of a series conducted by the Food and Drug Administration's History Office. The transcript is prepared following the *Chicago Manual of Style* (references to names and terms are capitalized, or not, accordingly.)

The interviews are with persons, whose recollections may serve to augment the written record. It is hoped that these narratives of things past will serve as one source, along with written and pictorial source materials, for present and future researchers. The tapes and transcripts are a part of the collection of the National Library of Medicine.

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CASSETTE NUMBERS: 1 - 7

GENERAL TOPIC OF INTERVIEW: HISTORY OF THE FOOD & DRUG ADMINISTRATION

DATE: JUNE 21 - 23, 1988 PLACE: SEATTLE, WA LENGTH: 6-1/2 HOURS

INTERVIEWEE:

INTERVIEWER(S):

NAME: JAMES W. SWANSON

NAME: FRED LOFSVOLD

ADDRESS: [REDACTED]

ADDRESS: EUGENE, OR

FDA SERVICE DATES: FROM: JULY 17, 1955

TO: JULY 31, 1987

TITLE: REGIONAL FOOD & DRUG DIRECTOR, REGION 10

(Last FDA Position)

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FL: This is a recording in a series of oral history interviews on the history of the Food and Drug Administration. We are interviewing James W. Swanson, retired Regional Food and Drug Director of Region 10, Seattle, Washington. The interview is taking place in the Seattle District Office of FDA. The date is June 21, 1988. The interviewer is Fred Lofsvold.

Jim, to start this interview, would you briefly state where and when you were born, where you were educated, when you came to FDA, and describe briefly the various jobs that you held at various places, and approximate dates?

JS: Sure, I got a kick out of you introducing me as the retired Regional Director of Region 10, because Region 10 retired at the same time I did (laughter). That has been part of my history; I've left a trail of broken Districts behind me, through no fault of my own.

I'm a mid westerner from birth and upbringing. I was born on December 4, 1931, in Duluth, Minnesota, which makes me fifty-seven now, almost. My folks moved to Fargo, North Dakota when I was three. Basically, I was raised in Fargo and attended college at North Dakota Agricultural College, now called North Dakota State University. When it gets larger and a little more money behind it, it doesn't do to call it an agricultural college anymore.

When I was going to school, I didn't know what to major in, so I majored in what my brother had majored in, which was botany, plant physiology. My plans were to go straight through for a doctorate, but I didn't know what to do with that when I got it. When I was ready to graduate in 1955, I was all set to go to Iowa State in Ames, Iowa for a doctorate. I was so sick and tired of school, and my wife and I were so poor, we needed a job of some sort, and Fermer Adair, dear Fermer, an old friend up from Minneapolis FDA, came by recruiting.

I had never even heard of the Food and Drug Administration before. I had heard something generally of the Pure Food Act, but I'd never heard of the Food and Drug

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Administration. So I sat down and chatted with Fermer. He made it sound like a fairly interesting job. I really wanted to get out of Fargo and get a job in Minneapolis where there was more opportunity. So I thought, "What the heck? I've got nothing to lose." I took the federal examination. I forget what it was called at the time. You know how that goes: you don't hear for several months as to what is going on. So, I took a job driving a cab thinking, "Well, it'll be next week and then I'll be offered the job." Boy, was I naïve. Nevertheless I was offered a job in Minneapolis, one of two people hired at that time. We were one of the first class in after the 1953 RIF. I started work on July 17, 1955. Part of that class included Don Healton and Cliff Shane.

It was fun; we were in the old Federal Building in Minneapolis, and there were eleven Inspectors including myself, and I considered myself the eleventh. We covered five states. We'll get back to what we did later, but it was a small organization. I started as a GS-5 at \$3,240 a year--a princely sum, even in '55. I was made a GS-7 in, I think, eight months. At that time, they were promoting them at six months; they had an expanded program of getting people on faster and training them faster. It took me eight months, and then to get a GS-9 I had to transfer. I was twenty-three when I started, and somebody called from Washington and said, "Send him to Buffalo, New York." I was told Buffalo, New York was my next tour of duty, and I went very happily. An old friend, Frank Fiskett, had gone ahead of me to Rochester as the resident out of Buffalo, so I thought, "Gee, that's a nice place to go."

I left in January of 1958 to go to Buffalo, New York. I drove into Buffalo in the middle of a snowstorm on January 17, and it didn't stop snowing until the first week in March. I was never so sick of any place in all my life. It was worse than Minneapolis.

FL: Even North Dakota had not prepared you for that.

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JS: No way. I have never seen so much snow. But that wasn't the worst in Buffalo; there were some other storms out of Buffalo that were something. I determined I had two ways to rescue myself: one quit and go home; or work my butt off and get out of there. After moving the whole family over there, I figured the latter was the better way of doing business. I was quite successful in Buffalo working for Bill Cavett who was Chief Inspector at the time. I liked old Bill. He was a very fair person if you were very fair with him. He was very controversial; some people didn't like him much at all. I liked him a lot. I worked well for Bill, and I got out of there in a year and a half.

In September of '59, I transferred to Raleigh, North Carolina as the Resident. I was to be the second Resident Inspector in Raleigh, meaning I was there by myself. The previous Resident was the first. That was Jim Green, who was moving to Baltimore to become a Supervisory Investigator, one of the first groups they made of these new animals called supervisors. I was taking his place in Raleigh. He had left his wife Bobby in Raleigh and we babysat her for six months, until Bobby was ready to give up and go to Baltimore; she didn't want to go.

We liked Raleigh a lot and were there for exactly two years. In September of '61, we left Raleigh to go back to Minneapolis where I was a supervisor. I was one of the people named in the second round of supervisors. George Sooy, who was Chief Inspector at Baltimore at that time, was always quite insulted. I got a telephone call and in two weeks, I was in Minneapolis. He felt nobody had left Baltimore District quite that fast in his entire tenure there (laughter). He said I must have really wanted to leave.

Raleigh was fun; I enjoyed it. We'll talk more about what happened there. I got back to Minneapolis, and they were still in the same, crotchety, old building but they were in the process of building a new one. I arrived there in September of '61, and didn't even know how to spell supervisor, much less be one. In those days, you didn't train the people ahead of time; you picked a person who could do something, and then had him do something else instead.

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That was the case with me. I was twenty-nine years old. I was in the right place at the right time, and got moved along really fast, probably faster than I should have. Joe Durham mentioned that to me; he thought I had moved too fast. But despite that, I was an adequate supervisor.

I made GS-13 supervisor in Minneapolis in 1965. I was four years at GS-12, and then made the 13. At the time it was called Assistant Chief Inspector. It wasn't like now when all supervisors are 13. It was a separate position as Assistant Chief Inspector. Don Martin was the Chief Inspector.

Then in late '66 like December, I applied for ... Now we're in the new transition; you don't just get called upon to transfer and be told where to go. You had to apply for positions. I had already applied for Chief Inspector in Philadelphia, and am forever grateful that Jimmy Nakada got the job and I didn't. I did apply for New Orleans, thinking no way would I get it. I didn't realize Joe Durham and Leslie O. McMillin were the best of friends. Joe talked Mac into me, and I got the Chief Inspector job in New Orleans.

I had the excruciating pleasure of trying to sell my house in Minneapolis in the middle of December and January. You couldn't even see the house from the street because of the snow. I had built a garage that year. For the first time, after five years, we were going to have our car in a garage, not parked in the driveway in a snow drift, and I didn't even get the chance to make the first payment on it. So, we left in January, 1968 to go to New Orleans.

As we went south, the weather got better; and things looked better. I loved New Orleans as a place to work. Interesting, interesting place. A terrible place to live and bring up kids--terrible, terrible place. The schools were awful. My wife was not very happy there, but she's a good soldier. I've got some stories about New Orleans and what we did there in terms of developing it and building it. We had that old building. For this iteration, I was there all of a year and a half as Chief Inspector. By the way, that's the best job in the agency. I wish it paid a little bit more, but it was a great job.

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The directorship changed while I was there. It went from L.O. McMillin to Jack J. Bologna, Giacomo J. Bologna, a good guy. But he did something to me that I almost never forgave him for; he applied me to the Executive Development-Training Program. I had no idea he had done this. He had asked me if I was going to apply, and I said, "Hell no; I'm having a good time here." The next thing I know a telephone call came from Harris Kenyon in Washington and they started asking me for details about when I was coming in there. I didn't know what they were talking about. They wanted to know when I was going to come, how I was going to move the family, what the costs were going to be, whether I had filled out all the forms. I didn't know what they were talking about. So I had to talk to Jack Bologna, and he said, yes, sure, he had applied me for that program. He thought I'd be really great in the Executive Development Training Program.

I wasn't sure I wanted to go. But I did go in for the interview and talked to Harris Kenyon, who had been my boss in Minneapolis when I was supervisor. Harris asked me one question; "Why do you want to come into this program?" I said, "Well, I didn't. I was applied to come into the program, but I thought I'd go through the process and see what's happening here." But those of us in Districts like New Orleans who sat astride of regional lines could see the handwriting on the wall. I said that it didn't appear that the future was going to be too bright for New Orleans District. And I just about made up my mind then that I would go for the Executive Development Program as strongly as I could, because it looked like it might be a good deal.

They selected me for the program, and we left New Orleans in September of 1968 to go to Washington, my wife and I and three kids. We didn't have a place to stay or anything; we just hopped in the car. The same day I got the notification I had been selected, we sold the house and moved to Washington within 2 weeks. We found a place in Arna Valley to stay temporarily, and I went down with high hopes to the Executive Development Program. I found out that I was unemployed. I didn't have a job to go back to, and I didn't have a job to go forward to. The

training program was really not too great. We can talk about the Executive Training Program later on.

It turned out that we spent most of our time in that program looking for a new job. When Louie Weiss was transferred from the Deputy District Director's job in Seattle to the District Director's job in Dallas, I hopped on that opportunity to apply for the Deputy District Director's job in Seattle, a job that paid the same as Chief Inspector's job at GS-14. I just wanted to get out of Washington. The one thing the Executive Training Program showed me was that I was not interested in a headquarters position. I talked to Winton Rankin. He said, "Yes, that would be a good job for you to apply for," because at that time we had to apply. Winton encouraged me. So, I applied for it. I found out that half the world had applied for the job in Seattle. Most of them were my friends; people I knew for long, long, years, who had started in Seattle and wanted to come back. Jim Adamson, who was in the same training program as I, was from Seattle and also wanted to go back. "Maj" Allen, Horace A. Allen, an old friend of mine from Minneapolis, who had started in Seattle, wanted to come back.

My next step was kind of a tragic one, unfortunately. Frank died in 1971. A tragic loss. I applied for the Regional Director's job in December of 1971. This turned out to be a long process involving interdepartmental politics. In addition to those in FDA, we also had to compete against an out-placement program, if you will, in the Department of Health and Human Services for people that were left over. I really didn't know, but I had to compete twice: once against the FDAers; and once that was done and I was selected, then I had to compete against this whole bunch of people in the department. The selection was made at the time by the Regional Director in Region 10, Buck Kelly.

FL: That was the Regional Director of the department?

JS: Yes. It was supposed to be a coordinated decision between the Regional Director Kelly and the Commissioner, who at that time was Charlie Edwards. This was the first time that had happened. Kelly rode the thing for all it was worth. He wanted me, but that wasn't the issue. The issue was for him to be fully involved in the decision process, to interview the candidates--the whole business. Edwards was just furious. I know some of the phone calls between Kelly and Edwards, and they were not very friendly. They wanted to select the same guy, but the problem was the process.

There were just lots of people. In any event, I finally was selected, and in September of '69, which means we were in Washington exactly one year, we hopped in the car and headed West. This was to be the last of what our children called our one-way vacations. The kids were always saying, "Where are we going this year on our one-way vacation?" And for about three years after we arrived in Seattle, they asked the same question.

We came out here and I was the Deputy District Director. It was just in a few months thereafter when the regions within FDA were established, and Frank Clark, who was Seattle District Director, was named Regional Director for Region 9, encompassing Los Angeles, San Francisco, and Seattle. Then they went around and named the Deputy Regional Directors, of which there turned out to be two classes: a GS-15 level and a GS-14 level. The Deputy District Directors in the single district regions as I was, were named as Deputy Regional Food and Drug Directors at the GS-14 level. That would be Boston, Denver, Kansas City, Seattle, and Atlanta. There were five of us, anyway. The District Directors in the multi-district Regions were named Deputy Regional Food and Drug Directors at the 15 level. They were already 15's. So we had two classes at that level. I was finally selected as RFDD in April 1972.

FL: By then it was Region 10.

JS: Right. And things had been rearranged. Nine and 10 were split, and Irv Berch was moved down to San Francisco. That's the history. I retired on July 4, Independence Day, 1987.

FL: Now, Jim, following your excellent summary of your career, let's go back to its beginning and talk about when you reported originally to Minneapolis District. When you came in there as a new inspector, what kind of training did you receive?

JS: Good question. I'm not sure there's an answer to it. The quick answer is, little. Training programs in FDA at the time were next to non-existent. As I said earlier, I came in with that first batch of new hires after the 1953 reduction in force.

When I came in to Minneapolis District, Bud Kerr was the District Director. We called them District Chiefs at the time. John Guill was the Chief Inspector. We did not have any supervisors; we did not have any Food and Drug officers. Norm Foster was the Chief Chemist. That represented management, the three of them. They were pretty busy. That meant that Bud Kerr, as District Chief was also the Food and Drug officer handling all the casework. We had a lot of casework in Minneapolis at the time, mostly seizure. John Guill was work planner and responsible for everything having to do with investigations. And Norm ran the laboratory. The training consisted mainly of weekly discussions with John Guill. He would set us new people down, Roland Tuftie and I--Roland is no longer with FDA. He'd tell us war stories. That was our training, in addition to having a whole bunch of pieces of paper given to us for study, like the Regulatory Procedures Manual, such as it was at the time; the Program Manual, which was one book at the time, not a whole shelf full, as it is now; the law, of course; and the regulations. But John would tell us war stories about the time he was making inspection of such--and-such, and so on and so on, and the things that happened. It was a lot of fun. I enjoyed listening to war stories, but I'm not sure I learned very much. My training took two phases. We were supposed to get on-

the-job training. After we had become familiar with the law and had been lectured on the law and procedures--such as those lectures were--we were supposed to then get on-the-job training. People like Fermer Adair, whom I mentioned earlier, and Everet Atkinson; Armond Welch was there at the time; Tom Kingsley; Frank Fiskett--would take us out and show us how to do a certain kind of an operation, like a bakery. Then we'd go out and do a second one, which the trainee would do, under the tutelage of the trainer. And then you'd be trained; you'd know how to do that operation forevermore. You'd do that independently on your own. Not a whale of a good training program, I've got to say.

This is the way it actually worked. Everet took me out to train me how to do bakeries. Everet Atkinson was a great trainer and a superb inspector. He had more seizures per year than most Districts. Superb inspector; he knew how to find things. Well, he took me out to a ma-and-pa corner bakery, mainly a retail kind of operation, the kind of thing where you're really interested in 301 (k) violations. But he did the bakery inspection. It took us half a day. It was NAI. He said, "Okay, you understand that?" I said, "Well, yes, I understand what we did here." We filled out the forms and wrote the report in longhand. NAI.

FL: You mean, No Action Indicated.

JS: No Action Indicated, yes; there's nothing wrong with the place. So we went through another one. He said, "Okay, we'll do this together and we'll write the report together so you can get experience in this." "Fine." So we did it. It was another mom-and-pop kind of thing. It was a little larger, but not very much larger. Again, it was not violative; it was NAI, and we wrote the report on it.

"Okay, now you know how to do bakeries. What I'm going to do is send you out on one all by yourself. You do the whole thing all by yourself. Okay?" So he sent me to the National

Biscuit Company in Minneapolis, which at the time took a full square block and was seven stories tall. Everet was smirking and giggling and having a good time about this because he had sent this young pup out there to drown. I was drowning; I guarantee it. The National Biscuit Company was a big chain. They were doing cookies and crackers--you know everything you could imagine--in this huge bakery. I didn't find anything wrong for a full day. And then, being a total neophyte, I didn't realize that a liquid molasses tank would not harbor insects. So I looked in it. Oh, God, it was full of insects. And, of course, they use liquid molasses in everything, which meant, that everything they made was contaminated with insect fragments. It's funny; when you pour molasses in a tank, it froths all up. As they use the molasses up, the froth sticks to the side and dries. It got thicker and thicker--it must have been four or five inches thick--of this honeycomb, full of air, dried molasses, which was just full of sawtooth grain beetle, mainly, and some cigarette beetle.

(Interruption in tape)

FL: That apparently had existed for years, and nobody had ever looked in the tanks in previous inspections.

JS: Absolutely right. I chipped off as much as I could and stuffed it in a jar, and then I drained a couple of quarts off of the bottom into a couple more jars. After I was done with the inspection I took them back to the laboratory. Juanita Bright, who at that time was in the laboratory, before she died of drinking laboratory alcohol, came back to me with this dried molasses material and said, "What do I do with this?" I said, "Well, you look for insects." I said, "It's just molasses. Why don't you dissolve it in water and filter it out and see what you find?" "Oh, okay." So they

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did and they got hundreds of insects in about an eight-ounce chunk of dried molasses. So then they looked, at the molasses from the bottom and it was full of insects.

There was a huge recall of stuff, one of the first recalls. We didn't call them recalls then, but NABISCO called back all that stuff. It was fantastic. And here I was a neophyte and didn't know what I was doing. But I sure got a taste of what I was doing, and that was just enough to make me feel like I really wanted to be a Food and Drug inspector. That set me off on the right track. Unfortunately, my next batch of training had to do with Salk polio vaccine. I don't know, Fred, if you recall when the Salk polio vaccine first came out, there was a great fear that it would be siphoned off to the black market, because it was a little hard to get at the beginning. So FDA was required to set up a whole program to review the distribution of Salk polio vaccine.

FL: Even though vaccines at that time were not considered subject to our regulation; it was being handled by another agency as part of the Public Health Service.

JS: As far as the manufacturing was concerned For distribution it was looked at like any drug. So I spent the next six months traveling North and South Dakota, mainly, stopping at pharmacies and taking inventory on their Salk polio vaccine. That's all I did. I never found a darn thing wrong, of course--never. But I sure got to know the territory.

At the end of that time, they stopped the Salk polio vaccine program because, obviously, it was not being diverted. Then I was told that my training period was up, and I was now a full-fledged GS-7 Inspector at this point. Note it's the word inspector, not investigator. We were all inspectors in those years. So that was my training program.

FL: Minneapolis did not hire a separate, new employee as a Salk vaccine inspector?

JS: No, they used the neophytes they had.

FL: In a number of Districts, we hired additional people at a lower grade to do that sort of work. I was in New York when it happened, and we were authorized to hire an individual who did nothing else.

JS: No, they just put the new ones, who were Tuftie and I, on the road to check the Salk polio vaccine.

FL: So that your actual experience in a variety of different industries was sort of cut short.

JS: Up to that point, yes. From then on out, I learned one thing, which I always tried to impart to people, in training: you didn't necessarily have to know how to inspect a bakery or a dairy; you had to have some rudimentary information about the industry, but not much. What you had to know was how to make an inspection, how to be curious, how to ask questions, and how to look. Once you did that, you could get into almost any place, unless it was some kind of esoteric drug operation, or some kind of device that required some engineering background. But any food plant you could get into and make an inspection of it. If you asked the right questions and stood around long enough, you'd find out what was going on. That's what I learned, and that's what I did.

I started, then, after I was this "full-fledged" inspector, doing a lot of warehouse work. We did a lot of that in Minneapolis mainly because there were a lot of warehouses there. There were a lot of foods stored there. Not so many manufacturers, but we had huge warehouse distribution facilities. I would get as many as eighty to a hundred seizures a year myself of food products stored in warehouses. Fantastic. That's the sort of thing that you don't find much any more.

FL: On the basis of storage conditions?

JS: Yes, rodents, insects.

JS: Actually, I was anointed, if you will, when Everet Atkinson was transferred from Minneapolis--and I forgot now where he went; he went to a Resident Post someplace--I was called into Bud Kerr's office and I was anointed as the new seizure king. I was supposed to make the record for the District, because I was finding violations. So they wanted me to do just exactly that, to find seizures to keep the record going. I was having a good time up to that point. At that point, it became kind of heavy. Here now all of a sudden I had an assignment. It worked. Within a year of when I started, we then started hiring people by the ton. I remember taking new inspectors out on training as a trainee myself. I was not much more than a year in service, and here I was training people on how to make inspections.

I can remember one that John Guill set up for me. The work planning, I'll get to that, because it's interesting. He gave me one assignment. He said, "Take Howard Potas," who was a trainee at that time--no longer with FDA--"to Iowa for two weeks and show him how to make seizures." That was my assignment. So we headed off down the East Coast of Iowa, down by Burlington and Bettendorf, that area. My job was to show him how to get seizures." Well, needless to say by Wednesday of the second week, I was getting pretty nervous because we didn't have any; we hadn't found anything wrong. But on Thursday we ran into a big lot of rodent--contaminated flour in a warehouse. And Friday morning we were going to do a quick bakery and then rush back, but we found it full of insects. We didn't get back till Saturday. I was relieved and had successfully carried out my mission, according to John Guill. So that's the kind of training we did, and that's the way it operated. With no supervisor and only three people in management, it was very difficult to operate any other way.

It would be crazy. We'd come in on a Thursday morning into the office. You had to walk right through John Guill's office to get to the inspection room. He'd say, "Oh, Jim!" And he'd open his lower, left-hand drawer and remove a file that would say, "Southeastern Iowa." He would hand it to me and say, "Monday morning, leave on a two-week trip and do these." It would be at least two inches thick, single sheets of paper, which were assignments of some sort-- either follow-up inspections or sample requests, whatever. There was no priority laid on it. You put your own priority on it. If you wanted to do things that looked like you might get action on it, you did that and let the rest of the stuff sit. So that was work planning in those years. But there were only eleven of us, traveling five states. It was like shooting ducks in a barrel as far as actions are concerned; it was a lot of fun.

FL: When you took this file and went off on a trip, you had to lay out itinerary and arrange the assignments you were going to do so that they came in a logical order, and do all that yourself?

