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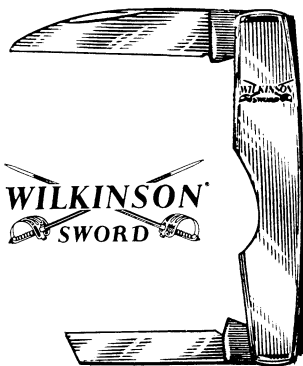
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# Not for publication

**Commodities from drugs to soap are tested by the Government, but not for consumer protection**

by Edward Gross

Locked away in the bureaus and agencies of the U.S. Government is a hidden mine of consumer information. The performance and quality of items ranging from cars and lawn mowers to typewriters and floor wax is buried in Government tables, charts and statistics. All that is needed is a staff of technical writers—and a shift in national policy—to get the information to the public.

Congressman Benjamin S. Rosenthal (D-N.Y.), chairman of the Special Consumer Inquiry subcommittee of the Government Operations Committee, has held hearings on the matter, and plans more. He concludes that the Federal Government has a vast amount of consumer information that ought to be released.

"It is difficult to conceive of a more vital aspect of the Federal consumer responsibility than the dissemination of product information in the Government's possession," he says, "I am convinced that certain Federal agencies possess vast amounts of product information which could be of enormous benefit to consumers if systematically and properly disseminated."

However, not all Government agencies are willing to share their information. Whether because of budgetary considerations, a non-consumer orientation, indifference or a commitment to an industrial constituency, the information stays buried.

Ironically, the Government has provided a shovel for digging out its own information. Under the 1967 Freedom of Information Act, all Federal information that does not violate national security or trade secrets is open to the public.

The first major test of that act came last year with a law suit by the Consumers Union, Mt. Vernon, N.Y., to force the Veterans Administration to release its findings on tests of hearing aids (SN: 10/12, p. 360). As a result

of the suit, which is still pending, the VA has announced it would release in June the test data and scoring schemes on 15 to 20 hearing aids it deems best for severe, moderate and mild hearing losses.

This information, however, is for some of the hearing aids being tested now for the fiscal year 1970. Consumers Union wants the VA to release the details of the test data and scoring schemes used to test all those instruments contracted for during 1968.

The issue of the date is merely a device to set a legal precedent to guarantee that the VA will supply such information in the future. The information is important in understanding how the ratings for the different brands were arrived at. The brand names have always been matter of public record.

It is precisely this 1968 information, that the VA does not want to give out, because its contracts with the hearing aid manufacturers stipulated that such information would be primarily for VA use. There has been a growing trend in VA contracts, however, to soften this restriction, making it easier for outsiders to obtain technical data on products tested for the VA.

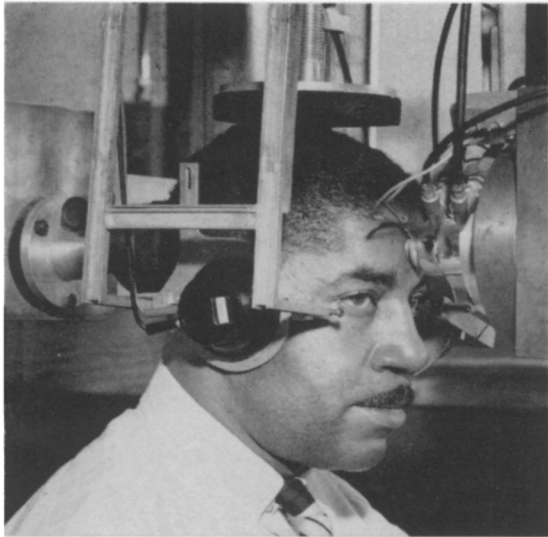
CU wants the test information on the instruments that failed as well as those that passed. The VA is not willing to impart this information either, because of the contract terms.

Meanwhile, the Government continues to produce a flood of data on consumer products.

Some products are tested by the Government to see if they comply with voluntary or mandatory standards. These include standards of:

- Safety on such items as autos, tires, drugs, meat, food additives, pesticides, cigarettes and air and water.
- Identity, such as the requirement that anything called mayonnaise must have 65 percent oil.





NBS

- Performance, such as the requirement that prescription drugs are effective against the ailments indicated.

- Measurement, such as the requirement that packages contain the amount stated on the label.

- Grading, for such commodities as eggs, butter, fruits and vegetables as administered by the Department of Agriculture.

**Other major products** subjected regularly to analysis by the Government includes housing construction, to meet Federal Housing Administration standards, clothing to match composition with labeling information, and alcoholic beverages for alcoholic content. Much of the work is farmed out to private firms.