JS: Oh, yes, we did all that ourselves, except that we didn't tell anybody what we were going to be doing. We just took the file along, went through it, and decided what kind of an itinerary we were going to have, where we would be staying and where we would be moving to, and leave an itinerary. But we decided what pieces of work we wanted to do. In fact, we were encouraged to do a lot of surveillance when we were on the road, plant and warehouse surveillance. Look in phone books; find places that were not familiar. Because in those days, there was not a good inventory. It was obvious that most places had not been inspected. They just hadn't been inspected. There hadn't been enough people around to make those inspections.

FL: Did you ever run into the situation where you found a firm that was new to you, and went in and found another inspector had been there a few months before?

JS: Rarely. That was so rare as not to be a problem, especially in the hinterlands. If you got out into the small towns of southern Wisconsin like Cuba City, Potosi and places like that, nobody had been there for years. The bigger cities, of course, were covered. But not the little burghs.

So that was training, and that's the way we exercised work planning in those days.

FL: Was your hiring and the hiring of the other people the beginning of the expansion of the FDA staff?

JS: Yes, it certainly was. We, of course, the class of '55 came in as a result of the citizen's advisory committee set up in '54 to study the FDA's size, or problems, as it were. In early '55, they came through with the report that FDA should be expanded greatly. Of course, I didn't know much about that, being a total neophyte. I was hired as a result of that. We started some early hiring from then on through the end of the decade, but not in huge numbers. I know three months after I started, Merv Shumate came in. I was responsible for some of the training of Merv. I shouldn't maybe take that responsibility, but nevertheless I did. Following him, some people like Harley Shevling were hired at Minneapolis, and Don Peterson and Clarence Loucks. And a few others. But there wasn't a great influx in the late '50s. One who was hired into the lab at this time was Ron Ottes. He came in from the North Dakota State Chemists' operation. He was hired as a GS-9. Unheard of at that time! But he was a real good egg. A winner.

The real influx started in the early '60s, and by that time I was back to Minneapolis as a supervisor. At one point, I had in my group as a supervisor, twenty-four people, twelve of which were brand-new trainees. The other twelve did not have much more than one or two years' experience. I was trying to coordinate training of all of these folk, and find things for them to do. All I did was write training reports on people. That's all I did; that's all I had time for. But nevertheless, the training got done.

And then in the later '60s--'63, '64, '65--we started taking these people we were hiring in Minneapolis, packaging them up in groups of ten, and shipping them off to you in New York, Fred, some of whom made it and some didn't. Minneapolis was a fertile ground for hiring people who had the educational background qualifications, and didn't have anything else to do. I mean, unless you owned a farm in North Dakota, there was nothing for you to do. These kids had agricultural majors, much like my own botany major, and no job. So we were able to recruit a lot of people in Minneapolis, give them a couple of years of training, and ship them off someplace then keep hiring up new batches. We kept our building just full of people, basically as a training exercise.

FL: By that time you had the new building and offices.

JS: Right. We moved in that in '63. It's a poor, old building now, about to fall apart. But it was new then, and was really marvelous. It was strange: I would, as a supervisor--I'm probably getting ahead of this story--but Harris Kenyon, who was then District Director, made me responsible for rounding up new people and marching them off to his office on a Friday afternoon, where they would get the word that they were being transferred to New York (laughter). We did that about three times, and then we started getting people volunteering to go to Chicago or various other places; but they didn't want to go to New York. We had some notables. Dick Klug is one of them who was part of that. Bill Janc was one of them. There were a lot of them that quit later. I can't remember all the names now, but there were just dozens of them that we packaged up and tried to ship to New York.

FL: I want to correct that record. You weren't shipping them to me, because by 1961 I had left New York (laughter).

JS: Oh, you were gone; you were in Philadelphia or something. Anyway, it was fascinating. In the late '50s, when I was still in Minneapolis, we had hired about eight people at that time before I went to Buffalo. And I can recall that when I went to Buffalo a memorandum was written. It was signed by Frank Clark. He was in Washington at the time as Chief Inspector. It was written to the District Director in Buffalo, Allen Retzlaff. It said that "we know that Jim will add appreciably to the GS-9 strength of Buffalo District." I thought that was great. I have a copy of it. When I got there, I found I was the only GS-9 they had. So I added 100 percent to their strength.

Then they started bringing in some other people, too. George Tilroe came in at the time. Herbert Friedlander was transferred in there at that time. And they had hired some new people, too, who had been training each other, and they didn't know how to do it. I found that Buffalo District was a marvelous place for a filth investigator. For a filth inspector, it was a wonderful place: rodents and insects abounded and the inspectors there didn't have the training to really find it. They didn't know what 402(a)(4) meant; they didn't know how to develop a 301(k) case. So I was training all over again, only this time we were training higher, full-fledged investigators. But it was fun.

One of the things back in the early days in Minneapolis which was of significance was the grain program. Obviously in Minneapolis, that would be a significant program, with the railyards. Minneapolis was a shipping point for all of the grain moving in and out of North and South Dakota, Minnesota, and Wisconsin. So it was an easy place to go grab grain samples for analysis. During the time I was in Minneapolis, the grain program changed from a tolerance level of two pellets per pint to one pellet per pint.

FL: That's rodent pellets?

JS: Rodent pellets, right.

FL: The whole program was intended to improve, nationally, the quality of wheat and other grains going to food products, is that right?

JS: That's exactly right. And at one point, just for fun, I calculated what one rodent pellet per pint by weight actually was. I think it worked out so that it would be one rodent pellet per loaf of bread. And I always looked at bread a little differently after that (laughter). I had to console myself that moving from two to one cut the filth load in half, but rodent pellets are rodent pellets; I don't care how many there are. It was hard, hard work. Minneapolis in the summertime is ninety to a hundred degrees--and that's just the humidity; the temperature was even higher. It was tough to go out in those railyards and get into a railcar where you only had a head room of about three feet over the grain, and take a six-foot probe and probe that car ten times to get five duplicate subs.

FL: The idea of using the long probe was to get down to the bottom of the car and get a representative sample of the grain in the car.

JS: That's right. The probe had eight or ten pockets in it. When you opened it up, it would take a sample from those various levels, wherever it was, and you pulled it out opened it up on a grain cloth, and you'd put each one of those resultant pockets in a little paper bag. That's the way you got the sample. It was stratified that way. The reason we did that was to try and find whether or not the car had been what we called "plugged," meaning the grain elevator operator put a plug of dirty wheat in there, and then covered it up with clean wheat so that it looked nice. By probing it, you could find those plugs.

In any event, there you were in absolutely sweltering conditions inside a grain car that might be moved at any second, trying to count rodent pellets. Because the inspector was doing some surveillance work as well, he would not take all of these samples back to the laboratory.

He'd look at them and count the pellets himself right there in the car. If it looked violative, he'd take the sample back to the laboratory for a looksee. Then we'd tag the cars, make sure we had the numbers and as much as possible know where they were going, and make seizures. These cars would actually get seized by the U.S. Marshall. We were tying up the railyards, too. The railroads were as angry at us as the elevator operators.

FL: What would happen to the wheat that would have too many pellets in it?

JS: Oh, it could be cleaned. It could be run over screens. The idea was that it wasn't only the pellets that were bad, but it would be the unseen rodent urine, as well that had to be scoured off the grain kernels. And they would have to scour this thing to a certain degree of abradedness. Our laboratory would look at that and say, "No, that's not scoured enough: It was kind of a big game because you couldn't find any rodent urine on the grain itself; it was just sort of an imaginary thing, which was really there, but you couldn't find it, it had to be scoured off. So it was a lot of fun.

FL: Were any of the cars just diverted to animal feed rather than animal use?

JS: Sure. Unfortunately later on, somebody discovered that rodent urine in wheat was detrimental to the animals as well, and so we went back to a washing routine where the grain had to be washed even before it could go to animal feed. Now, that had dubious results as well, but it was, I think, more harassment than anything else.

Because there were so many grain cars to look at in Minneapolis, one of the ways that we screened these railcars to know which ones to go out and look at was to go over to the federal-state, USDA and state of Minnesota, exchange where they had all the samples. Now, USDA and

the state were required to take samples of all these cars, just like we were, for quality--dockage, weed seeds, and all that sort of thing. So when the car sold on the grain exchange, it would have a grade and would sell for a certain price. Well, we made a deal with USDA that we could look at their samples. We'd go over to the grain exchange, and there were all these hundreds and hundreds of cloth bags of grain, with a little piece of paper in the identifying the car. We'd pour these out on the floor and claw through it and see if there were any rodents' pellets in there. Then we'd pour it back in the bag and set it back. That way we could screen just dozens and dozens of cars in maybe a couple of hours.

I remember Frank Fiskett taking me over there to train me on how to do this, how to look through these samples, to get acquainted with the USDA grain people so that I could go over there and do this on my own. I don't know if you knew Frank Fiskett, but Frank, as pleasant a guy as he was, operated very quickly--not terribly carefully, but very quickly. He was in a hurry that day, and we had dozens of bags of grain to look at. He got in there and was opening bags and dumping them out, telling me what to do, and running around. I didn't know what the story was at all; I had no idea what we were doing. I could see it happening: he got the tags all mixed up, and I was trying to get them straightened away, because I saw where they had gone. Pretty soon here I was on the floor with all this damn grain spread around trying to get these tags straightened out. I knew where they went. And here's Frank standing in the background, talking to the USDA guy saying, "A trainee. He's gotten it all mixed up." Oh, man, I never forgave him for that! Because he was the one that mixed it up. But I got it straightened out. It was just the way Frank operated.

Another good story about Frank Fiskett and grain elevators. This was just before I was hired by FDA. Frank had taken Everet Atkinson out to teach him how to do grain elevators. Inspecting a grain elevator was hard work. Here again, it's the summertime and it's in North

Dakota, and it's hotter than hell. The trainer, the senior person, of course, had privilege. So Frank, being a little tough on trainees, said, "I take the manlift," which is a little elevator that you operate with a rope, and it has a counterbalance on it, "to the top, and Everet, you come on up the ladder. And you bring the grain probe, and you bring the camera case." With that, Frank got on the manlift and pulled himself up to the top, and Everet started up the ladder.

(Interruption in tape)

JS: The ladder is nothing more than slats nailed onto 2 X 4's going up the same hole that the manlift goes up. There's a little space there, but not a hell of a lot. Frank, of course, gets to the top, and then proceeds to kick grain dust back down the hole. That's the way you trained people in those days; you made them suffer a little. So here's Everet struggling up the ladder with a six-foot grain probe and a camera case with grain dust coming down--floating, coughing, snorting coming down on top of him. He got to the top. They inspected the elevator; there was nothing wrong with it. Fiskett said, "Okay, back down the ladder with you." He loaded him up with the grain probe and the camera case, and Everet started back down the ladder. Frank kicked some more dust down on top of him, and then started down the manlift, with Everet still in the same tunnel.

Frank went all the way to the bottom with the manlift while Everet was still coming down the ladder. Frank stepped off the manlift without putting in the pin that holds it in place. The counterbalance said, "Raise the manlift." So it did; it raised it to the top real fast because there was nothing on the manlift and the counterbalance weighs about the size of a man. It just pulled that thing right to the top, dust flying everywhere, of course. And here's Everet hanging on for dear life as this thing comes rushing past him. It hits the top and the whole mechanism breaks, and it comes crashing back down through to the bottom. Everet's hanging on for dear life as this

thing passes him going back down again. It hits the bottom with a resounding crash. The manager comes running out of the office and says, "What happened? What's going on?" Frank Fiskett looked him right in the eye and said, "How dare you have such faulty equipment! Somebody could have gotten hurt!" (laughter) Such were the days of training. I don't know if that's still happening, but people being people, maybe it is.

The grain program was an important program in Minneapolis, and we did a lot of grain elevators. We pioneered the injunction of grain elevators in Minneapolis. That was in the '60s when that started. Up to this point we were just seizing carloads of grain.

FL: Your inspections were made of elevators that had shipped cars that you had sampled and found faulty?

JS: Well, that's the way it started, but later on we just inspected elevators, and if we found rodent pellets contaminating the surface of the grain, or insects or whatever, all we would do, then, was document the fact this elevator did ship in interstate commerce, and there was an excellent chance the wheat that we found in the elevator was going to go in interstate commerce. And we'd get an injunction.

FL: Charging, then, that the grain was stored under unsanitary conditions in violation of Section 402(a)(4).

JS: And 402(a)(3). We didn't use four at all in those days, not because we couldn't get it to trial. We didn't have to. A--three was plenty good; there was lots of evidence. Those were the days. The same was true in Buffalo when I got there--just lots and lots and lots of filth to work.

(Interruption in tape)

JS: Buffalo was a prime place for somebody who wanted to find filth work to do. I don't know why, but it was just a paradise for me. I was just getting action after action. I can remember one time, just maybe to set the attitude of the District up. We used to eat lunch at the laboratory; it was Allen Retzlaff and a bunch of other people, along with Bill Cavett and the Chief chemist at the time, Doc Lipscomb. We'd be eating lunch and we'd discuss what was going on. I was talking about a place that I was inspecting at the same time saying, "Boy, this would be a great place for a prosecution. We could take some action on this," because it was so filthy. And Retzlaff about came unglued. He said, "Oh, my God; we can't do that." I said, "Why not? The place is filthy." "Well, you know, you've got to remember what happened here. You've got to remember Representative Tabor."

I didn't know anything about that, because I was hired after the RIF of 1953. But I found out at that time it was an action Buffalo District took trying to seize dried raspberries--and they had a lot of raspberry driers in the Buffalo District territory--who had dried his raspberries out on the ground. That was the way it was done. The mice had run through it, and the birds had run over it, and whatever. The stuff was filthy, and they tried to seize it. He was a friend of Representative Tabor from New York, who happened to be on the Appropriations Committee. As a result, the budget was cut by \$500,000. That was when the agency was, as I learned later, "Taborized." That resulted in the big RIF of 1953.

So Allen Retzlaff was very sensitive to actions that might upset Representative Tabor, who was still around. But the case was obviously so good that it mattered little. We got a big seizure out of it. I don't remember now what the firm was. But that was the tone of District at the time; it was probably why they were not finding much or taking much action. It took some new blood to come in there and show it could be done.

FL: Of course, Tabor's action was due not only to that particular seizure but also the FDA's position with the baby beets. One of his other constituents was paring down old, tough beets and

wanted to sell them as baby beets. The Commissioner's office would not agree to that kind of labeling.

JS: This is true. That was probably the impetus.

FL: Both the cases were, I believe, according to conversations I've had with Retzlaff.

JS: It really upset Retzlaff. That was something else. Things were different in those days, too. I can recall when I was being transferred from Buffalo to Raleigh, North Carolina as the resident there that I had not received my advance check, which I had to use to pay the movers when I got down to Raleigh. I didn't have any money; I was poor broke. I'd only been in Food and Drug out of college since '55, and that was only four years at that point. So I didn't have any money. Everything that we had was purchased since we had been employed. We had two kids at the time.

Allen Retzlaff called me into his office and talked to me like a Dutch uncle saying how I was going to be a GS-11--GS-11 at that time was exactly \$7,000--and I should be saving money and getting ready for the future. He didn't see any reason why I didn't have the money to make this move. I had to remind him I was only three and a half years into the agency, and I had started out with absolutely nothing and everything I had, had been gained as a result therefrom, and things were different now. People were moving a little faster when you got to be an 11. It didn't mean you had any money behind you. He thought about it for a minute and said, "You're absolutely right." He called Frank Clark in Washington and got that check there in two days. It was interesting. Things were changing in the agency; things were moving a lot faster.

Buffalo was a strange place. We were in a gargoylian, old post office building downtown. I don't know whether you ever saw that building, but it was a . . . One of these with

the big airways on the inside. The hallways were like porches running along the inside. I shared a desk with George Fowler, who was the Food and Drug officer. And by "shared" a desk, I mean shared it. It had double kneeholes so that he was on one side of the desk and I was on the other side of the desk. And George had to do his Food and Drug officer work, sitting there doing his dictation, while I was working on the other side with a typewriter and talking with people, talking on the telephone. I don't know how he did it, but old George could lean back and dictate an S and R, Summary and Recommendation, without taking a breath. A superb Food and Drug officer. But those were the conditions we operated under.

One of the fun things that happened in Buffalo to me didn't really happen in Buffalo. That happened to be the winter of the oyster inspections in Baltimore District. Oysters were subject to a federal standard which said oysters could only have exposure to fresh water so long, because they would soak it up and get nice and plump and puffy, and you could have a twelve-ounce jar of oysters with five oysters in it if you soaked them up enough. And you could sell water for an awful lot of money that way. Well, the standards said only so much exposure could be had to fresh water by these oysters, and they had enforced this analytically for several years by grinding up the oysters and--I don't know; I'm not an analyst--but somehow calculated the amount of water in the oyster meats themselves. However, that was contested and a ruling was made that the standard was stated in such a way you could not tell analytically after the fact whether or not the oyster had too much water exposure. You had to do it through inspection; you had to be there to see whether or not too much water was put in.

Well, Dick Williams, who was District Director in Baltimore at the time, decided to have a war against watered oysters, I guess, in the winter of 1958. He called for resources from several other Districts. Buffalo District sent me. There were several, of course, from Baltimore. Jim Beebe came down from Boston. Stu Schoonover--I think he was from Philadelphia at the time. FL: New York.

JS: Okay, New York. He came down and was the supervisor of the group I was working with. We were assigned to inspect oyster plants on the northern neck of Virginia during the month of December. By inspect, we were told to stand there and watch them process the oysters. We had to determine the amount of time the oysters were in contact with fresh water during the cleaning operation, which was called the blowing tank, through the time they were setting in the shuckers pots--how much water the shucker was putting in there. We had to watch all that happening.

Now, an oyster plant on the northern neck of Virginia is about the size of this office, which is maybe ten by twenty feet, which is jammed full of people and very noisy. If you've ever been in a shucking plant, you'll know that it's such boring work the people sing and they yell and they talk to each other and they're banging these oysters up and down, and getting them out of the shells. A very noisy place and you're always in the way. So an inspector standing there is a real funny beast. You have to stay there long enough so you become part of the furniture, otherwise everybody was very wary of you. If you have a stopwatch, the guy operating the blowing tank is going to know exactly how long he's supposed to do it, and do it no longer than that. What we had to do was go outside, let them go back into their usual routine, and then try and peer through windows and things like this to catch them overblowing the oysters.

We really never got any action out of that. The only thing that happened was the oyster industry in the northern neck of Virginia for the winter of 1958 produced a legal product. It was just too labor-intensive to ever do again, and was never done again. As far as oyster standards are concerned, I'm not sure they were enforced.

FL: That was done for how long a period?

JS: Well, we went down for the month of December, stayed in a motel in Rappahannock. Every day Stu would give orders as to who was going to go to what plant, and we'd all climb in our cars at the same time and roar out like a squad of commandos to stand in these oyster plants.

FL: And spend the entire day at the same plant.

JS: Absolutely. The plant started opening earlier, and we had to get up and get started earlier. And the plant would open up again after we left. They'd say, "Oh, done for the day." Sure enough, they'd bring in another load of oysters after we'd left. We had to be kind of like surveillance policemen. So what really came out of that whole exercise was the oyster industry on the northern neck of Virginia produced a legal product for that one season. And that was about it. There's just no way we've been able to enforce the oyster standard since that decision saying we couldn't do it analytically.

One of the other things, Fred, that we started to get involved in when I was in Buffalo for all of my year and a half, was the over-the-counter sale of drugs, both from pharmacies violating the Durham-Humphrey Amendment on drug refills, to truck stops and other illegal operators selling drugs out of their cars or out of trucks. I didn't get involved in that too much. I wasn't very good at it, and it was brand new to me at the time. But I did do some work on that. I remember working with Charlie Karadimos, who was a natural at doing that kind of work. You had to have kind of a personality that you could just fall into your cover without being embarrassed by telling a whole bunch of half-truths about what was going on. When I lied, it said so right on my forehead in neon lights, so I had difficulty with that.

Charlie and I once went down to the state line truck stop on the state line between Ohio and Pennsylvania. We were supposed to be making a buy from a car, and we were masquerading as musicians. So therefore, we could be dressed in suits and ties. We met the guy in the parking

lot, but it was on the Pennsylvania side. We were afraid that the drugs he had probably came out of Pennsylvania. So in a great show of genius, we had him drive down to the other side of the parking lot, which was Ohio, so we could show that there was interstate commerce; we had seen it ourselves. I have no recollection now of what even came of that case, but it was kind of fun. I felt as much a band member as I do a member of a circus.

It wasn't until after I got transferred to Raleigh, North Carolina as the resident that I really got involved in over-the-counter drug work. The resident I was replacing in Raleigh, a guy named Jim Green, had done hardly anything but over-the-counter drug sale work for the two years that he was there. It was just a natural for that, because North Carolina, particularly the highways running through Raleigh, and running east of Raleigh, were on the direct route between Boston, New York, and Florida, where the trucks ran day and night, twenty-four hours a day, end to end. The truck drivers wanted, and were able to get all the "bennies," the Benzedrine; they needed from truck stops. So it was a fertile field. Jim Green had milked it quite heavily and had gotten several cases against truck-stop operators in North Carolina, and even up into Virginia.

But he got transferred up to Baltimore to become supervisory investigator, and then shortly thereafter the Food and Drug Officer. I was transferred from Buffalo to Raleigh to take his place. I went down there with my full intention of being a food Inspector, which I had always been and which I enjoyed being, but couldn't stay with that. I found myself working all day making inspections of oil mills and warehouses and corn-meal plants, and then working half the night trying to make illegal drug buys from pharmacies and truck stops and individual operators. Both operations turned out to be pretty successful, I'm proud to say. I once calculated that 75 percent of the work I did in North Carolina turned out to be actionable. That's a lot.

But for the food filth work, I found people covering eastern North Carolina out of Baltimore had followed a habitual pattern: they would come down the highway through Raleigh, cut across, and then go back up the coastal highway back to Baltimore. All of the area in between

had never been covered. I was the second resident ever there--Jim was the first one. He hadn't covered it either, since he had done mainly OTC work.

But back to the OTC work. I very quickly became embroiled in the truck-stop work. I can recall taking a government car, which was two-tone green and gray, as they were GSA green and GSA gray, 1958 Chevrolet, putting a North Carolina plate on it and saying, "Now that's an undercover car." Of course, it looked like a government car; it didn't have a seat in the back or any of that stuff. Same car I used during the day to go out and make inspections openly.

This one truck stop I can recall--I don't recall the name of it--it had quite a reputation for drug sales to truckers. I stopped in there with the car pretending to be a truck driver--a very difficult thing to do, but I didn't know any better. I was able to make some buys from this guy. And then one time I came in there and I was near the end of the case. He said that somebody had described to him who the Food and Drug inspector was in Raleigh, and I fit that description. That made me a shade nervous. Because these were not nice people that we were dealing with. But I just managed to laugh and say, "Who, me? Crazy. What do I look like, a cop?" or something like that. He believed it--he was more gullible than most--and went ahead and sold me a bag of a thousand bennies. That's when I pulled the string on him.

The most interesting over-the-counter case I got involved in, in North Carolina, was a big one. I sort of fell into it by accident. I had heard of a wholesale druggist. Gracious, what was the name of the town? I guess it was Goldsboro, North Carolina. It was a wholesale druggist who was listed in the phone book as a wholesale druggist. So I went looking for him to make an inspection. I needed some drug time to bring up my work plans into proper shape. I got into this guy, and it turned out to be a house back out in the woods with a porch built on the outside, with shelves lining this entire porch. The whole place was full of bottles of five thousand Dexedrine, or Benzedrine, whatever--all that kind of material--just lining all of these shelves. Thousands upon thousands of bottles out there.

Well, the guy convinced me he was a wholesale druggist--at least I let him think he convinced me of that. But I looked at that and I said, "Man, this is an outlet into the illegal market." So I gave him some recommendations. I said, "You should store this where people can't come in and steal you blind. There are thieves out here, and there are criminal elements, and you should protect these drugs." "Oh, yes sir, yes sir, I'll do that." Turned out his name was DeWitt Clinton Bowman. At one time I think he had been a legitimate wholesale druggist since he did have a pharmacy degree. But it certainly wasn't legitimate when I was in there.

But I had blown this as far as making any purchases from him was concerned. So I talked to the North Carolina State Department of Investigation, who had the authority to do that kind of work, and told them it looked to me like there was an illegal drug wholesaler within their midst. Were they interested in doing it? I couldn't do any work on it because I was already known to the man. Well, they were busy. They didn't do anything right away. But they came to me about three months later and said they had just caught a truck driver who had bennies in his possession, who said that he had bought them from Bowman, and that Bowman was a big outlet.

With that information and with Baltimore's permission, I sat down with the North Carolina State Department of Investigation--it was like the FBI, only state--to operate a case against DeWitt Clinton Bowman. They had the truck driver, who was willing to work with us. But they figured they didn't have the expertise to go in and make buys. So we brought some better hands down from Baltimore in the body of Ed Wilkens. Ed was really nothing more than a trainee at the time, but he had the ability to work his way into situations where he could make over-the-counter buys. He was excellent at that; he was just superb. So we worked it out with Ed, gave him an alias, and set him up with this truck driver to be introduced to DeWitt Clinton Bowman. The trucker took him in, introduced him the first time, then after that Ed operated on his own, asking for more and more, and then trying to make big buys.

We had Ed wired for sound, as we did in those days. He carried a short-wave radio under the seat of the car. Sometimes I think of how terribly dangerous it was for us amateurs to be out there monkeying around like that; it was really, really hazardous. And to show how hazardous, at one time he had my station wagon, my personal car, the radio under the seat, and was wearing a microphone wired to the radio so he couldn't have gotten out of the car if he wanted to. But he was taking Bowman someplace. Bowman was in the car and we were listening in the state car parked about a mile away as to what was going on, listening to the conversation.

FL: And recording it?

JS: I don't recall. All of a sudden there was the sound of gunfire and Bowman saying very clearly, "If you cross me, that's what's going to happen to you." Well, it turned out that Bowman was shooting turtles with .22 pistol out of the window of the car, and used that as an example for Ed. Ed was kind of shook over that, as you can well imagine. But he carried it off with aplomb.

(Interruption in tape)

JS: That was exactly the time, when we were planning on moving in on Bowman, once we found out where his stuff was. It was during that ride when Bowman took Ed to his farm, which was a few miles outside Goldsboro, and showed Ed his stash. Well, all these old bottles I had seen in his house in town were now stored in his barn, hidden underneath bales of straw. This was his response to my request to him that he put them someplace where they wouldn't be stolen.

So we found out where the stash was, and the State Department of Investigation folk and myself in their car went racing into the farm. In fact, Bowman and Ed were coming out and my car was coming into the farm on this single-lane dirt road when a guy named Anderson, who was

driving the state car, and I went chasing right into them. I had to yell at him, "Stop! Don't run into my car!" Because he was going to stop them from coming out any further. They proceeded to arrest Bowman. We asked him where the stash was and he showed us, and we loaded up my station wagon and hauled it off as a seizure. We had a U.S. marshal with us, so it was all set up in advance. My car was so loaded with bennies that I couldn't have gotten another one in there if I had taken it out of the bottle and tried to squeeze it into the car. In fact, my car overloaded and overheated on the way back to Raleigh, and we had to unload some of it into the marshal's car. That was the biggest seizure up to that point.

It also endangered a case being run out of Atlanta. Atlanta had a case going that, when they heard what was going on in North Carolina, they were quite upset, because they wanted to make this case against Ma and Pa McClure, I think the name was, or something very close to that. It turned out that the McClures were buying from Bowman. They didn't want us to knock off Bowman before they were ready to do the McClures. Well, they'd been fiddling around with that for almost two years, and I thought, "Well, that's enough of that; we can make the case in three months on Bowman, and they can jerk the string on the McClures." So we took Bowman on and got that stuff out of there.

It's really interesting because we found out all the stuff Bowman had was Lustgarten material, and it was somehow coming out of Philadelphia. The cases were marked just as if they were a legitimate shipment from Lustgarten to DeWitt Clinton Bowman's firm. He had a firm name; I can't remember what it was. Obviously it was not a legit firm, so what we did was have a watch put on in Philadelphia on shipments to Bowman via UPS. That's how he was getting them.

FL: That's United Parcel Service.

JS: Yes. I think it was UPS. Some truck line. Philadelphia came up with a shipment after our big seizure. Fairly good size; several cases of bottles of five thousand, all Dexedrine of sorts, had gone down to Bowman after the seizure. So I went over to the U.S. Attorney's Office, not knowing I was violating all sorts of rules and should have gone through Baltimore. I went to the U.S. Attorney anyway. I told him what was going on, and he got all upset and brought out seizure papers right there, and went and got the marshal and deputized me, and sent us out to seize this stuff. Well, we didn't know where it was. So we went looking for Bowman. Couldn't find him. He was not in jail; he had been released. Then all of a sudden we spotted his car in Goldsboro, went down there, stopped him right on the street in the middle of town, everybody watching.

He was so embarrassed that he said, "Yes, come on; I'll get it for you." He had given it to a friend, and he wouldn't tell us who the friend was. We didn't care at that point. All we wanted to do was get the drugs back. So he had them delivered to his house at a certain time, then we went and got them and went away. That was the sort of thing that impressed the judge when the case finally came to trial a year later. The judge said Bowman had sold enough amphetamine capsules to furnish every man, woman, and child in the state of North Carolina for ten years.

FL: For legitimate use.

JS: For legitimate use, right. Also that he had received the second shipment after knowing it was illegal. He sent him off to jail for two years or something like that. It was a substantial thing. We were very pleased. I had to fly back from Minneapolis. I was back in Minneapolis by the time the trial took place, so I had to fly back to Raleigh for the trial. It really wasn't a trial;

Bowman plead guilty, and they put him away for a while. He was an old man then, so I don't know whatever happened to him. That was a very successful case.

FL: That case was the occasion for our meeting. The first time I ever saw you, you and Ed came in and identified yourselves in my Philadelphia office and explained what it was you needed in the way of help to try and figure out the source of these amphetamines.

JS: That was the follow through, because the same truck driver who had fingered Bowman said he knew the people in Philadelphia from whom Bowman was receiving his supplies--the Carters, who happened to be a family that worked for Lustgarten.

FL: Worked on the loading dock, as I remember.

JS: Worked on the loading dock and delivery truck. They had the opportunity to steal Lustgarten blind; and of course, with some lax record keeping, it was easy to do, it turned out. Then Ed and I did go up to Philadelphia, and there you sat in the District Director's chair. You scared me half to death, because I'm not used to important people, and you were an important person to me.

FL: Well, I had been District Director for all of six or eight months at the time (laughter).

JS: I remember we played you some of the tapes. We did record that, because we played you some of the tapes of the telephone conversations we had with the Carters after we got up there. But somehow or other, we were not able to make that work.

FL: Well, I know Ed Wilkens made a call right from the phone on my desk to the residence of one of the Carters. He wasn't home, and he talked at great length--I admired his technique of trying to extract information from the man's wife.

JS: Oh, he was good.

FL: By that time, Jim Green was there as the Chief Inspector, and participated in your investigation.

JS: Somehow or other, we were tipped. Ed and I didn't get anywhere. The Carters shied away from us in droves. We had the right people, and we had the right connection, but something went wrong with it. Because I think it was three years later, wasn't it, or something like that when Philadelphia did make a big case against the same group.

FL: Right.

JS: Which I was very happy to see. I didn't want them to get away with murder, and that's exactly, I think, what they were doing. We were so ill prepared to do that work. We had no training. I had no idea of how to be an undercover investigator in a criminal activity--zero idea. Nobody told us how to operate, what to do, what to say, how to protect yourself. Here Ed and I were in Philadelphia, didn't know the city, and I was driving a 1963 Lark two-door. It couldn't have been more of a government car. It looked like a government car, it smelled like a government car. Of course we couldn't make big cases like that; it just didn't work. But those were really fun times.

One of the major episodes in FDA history occurred right after I got transferred to Raleigh from Buffalo, was the cranberry caper, where we chased cranberries all over the place because of the aminotriazole pesticide problem. Here I was; I didn't even like cranberries, had never seen one grow. I was thrown into the breach, as was every other investigator, in November of 1959, to check the program which was set up to clear cranberries for the market. This involved warehouse lots of cranberries, which had to be cleared analytically by lot number. The FDA Inspectors had to go around to the warehouses, check the lots by number, inventory them, make sure each lot had a clearance paper on it, or else collect a sample and make sure it got in for examination, and try and get it held up voluntarily.

That was just a lot of work, and it was all I did for about two months. That's when I first ran into Joe Mamana, and I first ran into the new position of administrative assistants, they called it at that time. I got into this one warehouse and took a look at this lot. It didn't match the code numbers on my list. He said, "Oh, that lot's okay." I looked at the warehouse list and I said, "No. I haven't got any clearance on that." "Oh," he said, "I got verbal clearance." "Oh?" I said. "From where?" "Well, from Baltimore." Well, that sounded legit to me. So I asked, "From whom in Baltimore?" From Joe Mamana. I said, "We've got no Joe Mamana in Baltimore" (laughter). I had to call Baltimore and find out, yes we did have a Joe Mamana. He had been working there two weeks, and he was calling around giving clearances. So I had to make sure I got on the calling list for Joe Mamana's clearances.

That was funny; we just did that steady until Christmas time, checking warehouse lots to make sure. It's a lot like the Salk polio vaccine thing; it reminded me considerably of that. But at least I did learn the territory; I learned where the warehouses were, which I could go back later and get a whole bunch of seizures on. It was very useful for that purpose.

I liked being a Resident Investigator. That was fun; I really enjoyed it. Here again, the planning was kind of loose casual, even in those years. All George Sooy wanted--and he was the

Chief Inspector in Baltimore at the time--was a list of work I was going to be doing every two months. So I'd sit down and list up a bunch of firms I wanted to do, either out of my files or out of phone books since we didn't have a very good inventory, and send George the list. He'd be happy with that, as long as he had something to put in the file. Then I'd do what I could with the list, or vary from it.

One of the things I discovered was that most of the cottonseed oil mills in my territory of North Carolina were full of insects, just absolutely chock-full of insects. They never shut down; they never cleaned up. So they were crushing cottonseed oil and insects. Later margarine was being made from the combination of cottonseed and insect juice. In addition, the de-linted cottonseed warehouses, which are like flat grain storage, were full of cats and dogs and birds, and humans were using it also as feces depository because it was too far to walk out to the bathroom. It was a really horrible situation. I can remember crawling through a tunnel underneath a pile of cottonseed as big as this building just about, and coming face to face with a rat. The poor rat was as excited as I was, and we both took off in different directions.

Every oil mill I got into down there I got a citation on and we got a few seizures of oil in transit in tank-car lots. We got the industry, I think, cleaned up pretty well.

FL: Was that the start of, then a general program for FDA in oil mills?

JS: I'm not sure; I really don't know. About that time I left there and went back to Minneapolis. The oil seed business in Minnesota wasn't much, and what there was, was being done through the chemical process, not the old crushing process. The old oil crushers were just filthy.

FL: I know there was a lot of that work done in places like Texas and New Mexico, and I don't know whether it was a general program. I was curious as to whether your interest down there had sparked, then, the investigations of other parts of the country.

JS: I don't know, but if it did, I'm happy about that. Here I was a flatlander from North Dakota, and I didn't even know what cottonseed looked like. But one appeared that needed inspecting, I guess, showed up one day, and I said, "Well, I'll go do that and see what it looks like." It looked so bad I started looking for the rest of them.

FL: At least it wasn't done under an organized program, under the direction from outside, so probably that was the start of the mess.

JS: Maybe. That was fun, too. I remember getting into this one soybean oil mill, rather than cottonseed. And the old gentleman who was running it was just that--he was just a marvelous gentleman. He would talk to me so nicely and so grandly. We would have the nicest conversations about how bad his place was. It just killed me to point out to him that as a safety measure, he was chewing tobacco rather than smoking it. He couldn't smoke in the mill. But he was also spitting it on the floor right next to the in-floor drains that took the crushed oil out to the storage tanks. It never dawned on him that was going on. I had a dickens of a time getting myself to tell him about that. I did, and they were cited and he had to go to Baltimore and have a hearing.

FL: Well, that, I think, was the root of our problems with things like bulk wheat and bulk cottonseed and so on--the people who dealt with those things did not consider this food. It was so

far remote from the finished product they didn't recognize the probability that contamination of this stuff was going to lead to the contamination of food that people would eat.

JS: That's right. It was a commodity to them. It was just something like sand, or coal, moving it around.

So that was basically the kind of work I did in Raleigh. I did the filth work, and a lot of it, and I did the OTC work, and a lot of it. I was really happy there; that was a good place to be. Raleigh at the time, or at least the eastern half of North Carolina with the resident post at Raleigh was in Baltimore District, as we've intimated; and western part of North Carolina was in Atlanta's territory. John Sanders used to call me from Atlanta: "Jim, I want you to run over to Durham and do a little job for me," he'd say. I'd say, "Yes, sir." So I did recruiting in Durham; special investigations; collected samples; and all kinds of things for Atlanta over in Durham. I got tired of that, and finally called Dick Williams and said, "Hey, what's going on?" He called John, and that was the last I ever heard about having to go to Durham to do any more work for Mr. Sanders (laughter).

FL: That was before they established their Resident Post in Greensboro or someplace?

JS: Yes. They had one at Charlotte, but that guy was busy, too. And Raleigh was only fifteen miles from Durham, and the line ran right between the two. So it was convenient for me to do something like that, and once in a while I didn't care. But it got to be once a week and I couldn't get my work done for Baltimore.

One other thing is interesting, too. When I first got to Raleigh--and it was within the first month--I was given orders from Baltimore that my car, the car that Jim Green had left--a 1958 Chevrolet painted gray and green with North Carolina plates on it--was to be taken up to

Baltimore to be used in undercover work. I was supposed to fly to Atlanta to pick up a car there that they had for me, and bring it back to Raleigh. As you know, FDA owned all their own cars at the time. This was 1959. There was a threat, at least we all viewed it as a threat, I guess, that the FDA fleet was going to go into the motor pool.

FL: And become the property of the General Services Administration.

JS: Sure. And FDA had spent their own money on these cars; they were really not terribly happy about that. Anyway, I flew over to Atlanta to pick up this car. I reported to the Chief Inspector, who at the time was Monte Rentz. Monte--dear Monte, little fellow--he backed me up against the wall and said, "What's going on?" "Well, I'm just here to pick up a car, Monte." "No, no, no, no. "What's going on? What's happening?" I don't know what's happening. I'm a GS-9 being transferred to a GS-11 Resident Post. I don't know what's going on. What kind of car have you got for me, Monte?" Well, it was a brand-new 1959 Chevrolet. I found that very interesting. Why would Atlanta, since we owned our own cars then, be giving away the best, newest car in their fleet. Brand new, very few miles on it.

So I was happy. I wanted pick up the car and get on my way back, because I wanted to go up into North Carolina and then cut back through the state so I could see what it looked like; I didn't know what North Carolina looked like at all. Then I got the call that John Sanders wanted to see me. So I went into John's office, and there's John and Louie Weiss. Louie was the Chief Chemist in Atlanta or maybe he was the supervisor. I'm not sure; I'll have to ask Louie. He doesn't remember this episode, but that's the first time I met Louie. John sat me down and proceeded to ask me some questions about how I was going to go back to Raleigh. I told him the route I had planned to take. He said, "Well, I want you to go to Columbia, South Carolina and

collect a sample. We need this sample collected over there." So I had to go that way and do some more work for John Sanders; that was the first episode.

In order just to make conversation, I said, "Well, it's too bad you're going into the motor pool." John about came unglued. This was a deep, dark secret. Nobody was supposed to know that they were going in the motor pool. He said, "How did you learn that? Where did you hear that? Who told you that?" I said, "Nobody." I said, "You're giving away the best, newest car you've got to Baltimore who's not going into the motor pool. I assumed that you were." And it turned out that they were, and that's the reason they were shucking off this brand-new car, was to get it out from GSA's clutches, who later took it away again after it got over to Baltimore. I drove the car back to Raleigh to use it for a while. Then they sent the old Chevrolet back down, the two-toned job, for me to use for OTC work, and took the new car back up to Baltimore.

I learned an awful lot as a Resident Investigator. I learned how to manage my work; how to select work; and how to manage my time. It was a good training ground, I really enjoyed it.

Then one day, when I was off someplace--Wilson, North Carolina, I think--I got one of the telegrams that one gets--call Baltimore. I called and George Sooy who said, "Dick Williams wants to talk to you." I replied, "Oh, what did I do now? My goodness!" He said, "Jim, you've been transferred back to Minneapolis as a supervisor; do you want to go?" "Yes, of course I want to go." That was heaven. I wanted to go home. I'd had enough of this foreign country called North Carolina. So I was really happy to go.

I was able to get out of Raleigh in two weeks flat. Because the guy we were renting the house from had rented it to us on the basis that we would live there for two years, and then he would move in himself. That way he could charge it off to taxes as a rental property. Then he wanted to move into it himself. He told me when I called him that he was going to give us one more month, and then we'd have to go. Nice gentleman, but he wanted to do his thing, and it

worked out very well. That's why we got out of there so fast, even though George Sooy thought it was an insult to Baltimore District the way we moved.

We went back to Minneapolis. It seemed like every time we moved, my wife was pregnant. She was pregnant from Minneapolis to Buffalo and then from Raleigh back to Minneapolis. So she flew and I drove.

One of the other major pushes when I was in Raleigh was the beginning of our big recruitment exercise to bring on people. This was the early '60s, and probably 1960 is what I'm talking about. We were then given authority from the Civil Service Commission to do our own testing. This was called Plan B. As Food and Drug Inspectors we would administer the Federal Service Entrance Exam [FSEE]. It was strange: I remember myself--and there were others who went to Philadelphia to be trained in the giving the FSEE to applicants.

FL: That's the Federal Service Entry Examination.

JS: Right. It wasn't a very big deal. I don't know why we had to be trained for doing it; it wasn't that difficult to do. You just had to make sure that if you had more than one candidate they didn't talk to each other or look on each other's papers. You also had to make sure that they spent only the right amount of time. This sort of thing could have been gotten off one sheet of paper. We didn't really need that training, but it was fun. I didn't know Philadelphia very well, and was happy to go there again, after my earlier involvement and training in OTC, to go there again for training in how to give Plan B examinations.

Baltimore assigned me to do recruiting and give the test at several schools, some of which, of course, were right in Raleigh at North Carolina State, and the University of North Carolina at Chapel Hill. Baltimore also wanted me to go to Virginia and do two or three schools up there: VPI, Virginia Polytechnic Institute and the University of Virginia. There was one other,

which I just don't recall now. But it was fun. I went in and introduced myself to the various department heads that we were interested in, like the sciences. They would call students they knew who were without future employment. I'd chat with them and anybody who was interested; I'd sit down and administer the test to them basically on the spot, or make an appointment to do it sometime later. I used my motel room at times to give the test; I would use school property; and my office in Raleigh--just about anyplace, as long as you followed certain civil service rules regarding timing and not letting them cheat.

I administered the test to I'm sure it must have been ten or fifteen people, none of whom passed it the first time through. That was shocking to me. I was really surprised at that. Anyway several of those who failed the test took it again. Some names I remember are Bill Wobbleton and Joe Prendergast. There are others whose names would be familiar, but I just can't come up with them right now. I remember Joe in particular, because after I had administered the second test to Joe, he passed it. He was a real nice guy and was living in Raleigh at the time. They assigned him to me for training after he was hired. I not only recruited him, tested him, and hired him, I now had to train him.

The first thing I found out was, he didn't have a driver's license, and he didn't know how to drive; he hadn't driven a car. So the first thing I had to do was teach him to drive, which was fine. I got him up to the part where he could pass the driver's test and he got his license. I understand later that he did wreck one of the government cars after he moved up to Baltimore, but that was somebody else's problem, not mine. Joe was one of the nicest guys I knew; we got along very well. He became a good inspector.

(Interruption in tape)

JS: Bill Wobbleton had aspirations to go into the Fish and Wildlife and be a wildlife researcher. There were no openings to take the FSEE, so he took my FSEE and passed it. He started with FDA in Baltimore, and then quit when a job was found with the Fish and Wildlife. However, that "green grass on the other side of the fence" turned out to be brown, and Bill came back to FDA and has made a career in the agency since then. A good man; I'm glad they got him back. He's been excellent in that training position.

(Interruption in tape)

FL: This is a continuation of the FDA oral history interview with James W. Swanson. The date is June 22, 1988. The interview is continuing at the FDA office in Seattle.