Detailed results are rarely publicized, however, except in connection with legal action against a specific product. Gasoline is an example. The Federal Bureau of Mines regularly analyzes more than 5,000 samples of gasoline taken from service stations around the country and publishes the results every six months. But code numbers are used in place of brand names so the results benefit only the refineries of competing gasoline distributors.

The richest lode is in the General Services Administration, the purchasing arm of the Government, with 50,000 items and products, in its warehouses. It buys everything the Government needs from ballpoint pens to automobiles, and naturally has its own labs for testing the products it buys. The GSA, however, does not publish its test results because it claims the tests do not follow along the lines of normal consumer testing, and the results, therefore, are of little value to consumers in the open market.

**The GSA tests** are designed to see if the products meet Government specifications, and since the Government's needs supposedly differ from those of



Federal Highway Administration

*Crash test between a Volkswagen and Ford, tire testing and testing for hearing aid standards are done in Government, but not for consumers.*



NBS

a consumer, the GSA argues, the test findings are irrelevant for consumers. For example, if the Government needs a paint that will resist saltwater, says the GSA, the test results are of little value to a homeowner in Arizona who may be looking for another property, such as quick drying time. But the argument is not universally accepted.

"This is the exception rather than the rule," says Peter Barash, staff member of the House Special Studies Subcommittee, who finds that the uses to which the Government puts products do not greatly differ from those of consumers.

"**The vast majority** of products," says Barash, "are identical or substantially similar to products available to consumers in the private market place." The nameless can of scouring powder in a supply cabinet in the Pentagon can be the same popular cleanser advertised on television.

Rosenthal and CU would like to break loose some of the Government's standards testing results, as well.

Recently, for instance, the National Highway Safety Bureau of the Depart-

ment of Transportation unveiled results of its tests with American and Japanese minicars (under 1,000 pounds) and Volkswagens crashing into heavier cars and into barriers. Although the purpose of the tests was to provide research data to establish future Federal safety standards for these small cars, and not to evaluate their comparative crashworthiness, the results of the tests were so shocking that Sen. Vance Hartke (D-Ind.) questioned whether minicars should be allowed on the road. Films of the collision between a Volkswagen and a Ford, in which the dummy passenger in the import came out a poor second, were released to the public and stimulated pressure for a review of the whole program.

**Although a consumer** certainly couldn't decide whether to buy a King Midget or Sabaru or Volkswagen on the basis of these tests, he could make some judgments. To round out the tests, and to be fair to Volkswagen which complained about being singled out, future tests are planned for the Renault, Opel and Fiat.

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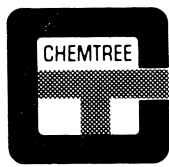
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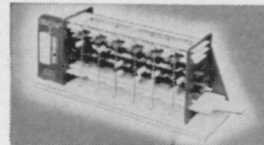
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There are other places in the Government where testing of consumer products goes on: The Food and Drug Administration tests drugs and food additives; the Department of Agriculture registers pesticides and test food and food-related products; the Environmental Control Administration tests the radiation hazards from electronic products, and the Air Pollution Control Administration measures the air pollutants emitted from cars.

But none of these organizations does comparison testing, that is, compares one brand or make of a product with another. The only Federal organization to do that is the Federal Trade Commission, noted for its cigarette and nicotine appraisals. And that agency's effectiveness is now being questioned by critics such as Sen. Abraham Ribicoff (D-Conn.), Ralph Nader and the American Bar Association.

One of the primary reasons for not getting into comparison testing—aside from the growth of private consumer testing organizations—is that to evaluate one product against another would put the Government in the position of endorsing individual products of private industry.

The National Bureau of Standards, which tests for industry, is especially leery of this because of a controversy it was involved in over the performance claims by a battery additive manufacturer in the early 1950's. The smoke was so heavy then that, when it cleared, several high-level chairs were no longer occupied.

Dr. Allen V. Astin, the retiring director of NBS, who was temporarily fired when his researchers condemned the battery acid as useless, has carefully shielded NBS from other such controversies.

The Bureau of Standards now tests only on a generic basis, although its findings on individual products, if made known, would certainly interest consumers. It is NBS, for instance, that did the hearing aid tests for the Veterans Administration and where tires have spent years on treadmills and punch presses.

The bureau contends its mission is simply the search for ways to measure tire wear factors for the industry, without regard to the consumer's needs.

Aside from these organizations, the only other Federal resource for the consumer is the President's Committee on Consumer Interest. This is a strictly advisory office; it has no testing facilities. Its efforts in the last Administration to contract with NBS for tests of products for consumer education never got off the ground. ◊