JS: After finishing my tour of duty as a resident in Raleigh, North Carolina, a job I really liked, I was very happy to receive the assignment back to Minneapolis. The assignment was as a supervisor for which I was, again, quite pleased. I felt that I was moving on quite quickly; I was twenty-nine years old at the time I went back to Minneapolis to be a supervisor. I was in the second wave of supervisors named in the agency. The first wave of supervisors that came about were named about two years before that time.

I know that Armand Welch came into Baltimore to be my supervisor when I was in Raleigh. He didn't know any more about being a supervisor than I did about being a supervisor. So I'm afraid I ignored him a little bit, as a good worker would do, when I could since I was in Raleigh. So when getting to Minneapolis, I found that I didn't even know how to spell "supervisor," much less be one; and I think that was the case with many of us at that time. We were named as supervisors and given people to supervise even though we hadn't the faintest idea

how to do that. No training and no instruction, really, on what was to happen. We only could fall back on our own experience and proceed from there.

Fortunately, our biggest job at the beginning was recruiting. When I got back to Minneapolis in the fall of 1961, we were starting the big recruiting pushes that would continue for several years thereafter. Minneapolis was an ideal spot to do recruiting; there were all kinds of people with the proper credentials available to be recruited, who did not have any opportunity for other jobs. It just was the kind of economy where unless you owned some farmland, you had to go someplace else to get a job. We picked up lots of people who had degrees paid for by the Federal Government in the Veterans' Program in agricultural education. It seemed to be a very popular thing to take under the GI Bill, but there wasn't any use for it after graduation. So we recruited many of these people, who took the tests and started in Minneapolis.

Many of them are still with the agency, and some have reached pretty high levels. Roger Lowell here is District Director. We recruited him in '63. Bob Fish is over in Nashville. He's the Director of the Compliance Branch, and is a good candidate for District Director. Dick Klug and Bill Janc, a couple of guys named Jacobson. I can't remember all of the names, but there were many of them we recruited during that period of time.

We were located still in the old Federal Building in Minneapolis, right down on Hennepin Avenue. It was an old Customs House, but it was a small building and, when I was recruited, our laboratory and the inspectional staff filled up the FDA's quarters. Now we're talking about a size staff that is three and four times the size we had when I had started just six years earlier. We had to find space for all these folks. We started expanding in that building, but there was limited room in which to expand and it was known a new building was being built for us, which would be ready in 1963. Things were done like taking over and blocking off hallways in the basement of that building temporarily. Drafty old places, although we would put desks down there, and had people sitting around.

Keith Shostrom supervised a group that sat in the basement of the old Federal Building in Minneapolis. He used to say that rats could be seen running through the building between the desks. At that time they were tearing down many of the buildings in downtown Minneapolis to revitalize it, so the rats had to have someplace to go. The only building that was not being disturbed was ours!

As successful as we were to bring people in on recruiting and hiring, training became another problem. We developed formalized training programs, set up requirements for these people to meet. Then as supervisors we had to try and see to it that they met those programs. One of the objectives was to recruit enough people to fill the building that was being built for us. Allan Rayfield required that we have enough people to fill the building at the time we moved in. That meant in '63 when we moved into the building, we had to have an inspection staff of seventy-five and a laboratory staff of over fifty. We had only North and South Dakota, Minnesota, and a little chunk of Wisconsin to cover at the time, and had covered that very nicely with an inspectional staff of eleven prior to that.

Once we got moved into the new building, and we had this enlarged staff--most of whom were trainees--I was operating a group of twenty-four at one point, twelve of whom were trainees with less than six months' experience. Therefore, we had to find things for them to do. I was the main work--planning supervisor, and I would send half of the inspection staff on the road for two weeks at a time. We had to get them out, so that thirty-five were on the road at all times. But that meant we still had thirty-five in the office to do something in Minneapolis and St. Paul with at all times. I can recall saying to one kid, "Go out and do some hazardous substance label review, some surveillance. Just get out of the office and go out and be curious." "Well, I did that yesterday," would be the answer. I'd say, "Where?" He would say, "Downtown Minneapolis." I'd say, "Okay, go to St. Paul" (laughter).

But those are the kinds of problems we had with that staff: it was too large a staff for the area we had to cover. We were saddled with that staff because of the requirements of the building. It gave us a lot of problems. In the long run, it was good for the agency, because as these people came on line as trained Inspectors, other areas notably New York, were short on staff and could not hire. So one of the jobs that I had in '63 and '64 was to round up the inspectors who had been tagged for transfer on a Friday as they came in off the road, and march them up to Harris Kenyon's office, who was the District Director at the time, and we'd give them the good word that they were going to be transferred to New York. It was usually New York.

This was not met with great cheer by most people, but we did this several times during one summer, and because of that, I did not have an awfully good reputation with the troops. Every time they saw me coming, they'd be ducking and running and saying, "Oh--oh." As I mentioned yesterday, we started getting volunteers to transfer to other locations. But several people did transfer and made quite a success of their job in New York, and went on from there.

We had a lot of dropouts, too. I'd say about 50 percent of those that we tried to transfer away, quit. Some transferred to other agencies. But mostly the good ones stayed.

FL: As I remember, your experience was duplicated in a number of other places, especially St. Louis and Denver, although some of the Districts, where there was strong competition for talent, were not able to recruit the large numbers that you did. Consequently, those Districts were able to proceed in a little more orderly fashion. There was a chronic shortage of equipment and space throughout the agency during this very rapid expansion.

JS: We were fortunate in Minneapolis since it was recognized that we had had this tremendous expansion, particularly for the new building. We were in fairly good shape as far as equipment was concerned. There was a lot of sharing that went on; there's no doubt about it. We even

allowed the investigators to use their own cars frequently, which was unheard of in that day and age. We had to do something. It turned out to be a successful operation.

One of the main problems we had in Minneapolis was keeping the laboratory busy. They had recruited many more chemists than we actually could use for the kind of work that we had going there, so we had weekly work-planning sessions. Menno Voth was the Chief chemist at the time. Of course, Harris Kenyon was District Director. Sol Cohen was a supervisory analyst. Dave Root was a supervisory analyst. We'd get together in Harris's office and sit down and plan the kinds of samples that the laboratory needed, to keep busy for the week. These samples were not things we wanted to collect as a result of work--planned work, and they weren't samples we were collecting as a result of inspections being done. They were just surveillance samples collected to keep the laboratory busy doing the kind of work the staff's skills dictated they could do. There's nothing wrong with that, except it kept a lot of inspectors busy doing work well beneath their grade level.

They learned how to collect samples; I guarantee that. We made sure we made these official samples in case there was anything wrong with them. But we had to sit down and plan the work for the laboratory, and then produce it. If we didn't produce it, we caught all kinds of hell at the meeting the next week. So we learned how to collect samples during that period of time. Don Martin was Chief Inspector. Interesting times.

Because of the rapid expansion in the supervisory force across the nation as reflected in Minneapolis, where when I came there in '61, Bob Keating had been named the supervisor and had been for maybe six months. . . I was the second one. Then Keith Shostrom came in. Then we named Milt Shulz, and wound up finally with Jim Davis for a while. Dick Davis was also in that role.

This, of course, was mirrored in other parts of the country; the supervisory force was expanding rapidly in order to handle the expansion of the agency.

The agency recognized the need for training programs. One of the early ones, which Fred reminded me of and I had forgotten about, took place in Detroit and in Dallas three days each. I don't recall ever having gone to those. I think they occurred either just before I went to Minneapolis or just after. But the first major training experience I got involved in was the second Supervisory Development Training Program, which took place at the 4-H Center in Washington. I was in the group that included the first supervisors from the field to attend this program. John Weatherwax, E. Pitt Smith, Don Heaton, and myself were the four field people; the rest were scientists and other professionals from headquarters offices. For seven days we had a blast and I think we learned quite a bit, as much from the interaction with our compatriots as we did from the formal training exercise. It was fun.

There was also a correspondence course put on by the USDA Graduate School for supervisors. This was hard, mainly because it took so darn long to do it. I think a lot of us dragged our heels. I think some people never did finish it. I finally finished it, but I know I was late. The problem with that was the interaction or lack thereof between the trainee and the person that was actually giving the course, that is, the professor at the other end of the line. It did have a follow-up session of three days in Washington after the end of the program, but it was a bookish exercise that I'd not want to go through again.

I'd like to chat a little bit about that second Supervisory Development Program at the 4-H Center in Washington. I guess it's Chevy Chase, but that matters little to somebody that's fifteen hundred miles away. It was, I think, an excellent program for us. All of us--Heaton and Pitt and certainly Weatherwax--were already operating as effective and successful supervisors. We'd found our own way, basically, on how to do this. But the program was quite successful and opened our eyes to many things, one of which was the fact that we were already quite successful. It strengthened some of the feelings I had about how to be a successful supervisor, and opened our eyes to some of the things that were going on in Washington.

It was really funny: one of the stories that the four of us just absolutely love was when we were sitting in the formal training class and one of the trainees, who was a veterinarian from the Bureau of Veterinary Medicine, was talking about the kind of work he did. He kept talking about sub-professionals that he was working with. We finally asked him, "What are the sub-professionals you have?" "Oh, these are the GS-13 and -14 Food and Drug officers" that handle casework and review material. We said, "Oh those are the guys that are coming in from the field that we're calling professionals." So, it was all in the viewpoint. Here again we've got a Ph.D. looking at others and calling them sub-professionals. So, for the rest of the training period we considered the four of us as sub-professionals.

But that program was excellent and it did carry on for some period of time. Rico Sturniolo was the young man that was running the program and was very successful. He made it work well because he was friendly and up-front--a good man to have doing that work.

FL: At that time, I guess, Rico was not very experienced in the agency, but he was an experienced teacher and trainer.

JS: Absolutely and he knew how to organize a program like that. I understand later on that the program was expanded to two weeks instead of seven days. The seven days had included five days one week and two the next week. Then it finally wound down, after having covered most of the people in the agency, and we started doing some other kind of training. I think the training we're doing now for new supervisors is vital; it gets them much earlier in their career.

FL: Would this have been more useful to you earlier in your career as a supervisor?

JS: It certainly would have made me feel a lot more comfortable on how to do it. Like I said earlier, I had no idea how to be a supervisor. All I could do was fall back on my technical expertise, which, of course, was what the agency and most organizations had done up to that time: take somebody that was good at doing something and then make them a supervisor, which doesn't necessarily mean that he was going to be a good supervisor. Fortunately, a lot of people survived that.

During my early years in Minneapolis, there was an attempt to start in on a better work-planning system. I've described John Guill's system of files in his drawer and handing it to an Inspector as he walked past. We were trying, through the development and refining of the Flex-site system, to get a list of firms in the various portions of the territory. The Flex-site really only affected those firms where we had had some kind of action or other activity, and it was quite limited. We had asked our people to do a lot of telephone-book surveillance on their trips and come back with names of firms they thought were newer, and we'd attempt to list these. It became very burdensome because of the volume of paper and files required to keep up with it.

Then the age of automation struck about 1962, '63--when the agency went into the IBM punch-card system of inventory control and work planning. This meant converting all of the Flex-site and other information into IBM punch cards, and starting to use the printouts from these punch cards for work-planning purposes. In Minneapolis, it was a horrendous change. All of a sudden we were having structured work plans being developed to tell people what to do, whereas prior to that time they had been pretty much free to find firms, do surveillance and do work on their own, provided they turned in the number of units of work that had to be done, and the number of hours that had to be done per program number. Like 03 were bakeries. I forget all of these old numbers.

FL: 01 was beverages.

JS: Yes. Gracious, I thought I'd never forget all of those things. The development of the IBM punch-card system went rather smoothly, and after we got the cards back--it was done by a contractor--we would collate them and get them pulled together. We were then able to use the information for our work-planning system which was quite successful. It was as Wilbur Wright's airplane was to a 747; however, compared to the kind of computer systems we use today. However, it was a beginning.

Really big changes started to come in the years when the Larrick administration started to come apart and Dr. James Goddard was brought in as Commissioner. The effect this had on people like myself in the field was kind of minimal. We did not feel the crushing changes that were felt at the District Director level perchance. It changed the way we planned the work and what we were going to do. We changed from a lot of filth work to doing a lot of drug work, and the kind of work that could be defined as health-oriented. It made it a little bit more difficult to do work plans, particularly in Minneapolis, because we didn't have any drugs to do, to speak of, except medicated feeds. So we were a little hard--put to stray away from the filth in food work, which we had been doing so successfully up to that time.

The Goddard era put more pressure on the District Directors in that they were now responsible for their own District, and were responsible for reporting directly to the Commissioner, rather than through a headquarters--line Bureau. I didn't realize it at the time, but as I moved through New Orleans and into Washington, I didn't feel that kind of management was going to work, not in a national organization attempting to keep its enforcement uniform around the country. The Districts went off on their own. When I was being interviewed by Harris Kenyon for the Executive Development Program, he asked me about the changeover from headquarters direction to field direction. I said, "Oh, you mean the dropping of the reins?" because that was the way, I felt about it at the time.

In Minneapolis, District Director, Harris Kenyon was selected to go into Washington to be the desperately needed Field Liaison Officer to coordinate what was going on in the field. That's exactly what he was; he was just one person with a secretary trying to coordinate the activity of the field offices. He was not a line officer and had no authority except through the Commissioner back to the Districts. It was a difficult job, but Harris was the proper guy for it. Stories were told of the Field Liaison Officer--the acronym for that is FLO, and he didn't much care for that. He decided to call it the Office of Field Liaison, but that was OFL called "awful," and that was even worse; however, Harris carried it off with aplomb.

It was obvious that the Districts were drifting off on their own, and making marks doing their thing. Boston started the 301(k) bakery exercise where they were taking action on bakeries that were not shipping in interstate but were receiving raw materials from interstate commerce. It was a good program; it cleaned up an industry, but it was reaching into the areas where the states could have done that job as well, if they would have.

In Minneapolis, we got deeply involved in the grain program, where injunctive action was taken against granaries. It was an excellent program and brought the grain industry back into the fold as far as handling grain for food rather than as a commodity.

Under Goddard, the emphasis shifted from a regulatory approach to an educational approach as well. We started developing workshops for the industry. We would call the various industry leaders in and put on a "Here's how to keep your place clean" kind of workshop. We had to find out what the industry was like; to go out and take an action, meaning put on a workshop, send out brochures, give them wall posters and in general try to cajole them into compliance. Then come back, make a bunch of inspections, and see how well we did.

(Interruption in tape)

JS: Most of the inspection branch, at least in Minneapolis and I think other places as well, was fairly well convinced that this was kind of a game we were playing and that we could have the same impact if we spent those resources on making good, sharp, hard inspections and taking a few good selected actions, rather than going around saying "please" quite as much as we did during those years. Our measures of compliance after our actions didn't really show that we were having much effect. However, being good Food and Druggers, and being good work planners, the job, of course, was to show that this was working. We were able to do so through juggling some numbers around. However, projecting ahead these "successes," we would work ourselves out of business and every firm would be in compliance within ten years. Now, obviously that was not going to work because firms go in and out of compliance as regularly as you turn on and off a faucet.

One of the programs that had been ongoing in the agency for many years was the illegal sales of dangerous drugs, where we had done a great deal of undercover work, as I described happened in North Carolina. That continued to grow and become a larger part of our program and take a larger piece of our resource right along. As it grew, the need for better control and more professional operations became obvious. As a result, the BDAC was formed--the Bureau of Drug Abuse Control--as a separate unit within FDA, and they set about planning and organizing how the field would operate in illegal drug sales. We continued to operate this program through the field offices for about a year after that, in my recollection.

Another reorganization took place bringing the Bureau of Narcotics together with the Bureau of Drug Abuse Control forming a unit called BNDD, which was the Bureau of Narcotics and Dangerous Drugs, in the Justice Department outside of FDA. This resulted in the transfer in '67 and '68 of many people who were doing that kind of work. I know Keith Shostrom and Milt Schulz who were supervisors in Minneapolis transferred into BNDD, and several of the investigators who were doing that kind of work exclusively also went into BNDD.

It was a relief for most of us who really didn't like to do that kind of work, and felt it was really not the organizational purpose of the Food and Drug Administration to handle illegal drug sales. We were very, very pleased to see it go off in a different direction. I had been assigned the supervision of the program in Minneapolis and I don't think I did it very successfully, because I didn't really care for it very much. So, I was happy to see it go.

FL: I have been told that Commissioner George Larrick had directed that BDAC be set up as a separate free-standing unit in the hope that it would be taken away, because he didn't believe it was the kind of business that FDA should be in.

JS: I agree with him on that. It was set up for the plucking; that's very true, it was plucked. Now, of course, all of the successors to that is the current DEA, which is probably larger than FDA now.

FL: Yes, the Drug Enforcement Agency.

JS: That was just about the time I applied for and was selected as the Chief Inspector of New Orleans, and left Minneapolis in the winter, January and February of 1967, to go down to New Orleans and become Chief Inspector.

New Orleans District was an interesting place. They were in the old customhouse building right at the foot of Canal Street, a very historic location but a horrible place for an office and laboratory, just miserable. Cockroaches and mice and cramped quarters. At that time, it wasn't even air conditioned, which made it a miserable place to work. New Orleans was growing some at the time and we didn't have any place to put the new people. The laboratory had no place to expand.

I remember that the laboratory was going to develop more capability in microbiology, but they had no place for it except in a corner of the regular laboratory. So we got our eyes kind of peeled to the patent office, which was adjacent to the laboratory at the far end of the building; but they didn't want to move. What the microbiologists did was just to leave their door ajar and put the fan inside and do a lot of botulism work, which has some real stinky media, and just blow that out the door into the patent office on a regular basis. Finally, the patent office said, "We quit," got up and moved so that we could take over that space in the building, too.

But that was a historic building, and you couldn't make any changes in it. You couldn't even do any insect control, and in New Orleans, insects were a way of life.

FL: The building was actually pre-Civil War, wasn't it?

JS: Yes. It was built and never finished. It was supposed to have a dome on it. The Civil War came along before they got it finished, and so they just roofed it over with a bunch of timbers and it was that way ever since. Interesting place to work; it really was. Thankfully, they're in some new quarters down there now that are a little better.

One of the first things that happened after I got to New Orleans was the breakup of St. Louis District. I can recall this vividly because I had to go up to St. Louis as Chief Inspector in New Orleans, with Cliff Shane, Chief Inspector from Chicago, and I think Lenny Blanton, Chief Inspector from Kansas City. New Orleans was to pick up the western judicial district of Tennessee, which included Memphis, and other parts of St. Louis District went to the other two Districts.

I remember Bill Conway looking at us while we were sitting there dividing up the spoils saying who was going to get what and how many cars we were going to get from this piece and how many typewriters and where the desks were going to go. He looked at us and said,

"You ghouls!" Out-and-out ghouls?" That was a tough time; it's tough to break up a district in that way. Finally, it became a Resident Post out of Kansas City.

The group of people I picked up in Memphis was a fine group. Some real good people were there who are currently leaders around the country. John Yount, who is a Chief Inspector someplace and other names I can't recall right off hand. But it was interesting. We picked up a piece of territory in New Orleans and some people to go with it, and were on our way, as far as I could see, to developing a stronger and larger District than had ever been sown there before. Here again, New Orleans had been operating in the dark ages and had not really had any creative leadership in looking ahead or trying to stimulate things to happen.

Helen Barry was Chief Chemist. I dearly loved Helen; she was a marvelous person. And Leslie McMillin was the District Director at the time; he hadn't been there too long before I came. Chet Hubble was there as Deputy Director, and we started to make some things happen. I brought in some more inspectors from other places. At one point, I caught all kinds of hell for doing so because of going above our ceiling. I felt that possession was nine-tenths of the law, and they didn't make me transfer the guy away again. So we built the District up to about a hundred people, and for New Orleans, that was a pretty good size.

As things happen, it started to look like the regional, meaning departmental regional boundaries were going to be the successor, which would have cut New Orleans District right in half. It split Mississippi and Alabama away from Louisiana. I just didn't want our inspectors to get hurt as a result of that. What I started doing was establishing resident posts and making sure that the inspectors were spread around so that when the split-up came, as I knew it was going to, they could just turn to a different direction and bow to a different District without ever having to move. There were Resident Posts in Shreveport, Mobile, and Montgomery, so we increased staffing at Shreveport, increased Mobile and Montgomery. We established Jackson, Mississippi--brought Tom Hooker there -- and established...

(Interruption in tape)

JS: I got that backwards. Birmingham was the one that had been there for a long time as a resident post. They expanded Birmingham and established a resident post at Montgomery. So most of the inspectors got transferred out of New Orleans. We left maybe a total of ten in New Orleans office who I figured could become the cadre of a resident post, if in fact, New Orleans got closed. I didn't tell anybody this was what we planned on doing, but this was what we did. It turned out to be quite successful, because when the breakup did come and Atlanta took over both Mississippi and Alabama, they had resident posts established and could just start operating the way they were; nobody had to move anything.

I was only in New Orleans a year and a half. Then I went to Washington; I wasn't there when things started getting smaller again in New Orleans. It was difficult to see the change from dismal to quite active and enthusiastic in the District and go back to dismal again because of the change in the boundaries, which I never agreed with in the first place. FDA should never have been put through that torture of having to live with departmental boundaries, which we just didn't fit. This has now been recognized and we're back to whatever it is we need to be.

In New Orleans, one of the things that became paramount was the new planning system. I assume this was established by Dr. Goddard. As Chief Inspector, I had really no idea how this came about. All I know is that the dictum came down from planners in Washington. The planning system, if I remember the initials right, was called PPBS Program Planning and Budgeting System. It had to do with problem planning, where instead of planning to cover commodities like bakeries and grains and this sort of thing, we changed the planning system to cover problems, which were being defined as microbiological with a whole subset like Salmonella, botulism, whatever; sanitation with several subsets--it was rather complicated. What

we had to do was go through our entire inventory and create a system that coded all of our inventory and all of the kinds of products that inventory produced into these problem planning codes. Like FH01 stood for Food, Health, Salmonella, if I recall correctly. It was an interesting exercise.

Those of us who had to do it--and this was national--found out what the priorities were and who wanted what done. It turned out that Salmonella was king in those years: if it didn't have some Salmoneila attached to it, it wasn't very important. Well, importance, of course, also had attached to them. I know in New Orleans we were able to get Salmonella on enough things to justify the staff we had, which was what we set out to do.

Another reason why that particular planning system didn't work was it wasn't honest, and I don't think it could have been honest from the beginning. It was another attempt to force us into doing something we really didn't need to do in terms of planning. We knew what our problems were, and we knew how to cover them. We needed a planning system that would tell us where the firms were and what kinds of things they produced, not what the problems were, because that didn't mean anything. It was divisive and took our attention away from what the real goals are in consumer protection.

Thankfully, that kind of planning system went down the drain fairly soon. It was just too heavy. Here again, the basis was to cause industry to come into compliance and the goals were to have less and less violations year after year after year in each of these categories. That would be fine if we were producing nuts and bolts and were trying to get the number of defects down. But we're talking about human enterprise and there is a baseline of violation that just never ceases.

I thoroughly enjoyed being Chief Inspector in New Orleans. That was really my goal--not necessarily New Orleans, but Chief Inspector. It was great; I really had a lot of fun and I learned an awful lot. I learned a lot from dear old Leslie O. McMillin. He taught me how not to do a lot of things. The guy was very sincere but didn't realize how crushing his personality was

at times. An interesting individual. I did learn an awful lot from Mac, and must give him credit for that, and also for giving me a leg up and a head start. I appreciated that.

Mac was transferred over to Atlanta as Regional Director. No, it had to have been District Director; that was not yet. He went over there as District Director; the regions came in later. And it brought Jack Bologna, Giacomo J. Bologna, in from BDAC to be the District Director in New Orleans. This caused a lot of comment; this is an outsider coming into FDA to be director of a District, whereas most of us always felt that one must move in through the ranks to become the director of a District; otherwise you don't know what's going on.

FL: What was Bologna's background before he came to BDAC?

JS: It's my impression that he was an Internal Revenue Investigator in Detroit prior to coming with BDAC, which was part of the FDA at the time, and he then moved on to New Orleans. He knew investigations, but didn't know the part about FDA's history, background, and method of operation. Jack was a delightful guy; he turned out to be an excellent manager. He knew his own limitations and he knew what he didn't know. He also knew that he had a lot of people on staff, who did know, so he depended on them to do a good job. That caused people just sort of to rise and carry out the program. It was delightful; I liked Jack a lot. Until such time as he got me transferred into Washington; that took the edge off a little bit.

Poor New Orleans had a whole series of Directors during those years. Their original Director in New Orleans was Edwin C. Boudreaux, who had been there since the inception not only of the agency but of the city, I think. He had been there forever. When he retired, Charlie Armstrong came in for about a year and left. He was followed by Leslie O. McMillin, who was there about a year and transferred to Atlanta.

I remember researching this because I was the master of ceremonies at Mac's going-away party, and I had one hell of a time thinking about how I was going to start this program off, until just before I left the house to go downtown to the party it dawned on me what the history was. So I started the program off, "Welcome to the third annual New Orleans District Director's going-away party," and said that "the committee for the fourth annual District Director's going-away party will meet immediately after in the northwest corner of this auditorium," not realizing that I was predicting something that did come true because Jack Bologna left after a year, and Dick Davis as master of ceremonies started his off, "Welcome to the fourth annual District Director's going-away party." So, it was fun. They had a series of directors there, and that is upsetting: you can't change the direction of management that quickly and maintain a lot of continuity.

Jack Bologna also left after about a year, and he went out of government. He got an opportunity, at least he thought it was at the time, to become involved in a burgeoning franchise called Minnie Pearl Kentucky Fried Chicken. Unfortunately, he got out when it was right at its peak and never really did make it. Later on, he was working in security systems, things that he knew real well. I liked Jack a lot.

Jack was followed by Nevis Cook. Nevis came to New Orleans from being the Regional Assistant Commissioner of CPEHS in Denver, CPEHS being the Consumer Protection and Environmental Health Service, which was a failed attempt to draw together some things that didn't fit. We can talk about that in just a minute. Prior to that time, he had been District Director in Boston.

The CPEHS was an interesting episode. It was brought together during the Lyndon B. Johnson Presidential Administration. It was an attempt to pull together things like FDA and the Environmental Health Service into a unit to provide more efficiency. A man named C.C. Johnson was appointed to be administer of it. It lasted all of one year. The CPEHS--we called it "Seepage," I recall--it was in vogue the one year that I was in Washington. It was put in place

just about the time I got there and fell apart just about the time I got out to Seattle. It fell apart after the election, where the first Nixon Administration came in. Robert Finch, who became Secretary of HEW, Health Education, and Welfare, saw no earthly purpose for this organization and just abolished it, setting FDA back aside within the department as it always had been, and setting EHS, Environmental Health Service, off to one side by itself, which then almost immediately was converted into this new entity called the Environmental Protection Agency, EPA.

FL: Which was established at that time by an act of Congress.

JS: Right. So CPEHS fell apart, and FDA was back by itself again. It's interesting how some of the people that were involved in this got where they were and what happened to them. When Goddard came in--and this is my understanding, of course, viewed as a Supervisory Chief Inspector, Executive Development Trainee--he had some people he didn't take too much of a shine to, especially at the District Director level. He wanted to get some new blood in where he felt old blood was starting to congeal. Now, I don't think many people would agree with him on some of the folks that he targeted, but nevertheless, he did target certain people. He created a position called the Regional Associate Commissioner, which was kind of a nothing position--wasn't in charge of anything--and would sit in a regional office and represent the agency to the department.

FL: That's the Regional Office of the department.

JS: Regional Office of the Department of Health, Education, and Welfare. Several of the District Directors were made Regional Associate Commissioners. One was Nevis Cook, who was

transferred from Boston to Denver. Doug Hansen was transferred to Chicago from Washington, D.C., where he had been in charge of one of the divisions in a Bureau. Bill McFarland also transferred from Washington, D.C. to Dallas as Regional Associate Commissioner (RAC). Johnny Guill, who was District Director in Chicago, became the RAC in St. Louis. Anyway, these people, all good people, were transferred into these jobs which really didn't mean much.

Well, they didn't last very long either, because when CPEHS, Seepage, came into being, those jobs, or some of them, were converted to RAA positions, Regional Associate Administrator positions, and were made line. For instance, Doug Hansen was transferred from the Regional Associate Commissioner of CPEHS in Chicago to Seattle as the Regional Associate Administrator, the RAA, in a line position over FDA and whatever there was here of EHS. It was unusual; now we had a new line position in the field over the District Director. Frank Clark and I used to sit down with Doug, and he'd want to know what we were doing, how we were doing it, and tell us what to do. Well, so be it; that was the way of the world.

It wasn't long after that CPEHS was disbanded by Secretary Finch, and those positions were converted into EPA positions. Doug Hansen, for instance, became Director of Categorical Programs in EPA here in Seattle. I know that Harris Kenyon also got lost to FDA through that mechanism and went off into EPA for a while, before he retired.

After an amazingly short interlude at New Orleans, I got transferred to Washington into this Executive Development Training Program. I think I was in the second class, or maybe the third--I'm not exactly sure--when this thing started. But it was early enough in the development of the Executive Development Program so that the program itself was just a little bit shaky. The selection process was quite formalized for getting people into this program; but once you got into it, the training left a little bit to be desired. I was given the assignment to sit in for the first six months as acting Eric Stork. Eric had been the Deputy Director under Al Barnard of the Bureau of Regulatory Compliance.

(Interruption in tape)

JS: This was an eye-opening experience for me to be the Deputy Director of a Bureau that I had always looked up to as being the boss. At that time the Bureau of Regulatory Compliance was in the process of phasing itself out of the line directorship of the field, and it was my understanding that's why Al Barnard was brought in there to direct that Bureau: to do just exactly that, to pull the Bureau out of the line between the Commissioner and the field. Al was doing a good job at that. The Bureau of Regulatory Compliance still had the function of case processing and program planning, of which they were doing a good job; but they were not directing the field at all.

The job that I sat in on, which was Deputy Director of the Bureau, was basically a nothing job. Nothing happened, I found. Pieces of paper did not float in and out of the office, except for the reading file and the Food Chemical News. People did not come into the office. No questions were asked. And I found after a week that absolutely nothing was happening. Obviously Al Barnard, as capable as he was and as strong a manager as he was, was perfectly capable of running everything in the Bureau, and he did.

I chatted with Al and said that there wasn't really much happening; could I just walk the halls and find out what's going on, which I proceeded to do. I made a lot of good friends that way. An old friend, Lloyd Claiborne, the first time I met him he was in the program-planning bunch at the time. I learned how the program was developed and tried to impact some of the casework that was coming through. I was successful in starting to have things focused in on the office in which I was sitting, rather than totally into Al's office.

It really was kind of a figurehead position at the time. I don't know how Eric had run the job, but obviously he had the clean-desk syndrome and didn't want anybody to bring anything to him; and I had people complain to me that when they did bring things to him, all he did was

second guess them and ask why to the point where they didn't bother to come back. So, that's the kind of an office I stepped into for training. Fascinating.

One story about that is worth telling, however. At the time, we were involved strongly in what was called the Cooperative Quality Assurance Program, or affectionately know as "CQAP." This was a program where FDA would sign up with the industry to have the industry develop programs that would bring them and keep them in compliance with the act. Many of the field people, including myself, were not very pleased with this program. We considered it took more of our resources to operate the program than it would if we just made inspections in our normal course of events. I think we were right.

One thing floated up from Florian Majorack, who was running that program while I was Acting Deputy of the Bureau: it was a suggestion--and it came to me from Al Barnard--to establish a set of standards that would be "Generally Regarded As Practical and Enforceable", which had, then, an acronym of GRAPE. I read this memo with my dubious bent on the whole program anyway and felt we would look foolish going forward with this. Al wanted comments and I wrote comments. I wrote a rather long memorandum not saying that we should not do this, but I said that I felt that "generally regarded" should be "currently regarded," and that these things are voluntary, therefore they're not enforceable. I suggested "Currently Regarded As Practical," with the acronym that you can spell yourself. Needless to say, the suggestion went down the drain, period.

After my stint in the Bureau of Regulatory Compliance, I was assigned to the Office of the Assistant Commissioner for Field Coordination, or ACFC. Sam Fine was the Assistant Commissioner at that time, and Paul Hile was his Deputy. I was assigned to work in the inspection branch or division--I forget organizationally what it was at the time. Don Martin was the Chief Inspector, and I was assigned to work with Don Martin. What I did during this period

of time was to work with Don to develop, as much as possible, the kind of program that the Chief Inspectors needed for strong national meetings. We developed assignments for reporting at a Kansas City meeting. It went very well. We felt this was one of the stronger meetings that had been held for a long time up to that point.

In addition, I was given the assignment from Mr. Hile--this is the first time I had ever worked with him, to review a Booz, Allen, and Hamilton proposal for planning and assigning and reporting on inspection work. The Booz, Allen, and Hamilton contract was one that had been running for two or three years, as I remember it, and Paul had been the Project Officer on it for the agency. They were studying our inspection procedures and trying to come up with a better way for us to plan our work and make our inspections.

FL: It was a contract that had been signed by Commissioner George Larrick and was initiated by Commissioner Goddard soon after he came to FDA.

JS: That I didn't know. The portion of the Booz, Allen, and Hamilton proposal I was looking at involved the reporting of the inspectional work and the assignment of the inspectional work in little chunks and pieces. I forget now what it was called, but it had a specific name. It looked like on paper that it would be really good, but I was supposed to give it some sort of practical application. I reviewed the thing, talked to a lot of people, and wrote a memorandum saying, "No, we shouldn't do this, because it would take more money and time to do than it's worth," period. That, of course, met with a great deal of opposition from Mr. Hile, who brought it back to me and said, "Look, we've spent a million dollars on this contract; we can't just throw it out arbitrarily. Would you kindly look at this again?" So I did.

I came up with a proposal that said, "We accept the Booz, Allen, and Hamilton proposal. We think it's good, and in theory it would work wonderfully." Then I threw in a bunch of howevers and buts and went through and said, "We should continue to do as we are doing now, at least during our current resource allocation." That was very acceptable and we never did get into doing that portion of the Booz, Allen, and Hamilton contract, for which I was very happy.

The Executive Development Training Program itself was an interesting study. It really, truly was a noble effort to identify people and give them the kind of experiences that they needed to move on and become higher-level managers in the agency. I applaud that effort. However, the manner in which it was carried out left a little to be desired. I mentioned before that most of us felt we were unemployed. We had left a good job--I certainly had as Chief Inspector, the best job I had ever had at that point, and we had no job to go to at the far end. In the meantime, we were attending classes, going to seminars, and experiencing work, we had never before experienced. However, there was not much directed training or hands-on training that went on. We were just experiencing pieces of work and getting to know people, seeing how the process worked, and I guess finding ways around how the process works.

It was the kind of a thing where we found after six months into the program that we spent a great deal of our time job hunting--looking for jobs within the agency. Because once the program is over after a year, we had to do something; we couldn't just stand in the halls. I was very fortunate in being able to successfully compete for the Deputy District Director job in Seattle and was most happy to leave Washington and escape back to the field. I wouldn't have traded, however, that experience for the world because it was very helpful in forming a broader opinion of the organization than I had had up to that time. I feel that an Executive Development Program is necessary within the agency and should be strongly supported. Both from management and from resource usage. We have not seen anything quite as well done, I think, as

that since then. Not well done in the sense it was an organized program, but well done in the sense that people were given a great deal of latitude to develop their skills in this manner.

Anyway, I got transferred to Seattle as Deputy District Director. I remember Sam Fine telling me before I went that I was too young for that job. I didn't feel too young; I felt old enough. I was thirty-seven at the time.

When I got to Seattle, the District was in the firm hands of Frank Clark, who had been here since 1967 as District Director. He had taken over from Ken Monfore, who had retired as a result of a salmon industry problem, which dated from '65. There had been major changes in the management at Seattle District in '65 and '66 because of the can seam problem in the salmon industry. Now, whether or not the management changes were a result of the District not foreseeing the problems with the can seam, or whether it was something Dr. Goddard wanted to do anyway is problematical; I do not know, only what the rumors were. What did happen, however, was that Ken Monfore retired as District Director. Arnold Morton got transferred to New York. Bill Kupp stayed put. And there were some other changes.

FL: What positions did Morton and Kupp hold there?

JS: Arnold was the Deputy Director, and he went to New York as Regional Chief Inspector. It was a new job, unusual job. Kupp was the Chief Inspector in Seattle. A story about Bill Kupp is that he survived the salmon massacre because he was out of town the week that it occurred.

In any event, Frank Clark was the District Director. A marvelous person; a friend, and another father figure for me. I learned more, I think, about management from Frank Clark than in all of the training programs that I had for a long, long time. We were able to work together very well, and actually developed a different kind of relationship in the management of the District

than had existed up to that point. Prior to my arrival, the Deputy District Director job was more of a Compliance Officer or a staff individual than a line individual. Through continued experience, we changed that so that the Deputy District Director became the line manager of the District.

Things changed fast in those first years. I arrived in September of 1969, and it was shortly thereafter, early '70, as I recall, that the regional boundary changes were made. The Nixon administration at first came out and said we were going to have eight regions rather than nine. Well, that resulted in such a foorah from I think it was the Kansas City area that the Nixon administration backed down and said, "Okay, we'll have ten, rather than nine."

The reason for going for ten was actually because of pressure from Senators Magnuson and Jackson of the state of Washington, who felt that the Northwest had always been overlooked, and therefore deserved to have a region unto its own. Because of the political necessities of defense, it was the wise thing for the Nixon administration to do, and they did. They made ten regions. Therefore, Seattle District became a region unto its own.

Just prior to the change from eight to nine to ten regions, the Department of Health, Education, and Welfare had required the Food and Drug Administration to reconfirm their Districts into the departmental regional boundaries. This resulted in Seattle as a District coming under the leadership, if you will, of Region 9, which was headquartered in San Francisco. However, Frank Clark in Seattle was named as the Regional Director for Region 9 during those early months.

FL: That's the Regional Food and Drug Director?

JS: Yes. You have to be very careful, because the department had a Regional Director as well. This was until Irv Berch got transferred to San Francisco, and he became the Regional Food and

Drug Director of Region 9, and Region 10 was established, which was then taken over by Frank Clark.

The way the departmental region developed in Seattle, in Region 10, was interesting. The first person to be assigned there for the department was a lawyer named Tom McLaughlin. A nice guy. He turned out, then, later to be the Deputy Regional Director for the department under Bernard E. "Buck" Kelly, who still is the departmental Regional Director.

During the early days, there was a great deal of interest in the Food and Drug Administration by the departmental officials, mainly because we were the only established departmental entity in Seattle. We were a hundred people strong and were actively doing our thing. There wasn't any other established department like Public Health Service, like some of these later agencies like HCFA [Health Care Finance Administration] and that sort of thing at the time. During the two or three years when they grew from one person to almost seven hundred people in the regional office, the interest in the FDA waned considerably, and at the time that the FDA was formally placed within the Public Health Service, the interest in FDA evaporated entirely from the Regional Director's desk. He played only the game with the Regional Director of PHS and let us do our own thing. I didn't even have to attend staff meetings, and I was perfectly happy with that.

FL: Did the Regional Health Administrator require you to attend his staff meetings later?

JS: That's interesting as well. The original Regional Health Administrator over there was Dr. David Johnson, who was a marvelous personality and an excellent manager. He wanted to know a little bit more about what was going on in FDA and wanted us to attend his staff meetings. But he soon found out that I told a lot of good war stories, which they were interested in as people,

but it didn't have much to do with their process, and their process didn't have much to do with FDA. So he kind of dropped that and said, "Just keep me advised as to any problems that are coming up so if it gets into the media I'll know what's going on." They later tried to transfer Dave to New York as the Regional Health Administrator. He didn't want to go, so I offered him a job in the FDA as the Regional Medical Advisor to the Regional Food and Drug Director, who was me, and he jumped at the chance. He worked with FDA very successfully for several years until he retired.

This, parenthetically, was a pilot project that worked very, very well here. I would recommend to the agency, when they have the resources available to do so, that they again establish a Regional Medical Advisor, getting the best people they can to do that. It was very beneficial to have somebody like that on staff, both to myself and to the investigators. It made their work easier to have Dave around.

FL: Dave had the advantage of being both a veterinarian and an M.D., didn't he?

JS: That's right. And he was an old Navy doctor. So he knew the government, he knew horse pills, and he also knew the people side of the problem. He had also been a detail man for Lederle for a while and had done some veterinary research for them. So he came with many, many, good, FDA kind of credentials, in addition to being an outstanding person. It was a good attempt. We made him the Regional Medical Officer for regions 8, 9, and 10; and he covered Denver, San Francisco, and Seattle, much to his delight because he liked to go to Hawaii.

At the regional office, then, the new RHA, (Regional Health Administrator), Dorothy Mann, did not pay much attention to FDA. It wound down to a paper exercise. I would send them a monthly report and they were happy with that. If there was a big seizure or a recall or

something coming up that might affect the departmental relations with the media here, we kept them advised through Sue Hutchcroft, our CAO. It worked very well.

In all, the placing of the FDA into the regional setup for Seattle District was a plus for Seattle. We had such excellent relationships with the departmental regional management that they left us completely alone. The other major interplay with them, the personnel function, we cultivated much like a rose garden. It also was very helpful that the guy who was running the administrative shop, a guy named Bill Rogers, had been the administrative officer for FDA prior to his going to the department. It was helpful to have an ombudsman of that kind in the department. In all, we had excellent relationships. By having the personnel office regionalized, we were able to do some things here that we were never able to do when FDA had their own personnel shop in Washington. There was a plus to it.

The minus to the agency was that we, meaning the agency, got into problems that were different from region to region. For instance, Region 9 did not have anywhere near as good a relationship with their personnel shop, and had a very difficult time establishing positions or getting promotions announced.

One of the first national things that I became involved in after I had come to Seattle was a blue-ribbon committee, as Paul Hile called it, which he established to do a study of the field organization and laboratory placement. The committee consisted of Bill Clark, who at that time was the Deputy District Director at Chicago. He had been in the Executive Development Training Program as well and had graduated from the class ahead of me. Then there was me; the Chief Inspector at Minneapolis, George Goers; the Administrative Officer at Buffalo, Mike Tuzzo; an administrative type from I think the Bureau of Foods, a guy named Louis True; and the Chief Chemist at Chicago, John Taylor.

Paul's charge to this blue-ribbon committee, this task force, was to study the field organization and make recommendations to him as to placement of the field laboratories. It was an open study; Paul did not give us any direction as to what he thought would be the outcome. So we spent the summer of 1970 traveling the country, interviewing people, reviewing the facilities, and writing a report. It became known as the Clark Committee--thankfully; I wanted to keep my name off of it as much as possible--because it turned out that our recommendation, which was to basically maintain the District structure the way it was, with the laboratory investigations and compliance branches, in nearly every location. There were a couple that we thought needed to be changed, but it wasn't that big a deal.

But it turned out that was not the outcome that Paul was looking for. And that report really never saw the light of day. I don't even have a copy of it anymore. I've requested one from a couple others guys who don't seem to have copies either. But what is interesting is that during that study it became obvious to us that the field management was not set up the way it should have been. Remember, we were still under the dropping of the reins, where the field District Directors were reporting directly to the Commissioner. We could see regionalization coming, and it looked like there needed to be some centralization of management. One of the recommendations which we had made early and had put on paper early was that the Assistant Commissioner for Field Coordination be give the direct line authority over the field between the Commissioner and the District Directors.

(Interruption in tape)

JS: Sam Fine had been the Assistant Commissioner for Field Coordination basically up to that time. However, he was selected by Commissioner Edwards, to become the Associate Commissioner for Compliance, or ACC. This, then, elevated Paul Hile to the Assistant

Commissioner for Field Coordination position. So now, we have Paul in this staff position that our committee and various others were recommending become a line position.

While we were still working on our committee's report, Edwards delegated the field direction to ACFC, in this case, Paul Hile. This is in my recollection; this is as I recall it. Later, in consideration of a change from staff to line position, the suggestion was made that the name be changed—that it no longer be an Assistant Commissioner position, because that truly was a staff position, but that it be made a line group similar to the Bureaus. I recall the meeting where Paul announced to us what he was going to suggest the name to be and asking the District Directors what they thought of it. He said that the Bureaus have Directors; there's the Director of the Bureau of Foods, the Director of the Bureau of Drugs, and the Director of the Bureau of Veterinary Medicine. He felt that the words Executive Director for Regional Operations would sound just a shade above the others. They were all Directors, but he would be an Executive Director. In reality, the Districts were all Directors as well, and therefore the Director of the Directors had to be an Executive Director.

What was interesting was, that made Ron Ottles, who was just coming in as the Deputy to Paul Hile, the DEDRO, Deputy Executive Director of Regional Operations. As you can see, acronyms are a hobby of mine.

In any event, the study that we completed did not see the light of day. There were a few things that were implemented, but certainly, it was not what Paul was looking for. Paul did implement, anoint, or somehow establish another committee to again review the field's laboratory placement. I have a feeling--I don't have knowledge--but I have a feeling that he told them what he was interested in this time. They came up with a six-laboratory concept, six major laboratories for the field, which is a good idea, and we may have to come to that yet. However, at the time it was quite revolutionary and not well accepted by the field. A report was written and

was used as the base to develop a budget request to build six large laboratories across the country, and then, of course, phase out the ones which were in the District offices.

This got as far as the Whitten Committee, which was the subcommittee of the House Appropriations Committee that handled FDA's budget. Jamie Whitten, a Congressman from Mississippi, allowed as how FDA didn't need to spend all that money on six laboratories, what we really needed to do was make more inspections. He gave us the money to hire up to nine hundred new investigators. This resulted in Project Hire of 1972, I believe was the date.

It was interesting: the money that Congressman Whitten gave to the agency to use to hire these nine hundred came from the building fund money, the no-year money, that FDA had been saving to build new buildings with. Thus, our building program went down the drain with the implementation of Project Hire. Also, the six-regional-laboratory concept went down the drain at the same time, and we stayed with District laboratories.

A word about Project Hire, as viewed from the outpost of Seattle. It was properly well managed. It really was. It was set up properly. Cliff Shane was brought in to run it from the headquarters level. It was organized, and really well done. As a field exercise, where we put on at least seven hundred people after a few dropouts, where we almost doubled our inspectional staff at one fell swoop, it was really well done.

In Seattle, we were able to get about twenty people as our quota, and we put on some very interesting types. We hired three engineers here. I think two of them were electrical engineers and one was a civil engineer, all of whom were of Oriental origin. Excellent people. The one problem we had was the engineering staff in Washington wanted us to train them as engineers, wanted us to give them further engineering training and guide them along the path of engineering. I felt that was fine, but that was not the job of the Food and Drug Administration. The job of the Food and Drug Administration was investigating, inspection, if you will. So I wanted to train these people first as inspectors, then put them into areas where they could apply

their engineering background to FDA's work. And we did that quite successfully. Seattle was able to keep two of its engineers, and still has two of those Project Hire engineers on staff, one of which now is a National Expert in devices and works for the headquarters offices, but is headquartered here in Seattle. His name is Norm Wong.

FL: In Project Hire, were we especially targeting the hiring of engineers, as opposed to other scientific disciplines?

JS: It is my opinion that we were encouraged to look for engineers for the very first time. We had never looked for engineering graduates to become Food and Drug inspectors, and this was the first time we were doing it. We weren't particularly targeting them over and above anybody else; rather, they were being included in the program. Cliff Shane would know a lot more about this than I, but that was my impression.

The development of the leadership of the field under Paul Hile was very interesting to watch. Paul is a bit of a genius in organizational development, and had the ability to get people enthusiastically involved in what he was doing. It was obvious that the old FLO, Field Liaison Officer, or even ACFC, a single person with a secretary trying to coordinate the field operations, just was not working, and that there was desperately a need for a headquarters staff to become part of the field operation. Somebody had to write the programs; somebody had to watch out for budgeting, manpower, personnel--all of the things that go with running a large and diverse organization. Paul started pulling this together and building it. In addition, he had to start bringing the field Districts back together again into one organization. They had actually drifted apart considerably in doing different kinds of things. There was no one national direction and certain Districts were doing only filth work, other Districts were doing only drug work, some were doing nothing. This had to be brought together again. I can recall that the key meeting, I

think, was a District Director-Deputy District Director meeting in Minneapolis early in 1970. This was the first meeting that I had gone to. Frank was there and I was there; and all of the other District Directors and Deputy District Directors were there as well.

At that point, it became obvious that we needed to have a system of dealing with the categorical Bureaus--Bureau of Foods, Bureau of Drugs--from the field to get input into the Bureaus for program writing, for some practicality in selection of the kinds of programs that the field should be running. The suggestion was made that we have committees formed from amongst the District and Deputy District Directors to deal directly with these Bureaus, flying the flag of the EDRO. This was accomplished. I was placed on the Food Committee as the Deputy District Director, which was under the clear leadership of Mr. Fred Lofsvold, of course. We had a lot of fun with that. I think the Bureaus at first did not accept this very well, and they looked upon it as some kind of intervention. Some of the people did--I don't know about the Directors of the Bureaus.

FL: I would guess that's entirely correct because as you remember, those Bureaus had been established in that reorganization of 1969, and the outside people were brought in to head the Bureaus, with, I believe, the understanding that they were in charge of the subject matter. Many of them, or perhaps most of them, felt that they also should have direct authority over the people in the field who did the work of their particular Bureau.

JS: Absolutely. And I'm glad you said that, because it reminds me that one of the reasons we did our field study which I talked about just a little while ago was to fend off the attack of the Bureau of Drugs which wanted to have their own field forces carved out of what was currently ACFC's forces at the time. Thank you for reminding me of that. This was one of the things we successfully defended against, even though we didn't win out on how it should be organized.

Anyway, the committee's structure, which was established at that time, turned out to be so successful that it exists yet today. And it truly is a formalized portion of the agency's planning operation, and it works very well.

Also at that same meeting in Minneapolis, Paul said he wanted, and felt he needed to have, a smaller group of people to coordinate the efforts of these committees, and to sort of serve as a sounding board for ideas he may have. And he established what he called at the time a steering committee. It was made up of Frank Clark, Charlie Armstrong, who was the District Director in Kansas City at the time, and Weems Clevenger, the District Director of New York.

In late October 1971, a rather tragic event occurred with Frank Clark's heart attack. He never regained consciousness as a result of it, and died on November 1, 1971. The date is unusual because he was born on January 11, 1911--one-one-one-one-one--and he died on one-one-one-seven-one. It was interesting. He was sixty years old and really in the peak of health. He had experienced heart trouble before, and it just blew up on him after a jogging exercise in the morning. But it's probably the best way to go. A very difficult time for us.

In any event, I was nominated to be the successor. I was the Deputy Regional Food and Drug Director here in Seattle at the time, and Paul sent my name forward to be the Regional Director, after, of course, the whole business about applying for getting on the register and all of that; he selected me off the register. This, then, became the very first battleground between the Commissioner's office and his authorities and the regional HEW's office and the Regional Director's authorities. The instructions at the time were that for positions at this level, the Regional Food and Drug Director's level, the Regional Director of the department, in this case, Buck Kelly, had co-selection authority with the Commissioner for the Regional Food and Drug Director's job. I don't think anybody had really considered this was going to happen, and my appointment to this job was the first one to test it.

It was interesting: Buck Kelly told me he was very happy with my appointment and really wanted me to be in that position. The Commissioner told me he was really happy with the appointment and really wanted me to be in that position. However, the two of them did not want to give up their authorities, either the Commissioner to name his own Regional Directors, or the Regional Director to be part of the selection process. So, there was a great deal of heat exchanged over the telephones, and a great deal of time wasted in the meantime.

After they worked it out, and it had to involve the Assistant Secretary for Health to sort of calm it down, I was appointed and took the job formally in April of 1972. That meant I was acting in the position from November 1 until April of the next year. I do not believe that co-selection has since been a problem. I do not think that co-selection now exists in the field, and I was the only one who had to go through that screen. Mr. Kelly insisted on interviewing all the candidates, even though he announced what he was going to do beforehand. It was strictly a political charade.

When I say political charade, I think that has more meaning than just an offhand joke. Frank Clark had been asked whether or not he was a supporter of the Republican Party at that time; and fortunately for Frank, I guess, he was. That was at the time he was named as Regional Director in '70. I did not have to go through those kinds of jump screens. I had made no bones about my political leanings; I had never had any problem with it. I figured that civil service was civil service, and it didn't make a damn whether one was Republican or Democrat. This time they didn't ask; I was going to make a fuss if they did. Fortunately, I was Republican and still am, but they didn't ask.

FL: That was an interesting period, when Frank's appointment came up; that was the first time to my knowledge any field appointment was ever questioned on political grounds. Of course, it was in the period of the first Nixon Administration when they were attempting to place people with

party affiliations in regional jobs. I knew it was being done in other regional positions in other HEW agencies.

JS: But those were mainly political appointments, blatantly such; and ours was always career.

FL: Well, even a few of the career people who were promoted in the Denver Regional Office and other HEW components I knew had been asked that question. It was a little bit of a shock after all those apolitical years to hear it being asked of a Republican like Frank, or an FDA person like Frank.

JS: Yes. And you're right, a Republican like Frank. Not only that, but they asked it in writing, because Frank showed me the letter, which I thought was almost a violation of something or other.

FL: Jim, for many years the cooperative agreement on salmon control with the industry has been important in Seattle District's history. Would you talk about your experiences with the operations of that plan during the time you've been here?

JS: Oh, sure. And you're absolutely right; it has kept us interested in the fishing industry. The salmon plan has been a major success, a cooperative, voluntary venture between industry and the FDA, which goes all the way back to 1936, at which time they called it the Better Salmon Control Plan, when they first started it out.

A little history maybe which you already have someplace else. The canned salmon industry developed in the state of Alaska and even in Washington somewhat before World War I. It was mostly operated by hand labor, at that time. When World War I struck, there was a huge

government contract to feed the soldiers, of course, and a large need for shippable food. Canned salmon was very shippable, and was able to compete and get some big government contracts. This is just a very quick synopsis of what happened. If I'm stepping on history, please fill in the cracks.

Also, it became difficult to get hand labor. So, they developed a machine which replaced the Chinese hand laborer, which they called the "iron chink," which cleaned and beheaded the salmon prior to it going in to be cut for canning and then cooking. In the rush to get out zillions of cans of canned salmon, there was, as I understand it, a lack of enthusiasm for getting rid of those fish which were, perhaps, overaged, or to put it bluntly, rotten. And everything was canned. I've heard that the World War I doughboys called the canned salmon goldfish and either refused to eat it, or when they came back foreswore canned salmon forever and a day.

FL: It was sort of the Spam of World War I.

JS: The Spam of World War I--a good way of putting it. After World War I, the government contracts disappeared, and so did the need for and demand for canned salmon. Many of the plants were closed or consolidated, and operations got considerably smaller. But they continued operating, using the same equipment and the same methods that had been used since before World War I.

FDA in Seattle started getting into it in the '20's on complaints of rotten salmon being shipped. During those years they would sample the shiploads of salmon being brought down from Alaska to be transshipped across this country, being brought down into Seattle ports. They would sample those and analyze them in the laboratory for decomposition. Well, needless to say, there were a lot of samples. I have read documents that say during salmon season, the corridors of the Federal Building here in Seattle were lined with stacks of cases of salmon awaiting analysis.

The cost was, of course, getting to be quite prohibitive, and the industry was living with bad publicity from seizure after seizure after seizure.

So there was an attempt to get together to develop a better way of handling this. The result was the Better Canned Salmon Control Plan of, I think, 1936. I do believe that's the year; I'd have to look it up to know for certain the year. It was a very simple, about a four-page, pamphlet which gave the industry the responsibility to check the quality of salmon produced in Alaska in a laboratory in Seattle operated by the National Cannery Association (NCA). So there was an outside group looking at it here in Seattle after it was shipped from Alaska. The reason the laboratory was in Seattle and not located at each one of the plants was that the plants were located in very, ultra-primitive locations that could be reached only by boat or by airplane. The industry felt they could not afford to have in-plant control, and could not afford to have the kinds of people they would need to pay in order to have that control in the plant. So the agreement was to have the National Cannery Association do the analytical work here in Seattle.

In a nutshell, that's how the plan developed. And it worked rather well. It took the pressure off FDA to analyze tons of salmon and take huge legal actions. Now the National Cannery Association, using the criteria that were agreed upon between the industry and the FDA, would analyze the lots of salmon being received from the plants. If they did not pass these criteria, they would be sent out for reconditioning, which basically meant opening every can, examining organoleptically or by smell every can, and throwing out those that were decomposed; then recanning the entire mess in new cans.

(Interruption in tape)

JS: It was a system which worked very well for its time. When I came to Seattle in 1969, I was following up on the earlier problem with canned salmon which had occurred in about 1965. The

plan, up to that point, had to do only with decomposition. When it was discovered there were large, wholesale problems with can seams in the late '60s, the salmon plan, under the tutelage of Taylor Quinn as Acting District Director, and then Frank Clark as District Director, was changed considerably to include much more than just decomposition. The plan went on to cover sanitary conditions in the plant, processing conditions for cans and can seams, as well as decomposition. This was the very first major change in the plan, and it enlarged the plan's scope considerably. The industry knew they were in deep, dark trouble because they had to recall most of the pack that year because of can-seam problems.

When I got here, we set up a mechanism with the industry to review the plan every year with NCA. We would actually have our own people review the plan and the problems that we had found during the previous year of inspection, suggest changes for the plan, and then negotiate those changes with the National Canners Association and their industry committee, which they set up to be a steering committee for the plan. It consisted of the CEOs of the more important canning operations. Quite creative. And it was an interesting experience.

The FDA normally won their point, and year by year we tightened this plan to the point where it was well beyond the law. We were requesting, and getting, more from the salmon plan than we could possibly get if we went through the law and took legal actions.

FL: Was FDA headquarters involved in these annual negotiations?

JS: Not in the annual negotiations, the District had every year with the industry. We kept that pretty much to ourselves. We would always send headquarters in the person of EDRO and ACC and the Bureau of Foods copies of the newly negotiated plans; but they weren't involved in the discussion and wordsmithing of the plan. We did try that early. It didn't work because they always came up with things that we just couldn't practically do. We have to remember Taylor

Quinn was involved in the early development of the expanded plan; so he was fully aware of what we were dealing with, how we had to deal with it, and had totally agreed because I think he was in on the writing of the expanded plan from '66. So we didn't have any problem with Taylor; he trusted us to do that job right. We always gave him a copy of the plan, and we didn't hear back from him on the plan. So, in the sense of the yearly negotiations of the ideas for the plan, no, headquarters was not involved.

The low-acid canned food regulations, however, did make a difference in the salmon plan. When they came through and NCA went through their proposal to regulate low-acid canned foods differently, FDA then changed it all around and did it their way giving credit to NCA, who told me they didn't really want the credit, as we simply appended a copy of the low-acid canned food regulations to the salmon plan and referred to it. It then became part of the salmon plan, as well as regulations. This was one way of laying these regulations in the hands of each and every one of the plants, and making sure they had them.

The plan was very well accepted by the industry. They knew they were getting a lot for their effort in this. They were getting the opportunity--and I'll have to step back just a second on this--to fund the industry because of this plan. If they were not able to show a bank a piece of paper that said, "This lot has passed the salmon control plan," and have it stamped and signed by NCA, the bank wouldn't loan the money on the lot, and that's the way the whole operation ran was on credit. If they couldn't get money and the stuff sits in warehouses for a year, it's just a commodity. If they couldn't get money, they couldn't operate. So, it was important to them. It's always important to get industry in the pocketbook; that's when they pay attention.

FL: The banks regarded the plan, as kind of a guarantee the article was sound and worth the price, and they could loan the money.

JS: Yes, absolutely. And of course, it was also a semi-, and I don't want to use the word "guarantee," but at least assurance, the product was legal and wasn't going to be affected by a government seizure someplace down the line.

So over the years the plan grew. We worked on it every year, tightening it up, tightening it up, getting better in-plant sanitation. Then after I got here, we started working on getting better in-plant quality control. It was my opinion the industry was now something better than shortly after World War 1, and they were no longer as remote, since transportation had improved considerably, and there was no reason why they couldn't have better in-plant quality control, absolutely no reason why they should pack decomposed fish if, in fact, they didn't have to pack it. There was no reason why they should pack every fish that came into the plant, nor why they couldn't look at a few and throw some away. The plan did protect them from shipping decomposed product in interstate commerce, meaning from Alaska down to Seattle.

As we put that kind of pressure on the industry, there was some resistance. They felt the plan was sufficient, was significant, and would handle the problems; they would find. Well, I wasn't satisfied with that, so I said, "Well, one of the first things we're going to have to do is not only monitor the pack as it occurs, but I want to audit the pack after the product has passed out of NCA's hands, as it sits ready for shipment in interstate commerce. I want to go out and collect samples of the stuff that passed NCA and see how good it is." Heresay! Heresay! I thought NCA was going to come apart. Walt Younker's position was, "You can't do that! You can't do that!" I said, "Yes, I can do that. You have now said to the Food and Drug Administration through the plan that this product is now legal, and I have accepted that in the main. I'm going to do a little audit work to see how well you're doing." I didn't make any friends that way, but we went out and did some audit work and made five seizures.

FL: For decomposition?

JS: For decomposition. The first time we went out, I think we only did about twenty samples, and made five seizures, three of which were from the same plant, but it slipped through the plan. That created a storm in the industry because they were wondering, "What are we paying for? And we're still losing stuff through seizures." I said, "Yes, and we're getting a lot of complaints on decomposed salmon. What we've got to do is tighten up your procedures for examination of this." I said, "You are shooting for the legal limit as a level to accept or reject. You can't do that. Statistically, you're going to have some above that and some under it. If it's over that, then it's illegal. You have to have a lower level to shoot for so that statistically you have more of it than is going to be acceptable after you've examined it, is going to be legally acceptable but doesn't fit this new limit and it will have to be reconditioned anyway." They thought that was awful, but they did it. They had a couple of statisticians over there that agreed.

FL: Jim, I found what you've told me fascinating, because when I started here in 1939, when the plan had covered only decomposition, we routinely took a rather large number of audit samples of lots that NCA had passed. And even later than that, when I was back here again between 1946 and 1955, we still, I think, were taking some audit samples, or at least following up on rejected lots to make sure where they were going. That was probably the case then. I don't know when the idea of audit samples disappeared.

JS: It was not being done when I got here. We were not auditing the work of NCA. We were working with NCA in examining lots. We were sampling lots independent of NCA and examining them ourselves to see whether or not the NCA was doing a good job when they looked at the same lot.

FL: Well, looking back at it, perhaps that was the kind of sample we took in my earliest days--a sample of a lot before it had been passed to see if our examination and NCA's agreed. I can't be sure that those lots had been examined at the time when we looked at them.

JS: It was not being done, anyway, at the time I got here. It was an accepted fact the NCA examination was adequate. And it naturally would have been had it been at the right level. We did start that and we maintain that to this day, I believe. It created a volcano in the industry. They thought we had violated the spirit of the plan. I had to appear before the steering committee groups and also full meetings of the Pacific Seafood Processors Association, which were the CEOs of all the companies, and explain what I was doing. Other than a lot of grumbling, it became accepted. But NCA, in the person of Walt Younker, I don't think ever accepted it. It was like I had violated a trust. But since I found something, I was happy with that.

The next thing we did under the plan was to try and tighten up the administrative aspect. Here was something that was not really being looked after at all. By the administrative aspects, I mean the follow-up labeling after reconditioning. It's supposed to be labeled in a certain way showing that's been recanned so that the consumer knows it's been cooked twice and moved from can to another, and this sort of thing; that certain records are supposed to be kept; that there is follow-up on rejected lots to make sure they aren't just relabeled and shipped out, that they are actually reconditioned; that this is all done; that the records of cook, which were supposed to be sent from the plants in Alaska to NCA for holding so we could examine them here and not have to go out to Nome to look at a few cook records, to make sure that was all being done; to see that we were receiving the kinds of forms and reports from NCA the plan called for. It's a very complicated process; there's a lot in this plan.

We started looking at the administrative aspects of it, finding all kinds of problems, just all kinds of problems. Here again, NCA got rather upset that we didn't trust them. The industry

was saying, "Wait a minute; we've been doing this all these years." I'd say, "Yes, but now you know it, because you're supposed to be following this plan." It was accepted, but it resulted in other minor and/or major changes to the plan; it tightened up some of these aspects. I would say the plan, as it currently exists, is a pretty good one.

One of the things which changed in the salmon industry is the taste of the world consumer. The canned product is rapidly diminishing in importance. This is because of the improvement in the catch and holding capability of the industry. The Japanese now buy most of the salmon--well, they own most of the plants--but they buy most of the salmon, and it's all frozen--not canned, frozen. The biggest market for canned salmon is still the United Kingdom and all of its parts.

The canned salmon industry is not really an American industry anymore, as I understand it. The two-hundred-mile fishing limit thing Congress put on has effectively removed Japan from many of the salmon fishing grounds they had used for years and years and years. So in order to make sure they have the product for their own people, they have come to the United States and purchased most of the plants in Alaska--at least a 51 percent ownership so they can direct the process the plant goes through. They have left it under American management and have not notably interfered or attempted to be part of the salmon plan, but many of the salmon canners have converted to freezing, and that product is basically going to Japan.

FL: Frozen salmon is not covered by this formal agreement.

JS: No. I tried to get it. About three years ago, I said, "Let's have a frozen salmon plan," and that fell on deaf ears. But we didn't have a big problem with it, so it wasn't a big issue.

One interesting aspect of salmon, other than the canned salmon, happened about five years ago, when there was a report of several cases of tapeworm in Los Angeles being attributed to sushi bars, where they had served not only the normal raw fish such as tuna, but they had also

served raw salmon which had come from Alaska. So, we set off to look into it. The lot in question was a single shipment by air. You should see these planes flying planeloads of fresh salmon in ice in totes. They use old DC 6's and Lockheed Constellations--anything they could put a Band-Aid on to fly fish out of Alaska. But they had flown one lot experimentally from King Salmon, Alaska to Los Angeles fresh. It was sold in the Farmers Market there, and one guy bought several hundred pounds to use in his sushi bar as raw product. As I understand it, the Japanese would never use a fish that is in fresh water for any part of its life cycle as raw fish. There are parasites.

In looking at the history of this particular fish, they were caught from a stream populated by Alaska brown bear. Now, the brown bear carries the tapeworm larvae in its intestines. It does what it would normally do in the water when it wants to go. The salmon fry, the small salmon, which have hatched out and are headed out to sea, feed on the bears' dropping which contain tapeworm eggs. When they come back three or four years later as mature adults, they now have tapeworm larvae--in their flesh, not necessarily in their intestines. Eaten raw, without freezing, without cooking, you're going to get that tapeworm larvae in your intestine and take the place of the bear in that life cycle. Because as the salmon swim upstream, the bears are out there fishing for them, eat them, and the cycle is now complete. That's just a fact of nature.

Salmon are also heavily infested with roundworms. What is that, Ascarids? Something like that. I'd have to look it up. But they are heavily infested with those, which also have the opportunity of infesting humans. So you want to cook salmon; no rare salmon. However, if you freeze it hard solid at about ten below for a week, you've got them. We've done some work on it here, and you can kill off all the parasites in salmon by freezing them solid for about a week.

During the last few years of the development of the plan it was written to contain the instructions--orders--to the plants to develop quality control in the plants themselves, and not depend upon a final examination by NCA to catch all their problems. They wanted to know,

"How could we do this? We have problems; we have only two weeks to one month to operate. It's just a very short season. We can't hire somebody for year-round, a professional quality-control person for a two-week period." There was lots of moaning and beating of chests over the pressure that I was putting on them.

However, we helped them with that. The University of Washington had an extension group. I can't remember the name of the Professor. Peters. He helped the industry to put on a short course for University students the industry was going to hire to take to Alaska to be part of the management of the operation and supervise what was going on during that short season. We tagged onto that and said, "Look, give us an opportunity. We'll talk about inspection; we'll talk about filth. Give us an opportunity to be part of that." And we did become part of it. We became a major part of what developed into a quality-control course for the salmon industry participants. These were college students who went out and were then named as the quality-control people in the plant, and it helped a great deal. They understood what they were looking at when they got in there.

FL: These were students from the school of fisheries who were looking for careers in the fishery industry?

JS: Not necessarily, these were students here who were looking for a job that would pay pretty good money for a short period of time.

The number of plants, of course, in this industry has declined dramatically. From when we first talked about it, back in World War I there were more than a hundred, probably closer to two hundred plants, operating. In 1982, when the big salmon recall started, we had to count them all, and there were forty-five operational plants. They weren't all operating, but they were all operational and ready to go if they had to. And now I believe there are about a dozen maybe, at

the most, this year. It's an economic function. Now that they're down to the point where it's easier to get to, easier to operate and they're operating better, people are not buying canned salmon. So, it's not economically feasible to put it up in the volumes they did before.

In 1982, we received with some degree of horror, a report of two botulism deaths and a couple of illnesses in England, reportedly due to North American canned salmon. We, of course, being perhaps a little naïve, said, "Oh, it must have come from Canada." No, no, no; it came from one of our plants in Alaska. It was a joint operation between Whitney-Fidalgo and Washington Fish and Oyster Co., which is common in that industry: two firms get together and jointly operate one plant and split the pack. Unfortunately, the management and responsibility gets a little split and dubious at the same time; and I think that's what happened here.

This plant, along with others, as we found out later, was putting out damaged cans, and it's interesting how these cans became damaged. As a result of the report from England, we were able to send Norm Wong, who is our engineer here in Seattle, up to the Whitney-Fidalgo plant in southeastern Alaska, where within half a day he determined the problem was in the canned re-forming process, which was tearing one edge of the can before the end was actually put on. In the salmon industry, it was not economically feasible to ship formed cans to Alaska. You're shipping a lot of air, and that costs money in volume. So the can bodies were made by the can company, and then they were flattened out and they were shipped in three pieces, the body and the two ends, to Alaska, where they went through a can re-forming process, prior to being filled and retorted.

It was during this cannery re-forming process that the damage was being inflicted on some cans. We couldn't figure out why this was happening until we started talking with some old-timers in the industry. It turned out that after the anti-trust action against the can companies for owning and operating the canning equipment in these canneries was brought, the can companies had to relinquish their equipment to the ownership and management of the individual

cannery. This resulted in each individual cannery being responsible for their own maintenance. These can re-former mechanics were real jewels of mechanics; but they were making cans, and their job was to make sure that cans were processed through and got downstairs where they could be filled with salmon, and not to allow jam-ups to occur, which shut down the canning line.

There was one part in the machine, in the re-former, which they found would cause can jams. And so, with a little judicious filing on one end, no longer did they have can jams. But I don't think they realized they were now getting an occasional cut can, which after re-forming and the end being put on, resulted in about a quarter-inch triangular hole right at the seam of the can. It was just such a can that became contaminated with botulism organism and killed people in England.

We could hardly believe it; we thought, "Well, why didn't that can rot? Why didn't it blow up? Why did it go through a year's worth of storage and get opened and still eaten?" It comes down to the nature of the beast. Salmon is kind of an oily, viscous product, which would plug the hole and not allow the can to become rotten or to leak but allow an anaerobic condition where the botulism organism could outgrow and form toxins.

We started looking at each and every one of our plants, as well as looking at each and every one of the lots of salmon we could find in the warehouse here in Seattle. And lo and behold, we started finding the same damage in other cans in cases of salmon here in storage. Not many.

(Interruption in tape)

JS: The fishing industry in Alaska has been for many, many years basically attuned to the salmon. There are other fish as well, especially now that the two-hundred-mile limit has been established, such as pollock being caught by the American fisheries. At first that was sold, then,

back to foreign processors but now is being processed ashore into sarimi, which is a fish paste out of which they make artificial things like artificial crab and this sort of thing. It's a good product. Crab, both dungeness and king crab, and snow crab, which used to be, and more properly is called, tanner crab; small, little, tiny shrimp. There's a lot of this kind of industry going on up there.

One of the government inspectional programs which never caught on, and which had not ever caught on in Alaska up until the last few years, was the National Marine Fisheries Service [NMFS] full-time inspection program for the fishing industry. It's an inspection program that allows the plant to put a label on saying, "Packed under federal inspection," what we called the "Puffy" label, and requires the firm to pay for the service. It supposedly results in a higher-quality product. The industry in Alaska had resisted, and as a matter of fact, ignored such blandishments for many years, until just recently.

In the last two or three years, USDA was given the responsibility for the quality of foods purchased by the government, much as FDA had been given the responsibility for the quality of drugs purchased by the government. USDA was given the responsibility for foods. Well, that included fish, and the USDA didn't know what to do with fish; they were not fish-type people and never had been. So they looked around for programs that would be useful, and FDA said, "Here we are." The USDA looked at our program and said, "No, you're not sufficiently akin to us," meaning full-time inspection. "What we need is something that is much more full-time-inspection-type service that we can depend on." And as a matter of fact, NMFS said, "Here we are. We have this program of full-time, in-plant inspection service which the industry pays for." And USDA said, "Oh, that's just like us. Okay: we will accept fishery products for government purchase if they have been either inspected full-time, in-plant inspection by an NMFS Inspector, or lot certified by NMFS."

That changed the ball game for the salmon canners, because a lot of their sales were to government agencies; the military is very important to the salmon industry. So, they started to bend and allow National Marine Fisheries inspections of their plants. The first year to any degree that one of their plants had full-time, in-plant inspection was I think '84---the year is escaping me now--at Larsen Bay, Larsen Bay Packing Co. in Larsen Bay, Alaska, which is up on Kodiak Island. Full-time NMFS Inspector in plant at all times. One of our inspectors stopped at the plant. The NMFS operation does not remove the responsibility from the Food and Drug Administration to enforce the Food, Drug, and Cosmetic Act of course, so we made our inspection. Under our rules, we were supposed to introduce ourselves and invite the inspector along, etc., etc.

Well, the inspection turned up several things: that the plant was infested with fly maggots to such a degree that a 402(a)(4) condition could be charged, (a)(4) being a section of the law that says, "whereby it may become contaminated." We even had a picture of the evidence. The NMFS inspector denied that there was a problem. We turned up the fact the firm was deliberately packing decomposed salmon, and while our inspector was there diverted a load of salmon to another plant and told them to pack it. It just so happened we also had an inspector at that plant at the time and that stuff was terrible. It was later voluntarily destroyed by the owner of the Larsen Bay Packing Co.

As a result, of all of this and a couple of follow-up inspections, which supported the original evidence, we decided to take prosecution action against the firm, starting off with a citation recommendation. We sent a copy of our report to the National Marine Fisheries Service as a courtesy, as we normally do. As a result, we received back I think it was a nine-page memorandum refuting our inspection report point by point, signed by Sackett in Washington. I forget his first name.

FL: What was his position?

JS: He was I think the Deputy Director of the Inspection Program. Even industry doesn't come back on us like that. They said there was no problem here. Yes, there was some decomposed fish; they agreed with that. But all the rest of the plant conditions--nothing wrong.

Well, that was interesting--but not accurate. So, we proceeded with our case. In fact, I spent some time in Washington sitting down with Dr. Sackett and his boss, whose name escapes me right now, going over what we needed to do to see to it these kinds of conditions didn't exist again. I must have spent half a day discussing exactly what we found there. The last resort, the last thing they said was, "Well, gee, that's really good, but we still don't agree with you, and we would recommend that you do not take action against this firm." I could hardly believe it. I told them, "Well, we're proceeding ahead on course for prosecution, guys, so be ready."

Shortly thereafter, Mr. Hile received a letter from National Marine Fisheries Service signed by the Director of their Fish Inspection Service stating outright that they disagreed with our position, that they did not believe these unsanitary conditions to be serious, and that if we did take this firm into court and prosecution, they would appear for the defense. That was shocking to me. And as part of our development of the case, under Freedom of Information, we got National Marine Fisheries Service's inspector's daily notes. Very revealing. Even their inspector would say things like, "This place is terrible," or "It's awful; there's a lot of flies in here," or things like that. That was in his own notes.

We fumbled away the case. That's too bad. It got too old, and had now been turned down for that reason. But it was an important case. We just had too many things going against us. The National Marine Fisheries was against us; our own Bureau of Foods didn't review the case properly the first time around, and the second time around they agreed with it and got quite enthusiastic about it; when it got to General Counsel, it got in the hands of one attorney who was

too busy and it sat there a long time, and then he left and it had to be given to another attorney, who finally got enthusiastic about the case. When we cited the firm, Jay Geller was their attorney, and he very cleverly -- and I will have to give Jay credit--obfuscated for almost a year through freedom of information, through delays, through postponements before we could get our citation hearing held, which of course added again to the time involved.

Now we're faced with a situation where the Department of Justice is concerned about the age of our cases; therefore, this one goes down the drain. Too bad, it was a very important case. It would have been the kind of a case that if brought would have done, I think, three things. It would have put the industry on notice that the salmon plan does not protect them from prosecution, which is important; they think it does. Second, it would have given our own people a tremendous lift. As it is, it depresses them terribly. And third, it would have shown the world the kind of inspection that National Marine Fisheries Service does day in and day out on-site.

I guess I'm terribly prejudiced against their program because of several factors. One was an attempt to sell their program to the canners in Alaska over the canners in Alaska's desires; they didn't want to be part of it at all. But Tom Billy and another guy did take a show on the road into Alaska. Tom Billy at that time was the Director of the Inspection Service, prior to this other person whose name I can't recall. They gave a slide show showing how wonderful the National Marine Fisheries Service Inspection Service would be for them. It showed the NMFS inspector as being, oh, about 7' 2" clad in gleaming whites that even had little rays of sunshine coming from it, protecting the industry from the FDA, who happened to be a person about 5' 2" balding, dressed in a frumpy blue suit, with a protruding belly and carrying a beat-up old briefcase that said "FDA" on it. A little overblown, I felt, in terms of representation, and I got quite angry about the whole thing.

In another instance, NMFS had come into my office -- and I understand that it got to be known as the "Seattle Incident"--complaining about overglazing of lobster, and that I should be doing something about that; that was an economic violation of our law.

FL: They put too much water on the lobsters before freezing?

JS: Yes. But I said, "Well, who was doing this?" "Well, the firms that are not under NMFS control are overglazing their lobster." I said, "Well, who are they selling it to?" "They're selling it to the wholesalers, and the wholesale grocers." "And what happens to it then?" "Well, it goes into the retail grocery stores." "What happens to it then?" "It's thawed and sold to the consumer." I said, "Well, is it weighed at the time of sale to the consumer?" "Yes." "Is there any ice on it then?" "No, it's thawed." I said, "I don't see any cheat to the consumer at all. It sounds to me like industry is cheating industry, and the best people to control that is industry. I have no authority of doing any economic work that does not directly affect the consumer. We'll look at it; we'll look around and see what we can find out. But that's the policy of the agency."

All kinds of very strong memorandums were written as a result of that. My point was properly taken; it was the way the agency was viewing economic cheats, and I wasn't about to up and protect industry from industry. That was their problem. That was Dr. Sackett again; he didn't like that at all.

So, I did have a few run-ins with NMFS. Perhaps I should have been less short with them, but it was difficult to maintain my cool in the face of what I considered a waste of time and money for the taxpayers.

FL: What department does that service fall under?

JS: Commerce, isn't it? They are still making inroads, as I understand it, in the industry in the West Coast. They're never really been into it too strongly, but they are making inroads. There are political pressures which would be brought to bear now that might affect the placement of the fishing regulatory program, as far as sanitation is concerned. The meat industry, as I understand it, is faced with severe competition from fish. People are turning to fish as a "lighter" food and so on. I don't really believe it; I do dearly love steak. They are saying, "Wait a minute; we not only are faced with that competition, but our competition does not have to have full-time inspection for which they pay, which becomes a cost of their product. This, of course, translates somehow into health to the consumer, which I don't think they feel with fish.

However, the great fishing state of North Dakota, or the Senator of North Dakota has put in a bill--and has been for two or three years running--calling for mandatory, full-time inspection of fish meats. I think that would be a horrible waste of the taxpayers' money. I have a very, very strong opinion, and I carry it around as a taxpayer, that it is not the government's responsibility to enforce the quality control in a food plant. That is the industry's responsibility. It is the government's responsibility to be auditors of the industry's performance in that regard, and to take strong and decisive action when performance is lacking, a la FDA, to be an outside-the-industry auditor. Not one that's paid by the industry, but something outside that industry which would take strong and decisive action to keep them in line. But not to do it themselves, not to assume the responsibility that is rightfully had by the industry. Enough soapbox for now.

When I first came to Seattle, we were the proud owners of a piece of property in downtown Seattle where a building was supposed to be built. In fact, it was supposed to have been built by the time I got here in 1969. However, as we discussed earlier our building program went down the drain with the change in the status of our building funds. Actually it went down the drain when Rayfield left; he was the instigator of all the buildings and the one who was pushing it all. When he left and Goddard came in, the building program grounded to a halt.

I watched our lot up there, and there was a small alder tree growing on it. As time went by and tree got considerable larger, I was in grief that we ever would get something better for quarters for Seattle District. Then the department surplused the land, saying that "you're never going to build anything there, FDA." They surplused the land back to GSA, General Services Administration, who then sold it at auction. The property now contains a wholesale florist shop. It will turn all right in the end. The FDA in Seattle moved into the building in which it currently exists, the old Federal Office Building, in what I thought was the late '30s, but Fred tells me it's probably the early '30s like maybe '33. Would you accept '33?

FL: Somewhere in the neighborhood.

JS: And has been in this building ever since. That's a long time. When I got here, the office consisted of the front portion of the building -- the building is built in sort of a "U" shape--on the fifth floor, and a small portion of a wing on the second floor. We were very crowded. The investigators were crowded into one small . . . Well, it was an open room but it wasn't very big. The laboratory was in its original quarters, which it has been in since the building was built. They had expanded maybe a couple rooms down the hall, but not very much. The administrative shop was along the front, along with the offices of the Director and Food and Drug Officer. The Chief Inspector sat in the large room with the inspectors, without having an office of his own. We were quite, quite crowded.

(Interruption in tape)

JS: I decided then I would try to expand the operation so we would be at least semi-comfortable; and as luck would have it, certain agencies started moving out of the building. We were able,

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over the years, to expand slowly to get the entire fifth floor of the building and come up with some logical ways of treating the functions of the organization. We made the entire north wing a laboratory and were able to seal that off to the delight of the fire department. And in the south wing was the accounts, inspection, compliance and regional office. The front of the building, then, was the administrative shop. We still had on the second floor the microbiological laboratories occupying half of one wing.

It's pretty good right now. This old building is a sound building; it survived the last earthquake in '63.

FL: It survived the first one of '48 too.

JS: Yes. Well, the last one was quite a shaker, a lot of cracks. It just has not got the plumbing or the power in order to have a modern laboratory. It's a great office but lousy laboratory. Besides, it's a public office building and I would be afraid of an accident occurring here. We do handle a lot of funny stuff.

So one of things I tried to do right from the moment I got here was consider building and moving. I worked for quite a while to try and reactivate the building plans for the lot upon which the alder tree was growing. Failing that, I started to talk to GSA about the dangers we represented in this building to the public, and maybe they wanted to move us out. That one they finally bought. It was the late '70s, maybe even early '80s, when GSA came to me with a letter which said, "We will move you to what is called Federal Center South. We will pay for your phone move; we will build you a laboratory and office space inside this structure, and there will be no cost to you at all. We would be glad to do that. What do you think?" I fired back and said, "You're on; let's do it."

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Well, they fiddled around for about a year, and we looked at the facility, which was the old Ford plant. This is the plant that Henry Ford built in 1923, I believe it was, and never produced a car in because the union--this is a very strong union town--came along and said, "Mr. Ford, if you build cars here, you're going to build it with union labor," and he said, "The hell I am." He never built a car there. It was used by Chrysler to build tanks during World War II. It's down in the industrial area. So you can see what kind of a building it is, and we were going to have part of it.

As time went on and I got more familiar with what GSA's processes were and who their people were, it finally turned out they had a prospectus for this building to move some Navy offices into it. They were about ten thousand square feet short and about \$5 million short of being able to put in an adequate FDA facility. What they were trying to do was, since the Navy had backed out of it, find somebody to make use of the prospectus in that building, and they thought we were logical candidates. I told them a dollar short and a day late wasn't going to do it for us, and we'd stay where we were, thank you very much. Find us another place.

But it was interesting; they did just exactly that. There is a historic building here in Seattle called the INS Building, Immigration and Naturalization Service Building. It's a beautiful building on the south edge of downtown. Five stories tall, kind of narrow. Basically, it is a jail. Several of the floors contain cells in which they would incarcerate people who had illegally entered our country and who were awaiting deportation. However, INS had gotten very small and they were using a very small piece of the building. They weren't using the jail at all because they were so antiquated. GSA said, "We'll give you that building. We'll move INS down to your place and you can have that building. We'll refurbish it for you. Okay?" I said, "Great." It would have been fine; we had that one building; it was about the right size. It was tall, unfortunately, but usable.

It turned out GSA was using us for a political tool. Senator Magnuson, who at the time was a very powerful individual, had offered to turn the INS building over to King County for one dollar so King County could use it as a work-release station utilizing the cells which were in that building. This was GSA's way of trying to keep that building in the federal inventory. They wanted to keep the building themselves. So, they wanted to give it to me. I said, "Great, I'll take it." Unfortunately, they couldn't make it stick.

In addition, right at that time somebody called the Ayatollah Khomeini, raised all kinds of hell in Iran and they started a roundup of suspected Iranian nationals. The INS started to grow considerably, and they refilled their own building. So much for that.

In the meantime, I was working my way through several changes of management in GSA, and finally came upon one person who knew how things worked. When Vito Checchi became head of GSA here, I was dealing with some of his underlings. It became obvious that Vito was a very, very political individual; he was very much attuned to the political winds that were blowing. One of the things that happened was that a Congressman who headed up the Buildings and Grounds Committee--the committee that deals with building federal buildings--was coming out to visit the brand-new laboratories, which had been put up by the National Marine Fisheries Service--bless their souls--up on Sand Point, here in Seattle. Huge! They had over 200,000 square feet of research facility out there. I don't know if they've filled them up yet.

He was coming out to visit that. I called our congressional relation's folk in Washington and said, "Why don't you suggest to the Congressman's staff that he might want to come over and visit the FDA laboratories as well. If he is visiting federal laboratories, he should visit the FDA laboratory." So, I got a call back that said, "Yes, they'd like to do that." I said, "Great, just tell me when." Ron Chesemore came out for that visit. It was really fun. The Congressman came into my office, along with staff, sat down in the chair, and said, "I have twenty-five

minutes"--a Congressman from Missouri--"to look at your establishment." I said, "Don't get comfortable, Congressman; let's go on a tour."

For twenty-five minutes, I toured our facility. I brought him back to my office and said, "We made it on time," and for the next hour and a half he stayed there and talked about it. He said, "Son, I think you need a new building. What's this business about lease construction? How come y'all don't wanna own your own building?" That was fine with me. Because I had Vito Checchi in the office, along with Ron and myself. Vito heard him talking, and this is the guy with the bucks for GSA for buildings. So, that's when it got started. Right then, we started going through the process of seriously locating a place to build a building. Also, GSA had to change a prospectus. They had put in a prospectus for lease construction, and they had to withdraw it, rewrite it, and send it back in again. But it got approved very quickly.

One of the other changes we were able to make that I think was very successful was we were able to expand the area of consideration from downtown Seattle where the land is very, very dear, to King County, to the east side of Lake Washington, where we could buy considerably more land and build in a light industrial park; which did not have any environmental impact statements--they were all written--did not have any huge power or sewage problems or bother any residential community. It was all taken care of. So we wound up in Canyon Park, and the building is almost built now.

You saw it yesterday--a fine-looking place. Unfortunately, it will take a while before we're able to fill it up. But it is built for the future. It's an entirely different structure than FDA has ever seen. I think it will probably serve as a prototype for the future. It's a good laboratory structure. We worked hard on that; it took eighteen years to get this thing going. I'm very proud of the building; I'm proud of the accomplishment. I was able to stay in the agency long enough to see it started and to break ground, and that was it; I could retire happy.

One other thing we were able to establish here was one of the research centers that were established under Don Heulton's "EDRO-ship." Our research center is known as the Seafood Products Research Center, and is a small group of people doing applied research--not necessarily basic research--and methods development and problem resolution dealing with seafood products. I think this group has been eminently successful, and has added considerably to the worth of this agency, to this area, and to the national program. I would hate to see this effort in the field diminished. I think the field needs to have its own research capability away from the Bureaus, not necessarily away from the agency's programs, but certainly work that needs to be done which is agreed to by everybody. Research is just that way; you have to have many minds applied to it in order to solve a problem. It is not a distraction from our regulatory analytical work; it most certainly is an additive factor. You can see I don't feel very strongly about this, either.

FL: Jim, you've been a member of the top part of field management for a good number of years, and you've seen several different changes made in the way the agency was organized and how it was managed. Would you want to comment on that evolution and your feelings about some of the things that happened, the way it has turned out to date?

JS: Yes. I feel kind of strongly about at least one area, and at one time expressed myself in writing to Commissioner Hayes, at his request, because he had requested several of us to express ourselves on the organization. But it goes back further, back to when Dr. Edwards came in and reorganized the agency into categorical Bureaus, e.g., the Bureau of Foods, the Bureau of Drugs, from what we had had before that, which were kind of process Bureaus: the Bureau of Medicine, the Bureau of Science. With that change, Dr. Edwards delegated to Directors of those new Bureaus total responsibility for the product lines under their jurisdiction. For instance, the Bureau of Drugs would be responsible for drugs, period. That meant, as far as the field was

concerned, the Bureau of Drugs would do the field planning, the field compliance work, as well as all of the other processes of approving and disapproving of drug products.

Well, this was a major change in the operation of the agency, a very, very, very major change. It took away from the field organization, meaning the Bureau of Compliance, the planning of field operations and the processing of the compliance actions which came from that. Over the next few years, as these units got established within the Bureaus, it became obvious first of all there had to be considerably more people involved since we now had five or six different compliance shops which were successors to one program planning shop and one compliance shop; those people had to be split up six ways. And the Bureau Directors, as they had been delegated, affected the operation of those particular units.

What I'm saying is we now had five or six different FDA's going different directions with different policies with regard to inspection, with different policies with regard to compliance operations. It became quite a feat to keep up with which Bureau would approve this and which Bureau wanted things this way or that way. As we gathered Bureaus unto our corporate body, it became worse. We picked up the Bureau of Product Safety, which then later was shucked off. We picked up the Bureau of Radiological Health, the Bureau of Biologics--we were getting bigger in terms of units, which just gave the field that many more people they had to deal with.

It was my impression the original breakup of the program writing and compliance processing was a mistake. I had always felt, and had made myself quite strongly known, that those processes--program writing and compliance--belonged in the headquarters operation of the field organization, and there should be something like the Bureau of Compliance, if you will, to use an old term that had, unfortunately become passe in the Goddard era, which would not only be line authority over the field but would have the interest and the ability and the resources to handle programming and compliance matters.

As the shop of the Associate Commissioner for Regulatory Affairs, which was the successor to the Associate Commissioner for Compliance in later years, became larger, it became obvious some compliance processing was being done at that level. However, the Bureaus were still responsible for the compliance processing in their own categorical fields.

I was involved as the chairman of the Policy Advisory Committee to Don Heaton in working up a paper which discussed the program planning and compliance efforts of the agency. It was our opinion--Dick Davis, Phil White, and myself--that the program operations and compliance operations would be withdrawn from the Bureaus and put into what was EDRO at the time under Don Heaton; that the ACRA [Associate Commissioner for Regulatory Affairs], who was Paul Hile should remain as the ACRA, and be what it was originally drawn up to be, which is the top compliance officer of the agency and the main advisor to the Commissioner and others in the agency on compliance matters, but not in direct control of all compliance affairs. This was the gist of our paper.

I think Don Heaton misread it as an attempt to dispose of EDRO and himself. That was not at all intended by our paper, and even a quick reading would show this was not recommended. However, it may have been used, I think, to move Don out of the EDRO position, abolish the EDRO organization, and to attach the field to the office of Associate Commissioner for Regulatory Affairs, who at that time was Mr. Hile. A hell of a big job for one person. We now had a new organization which had to be firmly established and populated. Paul being a total expert at that brought this into being and made it work rather quickly.

The one thing in our recommendation which was not bought off on by Art Hayes was the move from the Bureaus to the field organization of the program and compliance operations.

One interesting sidelight is that John Taylor, who is the current ACRA, was at that time the Director of the Division of Regulatory Guidance in the Bureau of Foods; and obviously as the man in charge of processing casework in one of the Bureaus, he was dead set against this move of

both program and compliance out of the Bureaus into the field organization. What is very interesting is, when I was in Washington last February with some Canadian officials, John Taylor told the Canadian officials that he was having second thoughts about the whole thing, and if he had his druthers now, he would wish the programs and the compliance operations were in the ACRA organization and not in the Bureaus. So I guess it all depends upon which side of the fence you're doing your grazing.

It is, however, I think, axiomatic that the agency would be much more effectively managed and operated with the field organization in charge of its own destiny. Certainly, there is much to be said for those who are doing the work to plan it and process it. The Bureaus have their hands really full with research, which should be part of their mandate, with industry relations, with approval of new products--foods, color additives, drugs, whatever--and certainly should be involved in discussions of the direction of program policy of the agency since they would be the advisor to the Commissioner in these categorical areas. However, once that's taken care of, program planning and compliance belongs with the field organization. It would strengthen this whole agency and focus the attention where it belongs, which is on correction of problems and punishment of the perpetrator.

FL: Jim, one of the things we've done in these interviews is to ask each person being interviewed to give us their impressions of the various Commissioners under whom they have served. Any comments as to what you have observed or understood of the Commissioners' personality, management style--almost anything you want to say about it. If you wanted to start with a list of Commissioners and talk about circumstances under which you saw them or got to know something about them, and then give us those impressions, I think it would be very useful.

JS: Okay. I've got a whole list of Commissioners I served under, as most of us, I guess, did. I started in 1955 not long after Larrick came in as Commissioner. And then, of course, Larrick was Commissioner for so long that it was like Roosevelt. Growing up, I thought that President Roosevelt was one word (laughter), and as a new investigator in FDA, "Commissioner Larrick" rolled off the tongue with a great deal of alacrity. As a neophyte in the organization, including up through being a supervisor, Commissioner Larrick was a god figure to me.

I had no impression of him other than meeting him a couple times, for instance, when we had our open house for the building in 1963 in Minneapolis. Commissioner Larrick was there, and the building was named after Allan Rayfield, much to Dr. Goddard's consternation. But Commissioner Larrick was there for the opening. I remember that so well because we had this huge dinner party in celebration of the opening of the building, and Commissioner Larrick had left the head table to go out of the room for whatever he went out of the room for; and when he was coming back in walking between the tables, one of our new investigators reached from his table back across to the table behind him with his arm rather rapidly to pass a note or pass some salt or something, and his elbow caught Commissioner Larrick right in the gut. Oh, I thought he was going to die right there. That was awful. But he handled it with aplomb, and a couple weeks later had a gall bladder operation. I don't know if one followed the other, but certainly, it couldn't have done him much good.

He was an impressive man, and I hated to see the publicity the agency got and the negative way and the cloud under which that Commissioner and his cohorts left power. It was a loss to the agency because he was the last, as I understand it, career-type Commissioner. From then on out, it's been political types.

Dr. Goddard was something else, of course. Here again, I was still fairly young and a supervisor in the organization, thus not badly affected by the likes of a Commissioner. I think a lot of it could be summed up in what happened to Nevis Cook when we put in the Teletype

system. Somebody has probably already told you this story, and that is when Nevis Cook was supposed to send the first message to Washington on the Teletype system. Nevis being Nevis sent the message, "What hath Goddard wrought?" which I think is extremely funny and very, very apropos. However, Dr. Goddard didn't like it and took pains to remove Nevis from Boston not too long thereafter.

Goddard was for Goddard and not for the agency. I feel that was a period of time when we suffered considerably. He put pressure on the agency to expose itself to the public, warts and all. We went for publicity; we went for self-aggrandizement. Whereas we should have been operating as a regulatory power, we were not. And I think we were hurt by that.

Dr. Goddard left just at the time I was being transferred into Washington, and Dr. Ley, who was then Director of the Bureau of Drugs, was named Commissioner.

(Interruption in tape)

JS: Dr. Ley was Commissioner all during the time I spent in the Executive Development-Training Program. When I got out to Seattle, Ley's Commissionership terminated and Dr. Edwards was brought in.

Dr. Ley was a pleasant person but didn't seem to have much effect that I could see on the agency's operation. At that time, Winton Rankin was the Deputy, a long-term careerist, a very strong manager, and an extremely interesting person. I liked Winton Rankin personally and I admired him as a manager. I sat through the "We Need Help" speech at the FDLI which Winton Rankin made, and I'm not sure I understood the problems or the process, but I was impressed with the candor. Unfortunately, that also cost him his job in FDA and Winton was shipped off to spend the rest of his career at Fort Detrick in Maryland. I think that's what it was. A good man.

FL: He literally laid his career on the line when he made that speech, knowing it might well result in his losing his position as Deputy.

JS: Yes, it didn't result in help for the agency, unfortunately.

FL: Well, it brought attention to what the CPEHS organization was doing to FDA, which of course, was his objective.

JS: That's true, but I think the election probably affected that more than Winton's speech. It was a gutsy speech, and I applauded it.

Dr. Edwards was an elegant man, in my opinion. He was a far distance from me, like three thousand miles, and so I viewed him through the wrong end of a pair of binoculars. He brought in some interesting people from the outside. Jim Grant was one of them, the Deputy Commissioner. I took Jim Grant on a tour of Alaska canneries when I was Deputy District Director here in Seattle. Ron Ottes came out, and Ron, I, and Jim Grant with one of our investigators took a tour of Alaska canneries. We went up to Kodiak Island, and that's the time we got into what was billed as a pilot shrimp plant in the old Puget Sound ferry, the Kalakala, which had been towed up to Alaska and beached in Kodiak. The place was filthy; they had gone from pilot operation to a full-scale production on shrimp without really setting themselves up to handle the control problems which were involved. Maggots and flies were everywhere; it was an experience for Jim Grant, I can tell you that.

We whisked him out of there as quickly as we could and contacted Seattle and had an inspector up there the next day to do a full-fledged regulatory inspection of the firm. Since we had the Deputy Commissioner in that plant, we were able to do some creative things, like seize a quarter of a million dollars' worth of processed shrimp setting right on the dock of the Kalakala

waiting to be shipped prior to the time it went into interstate commerce. I never had anything go through so easily in all my life.

What amused me later was the firm belonged to W.R. Grace, and I'm wondering if the Grace Commission's report might stem from Mr. Grace's long memory of that result.

In any event, Dr. Edwards, I felt, was a good Commissioner, good for the agency. He was not flamboyant, but he was elegant and a strong manager, in my opinion. He also brought in Sherwin Gardner after Jim Grant, I think. Sherwin came from Booz, Allen, and Hamilton into the organization as a planning officer, did he not?

FL: Yes, he was Associate Commissioner for Planning.

JS: Yes. Then when Jim Grant left, he was named Deputy Commissioner. This was before Frank died, because I remember Frank coming back with this impression of Sherwin.

I was instrumental--I had to be instrumental--in getting a job for Edwards' son at one of the old-line salmon plants in Alaska on a salmon tender. A salmon tender is the boat that belongs to the cannery and goes out to where the fishing ground is, offloads the fish from the fishers' boats, and brings them back to the cannery. It's kind of a yucky job, but it was the only kind of job that was available. I worked with Walt Younker of NCA and he was the one who, through his influence, found the position for this young man. It turned out funny: the Commissioner's son was well into the flower-child era, and when he showed up in my office prior to his time of going north, he was all scraggly hair and plaid wool shirt and dirty jeans. I thought, "Oh, my Lord. Long hair and salmon industry don't go together very well because they are pretty much crew-cut rednecks in Alaska." But it was too late.

So off he went. At first, the firm he worked for, the president's name was Harold Dobbenspeck; he called Walt Younker and said, "What have you put on me?" But it turned out

Dobbenspeck treated this kid kind of like a son. And the Commissioner's son, whose name I've forgotten, would talk with Harold Dobbenspeck considerably about the problems of the industry in relationship with FDA. What was really funny was when the season was over and the Commissioner's son went home. About a month later I got a call from Dr. Edwards, who said he thanked me, he thought, for finding his son a job in Alaska. I said, "What do you mean, 'you think'?" He said, "Well, he's been regaling us every night at dinner on how we're being much too hard on this industry up there, that it's struggling so hard to exist and we should be much easier on them and our regulations are much too tight, etc., etc." But Dr. Edwards understood what the situation was.

The only point of this was that I felt rather put upon to have to do this. It, I felt, compromised both myself and the District. Luckily, I had an intermediary with whom I could work in Walt Younker and did not have to deal with the industry directly. In any event, it worked out fine. I would not, I think, do it again.

FL: The problem, of course, was that it was so foreign to the experience of people in the agency to be asked by a superior to do this sort of thing. It seems to characterize the problems we've had with more than one of the Commissioners who came from outside, particularly from outside of government, who don't understand the kind of behavior needed by someone employed in a regulatory agency.

JS: Absolutely correct, and not only that, but those kinds of jobs in Alaska are very hard to get. They're very dear and very heavily competed for by college students in this area. So, it took a job that maybe shouldn't have been taken. Whatever--it was done and it worked out well. We later had to put a voluntary restraining order against Harold Dobbenspeck for 402(a)(4) conditions in his plant, so it showed we didn't have any favoritism as a result of that.

Following Dr. Edwards was Dr. Schmidt. Mac Schmidt came from the University of Chicago. He was cardiologist, wasn't he? I think so. The first time I met him, he reared back after he found out I was from North Dakota, and told me about his grandfather who had grown up in the Dickinson area of North Dakota and had several sections of land up there and sold them just before oil was discovered. Mac Schmidt was a delightful person, a man of wry humor that I really liked. I think he was a man of high integrity and much guts. I think that he was not destined for a lot of success in the agency because we were starting to get a great deal of attack from the Senate, if I remember, at one time.

I remember Mac Schmidt saying at a public meeting--I think it was FDLI or something like that--giving a speech where he talked about his experience in front of a Senate Investigation Committee. He said the Senator was saying that he, as Commissioner, was having malfeasance in office, or words to that effect. He said he didn't understand what that meant, and he looked it up and he said the meaning was that the Senator didn't agree with him. Now, that's a pretty gutsy statement to make in public, and I appreciated it. I like Mac Schmidt; I was sorry to see him leave.

Mac was followed by Don Kennedy. Don is a very interesting person. Now President of Stanford, a very prestigious position. He is a very elegant kind of individual. When he first came into the Food and Drug Administration, one of the first Districts he visited was Seattle. I'll never forget we had a meeting, of course, with all hands across the street here, and Don Kennedy proceeded to talk to us for fifty minutes. He, being a college professor, could talk for no less than fifty minutes and no more than fifty minutes. The bell rang, and that was the end.

But he was dressed like a college professor in a rather dumpy green suit which was too short for him. He looked like a college professor. That went away in about a year. His demeanor became more elegant, and his clothing more elegant. I don't mean to denigrate him; what I'm saying is that his personality seemed to change and grow during the time he was within

the agency. A very elegant person. However, he did not know how to delegate work very well. He liked to do things himself and could not depend on others like Paul Hile to carry out instructions in a delegated form. It didn't work very well; I think Paul was fairly frustrated during that period of time.

Don Kennedy did two things, though. When he visited Seattle the second time--he seemed to like it here--it was during the time when the research centers were being considered. Seattle was not on the list, or we were well down the list, for a research center. But while he was here, we borrowed EPA's boat, which is a cabin cruiser with twin outboards, and picked him up down here at the waterfront right down from the building, took him across Puget Sound to visit the salmon rearing ponds of Domsea Farms, and viewed the EPA's laboratory across in Manchester, Washington. He was so impressed with that ride that Seattle's place on the list of research centers moved right up to number five out of seven, and we now have the Seafood Products Research Center here in Seattle.

FL: From the field standpoint, he was probably the most visible Commissioner we've ever had. He made a point of visiting, I believe, every District at least once during the two years he was Commissioner.

JS: Yes, that's exactly right. He visited Seattle first because right after he came in, AFDO [Association of Food and Drug Officials] had its meeting and it was in Portland; so, he was in our District at the time.

The second thing he did which affected us was to approve the pilot program for Regional Medical Officer. That's when Dave Johnson came in. He insisted on interviewing Dave to start with, which was fine. I flew Dave into Washington, and he interviewed and approved Dave Johnson as the first Regional Medical Officer, first and last probably.

When Don Kennedy went back to Stanford to be El presidente, Jere Goyan was named Commissioner. Jere Goyan didn't stay very long. I'm not even sure it was a year? He came in from the University of San Francisco, where he was Professor of Pharmacology, or head of the Pharmacology Department.

FL: He was head of the Pharmacy School at University of California Medical Center at San Francisco.

JS: Okay. I got the names all wrong, but I had the right idea. Jere Goyan was a very pleasant individual. I recall nothing happening during this period which would affect us out here.

FL: It was the tail end of a presidential term, with the campaign already heating up, I think, when Goyan reported.

JS: I think that's probably right; he was more a caretaker than anything else. But he did have the job.

The next one who came in after the election, and that would have been whose election? I forget.

FL: That was when Reagan was elected in 1980.

JS: Dr. Art Hayes was named Commissioner.

FL: Arthur Hull Hayes.

JS: Arthur Hull Hayes, Jr., M.D., I think that's all one word. I liked Art Hayes. He was a guy, I felt, who was upfront and honest, and I felt very comfortable to be able to talk with, argue with, and present my opinion. Whether he accepted it or not, I felt I got a fair hearing from Art Hayes. Now, I'm not sure everybody felt this way, but I sure did. I liked the guy. He was another one who visited us as a result of the salmon recall, obviously, which was a major event that occurred right after he was named Commissioner. So, I'm sure he was sensitized by it.

He came out and spent a week with us in Alaska. Jim Davis, who was our Chief Inspector, Art Hayes, and I went up and we spent time with the investigators because it was right during the salmon season. We must have had a dozen investigators in Alaska doing the salmon plants. We spent this time in Alaska flying around in little planes.

We damn near got him killed in a helicopter. Unfortunately, I was along, too. This was a brand-new French helicopter we flew out from Naknek out to a floater in Bristol Bay and landed on the ship. The helicopter took off and went north up to Dillingham across the bay, and then came back to pick us up. As soon as he picked us up and headed back toward Naknek south, he said, "I'm going up to Dillingham to land there; it's closer." But he didn't tell us what was going on. Art Hayes was up in the front seat, and Jim Davis and I were in the back. A very nice, new helicopter; even smelled new, had that new-car smell. It belonged to Icicle Fisheries.

He landed the thing at the plant in Dillingham, we got out, and then shortly thereafter we were told if they had flown another ten minutes, it would have melted down the fuel pump and we would have had one big, old fire right up in the middle of the air, and would have wound up in drink in the middle of Bristol Bay. So then they came by and ferried us off there in shifts because the other helicopter they had would only carry one person (laughter).

Art Hayes was quite a guy. He was a good speech-giver; he was a good decision-maker. I think he made some proper decisions. I was sorry that he did not stay longer.

However, I've got to admit that the successor to Art Hayes was also another favorite of mine. I like Frank Young. He's a pleasant guy but very much a decision-maker. I got the chance to know him the in the six weeks I sat in as ACRA, and we worked so very, very closely together because of all the tampering which took place in that period of time.

FL: Was this at the time Paul Hile had retired and you were filling in his position?

JS: Yes, Paul had announced his retirement and they called me and asked if I would come in. I said, "I would be glad to come in if, in fact, you make sure my name is not on the list of those to be considered for replacement." Well, they granted that but reluctantly. They wanted to consider me for the job, and I didn't want any part of it. For the first two weeks, Paul was still there--but not there; and for the last month, he was gone.

Those were hectic times. The "me, too's" were in full swing. I had just barely arrived in Washington when the Stella Nichols thing occurred here in Seattle, where there were two people killed by capsules which had been loaded with cyanide and purchased from retail stores. It turned out later--in fact, right now they just finished the case--Stella Nichols, who was the wife of one of the people who was killed, was convicted of tampering under the Federal Anti-Tampering Act for killing her husband and one other person she didn't know by tampering with capsules. The very first prosecution case successfully done for tampering. Excellent.

I still like Frank Young, and I think he's been very good for the agency. He knows his way in and out of the political morass in Washington; he's able to influence those kinds of people who are necessary to influence for the benefit of the agency. I think he's done a good job in that, and I'm not sure everybody has recognized it. I think in the long run, the fact he is trying to stay on as Commissioner, and has stayed on longer than anybody except George Larrick for many, many years, is to his benefit and to the agency's benefit. Now that John Norris, who was his

Deputy, has left , if the agency can pick up an internal type who really knows the agency and has some feeling for its history and background, it could make quite a strong team.

FL: Jim, we're approaching the end of another long, hard day. Is there anything further that you would like to put on the record at this time? You know, we can always reopen this at a later date after you've reviewed the transcript of what we've done the last three days. If you have any final thoughts, this is the time to tell us them.

JS: I think my final thoughts would be kind of a summation of my whole career. I was very fortunate at the time I was at loose ends at the end of my college career to stumble on this organization. Really, that's what it was: I stumbled on the organization. It has been a marvelous career for me. Just the right thing. I enjoyed every minute of it. There was pain and there was suffering and there were times of joy; but it was the thing I wanted to do. The further I got into it, the more I saw this was the right thing for me. I enjoyed it. I enjoyed government work. I enjoyed being a government employee. I enjoyed the fact the agency I worked for was really doing something for the public--not to the public, but for the public.

I suffered along with everybody else during the years--which I don't think are over yet -- that the federal employee was recognized as something less than slug meat. But that didn't stop this agency and the people in it from carrying out their mission, and with a great deal of enthusiasm, at least from the Seattle office. To talk about myself a little bit, I felt my style here in Seattle was very instrumental in developing a very successful, enthusiastic operating group. I don't know how it's going now, but that's none of my business anymore. But I liked the job; I'm enthusiastic; I'm a full-fledged supporter of the agency, and will always be so. The people in it, the style of organization and operation--it's just the greatest, and it's too bad this message does not get across to the Congress, where it really counts. So be it; end of report.

FL: Thank you very much, Jim, for spending so much time here at this. I think this interview will be a very valuable contribution to the archives we are gathering in this series of interviews.

Thank you again.