

Attilio R. Frassinelli

It gives me great pleasure here today to consider the protection of the consumer. We are asked to think of it in terms of adequacy of federal and state measures, but I hope we can go into consumer participation, for we are not living in a welfare state. We must all participate in consumer protection.

I am particularly glad that George Larrick, Commissioner of Food and Drug, is here.

We state and federal people always figure that we share the responsibility of covering the waterfront - I know that he is openly and avowedly consumer-minded, as am I. When I received the program for this conference, I said to myself "just how adequate are our state measures for consumer protection". I was struck by the thought that it is not always enough for a thing to be "adequate."

When I checked in Webster's New World Dictionary, I found that - "adequate" has two meanings: one, "equal to a requirement or occasion, sufficient, suitable; and two, "barely satisfactory; acceptable but not remarkable."

Which definition must we apply to our particular laws? Certainly, if we have the second definition in mind, we are damning them with faint praise.

Naturally, we hope we are justified in believing that our measures for consumer protection are sufficient and suitable. Let us consider those measures and see.

What was probably the first Connecticut law pertaining to the purity of food products was passed in 1820 and concerned the pickling of shad. Shad being one of our principle food industries of that era.

In 1879, local health officers were given the power to pick up samples of groceries and medicines and have them analyzed.

In the meantime, an event occurred in France which actually started food and drug work as we know it now.

Napoleon III offered a prize for a tasty, economical substitute for butter. A French chemist won the prize in 1869 and oleomargarine started on its stormy way.

Connecticut was the leading butter-making state of that day and immediately passed laws to control oleo - which included the creation of the Dairy Commission in 1886.

Between 1878 and 1957 the Connecticut General Assembly has passed 237 public laws pertaining to supervision and control of foods, drugs, therapeutic devices, cosmetics and miscellaneous goods, plus the adoption of the uniform Food-Drug, and Cosmetic Act in 1938, until they now include a wide variety of products.

The Dairy Commission of then, 1907, became the Dairy and Food Commission in 1907, when milk work was added to its duties. The name was changed to the Food and Drug Commission in 1947, during a re-organization period, when the milk work was shifted to the Agriculture Department, and weights and measures work was transferred from the State Police Department and assigned to the Food and Drug Commission.

The latest change came this year, when the legislature felt the people would be better served by the consolidation of kindred duties. The Food and Drug Commission then became the nucleus of the Department of Consumer Protection, and a number of duties including slaughter house and meat inspection and administration of the Kosher laws, were transferred to it from several other departments, plus general supervision of the Pharmacy Commission.

I wish I had time to illustrate some of the ways in which we strive to protect the consuming public - how we constantly seek more efficient ways to protect both his health and his pocketbook.

I would also like to discuss matters which could be improved, and a few loopholes which should be sealed.

The results of these study groups on this consolidation recommended to Governor Ribicoff the following:

For better protection for our Connecticut consumers, and
 For better budgetary control of functions pertaining thereto, and
 Consolidation of all food and drug laws and their enforcement which
 would ultimately be better protection to the consuming public.

The Department of Consumer Protection was adopted by the General Assembly, after many public hearings and discussions by members of the General Assembly where some changes were made in the final drafting of the bill. It passed both houses by a voice vote without opposition, signed into law July 1, 1959. The transferral of these several departments started at once, and on October 1, 1959, Governor Ribicoff issued an executive order, declaring the organization completed, and functioning.

The functions of the Department of Consumer Protection are now as follows:

One administrative head over all divisions, namely,

Division of Pharmacy: Enforcement of pharmacy laws and inspection of pharmacies; including the

Board of Pharmacy Commissioners - whose responsibility is the qualifying and examining and licensing pharmacists.

Drug Division: Licensing of manufacturers of drugs and cosmetics; inspection of all drugs, cosmetics and devices - plus the enforcement of a new hazardous substance law on all detergents; they must be properly labeled and carry the name as to the type of danger, first aid treatment, and in addition, call your doctor. We also have a Poison Control Center which is available 24 hours a day. To clearly understand the many technical problems of drugs and devices, we have two separate groups of professional men who work purely on a voluntary basis to assist our department.

1. The advisory committee on Food, Drugs and Cosmetics, made up of personnel of associations having to do with health problems, Yale Medical School, University of Connecticut-College of Pharmacy, etc.. They render opinions and supply expert testimony at all hearings, if needed, and

2. A joint medical and pharmaceutical conference committee consisting of medical profession, pharmaceutical profession, commission of health, and consumer protection commissioner - who are extremely helpful.

Food Division: Inspection and control of all food products, including the inspection and grading and packaging at both wholesale and retail, of eggs, potatoes and apples; and the inspection of all slaughter houses and meat packing plants.

In its work of maintaining strict control over all phases of the manufacturing, processing, packing, storing and retailing of foods, the food division, during the fiscal year made 22,742 inspections and took 3,312 samples for examination. Three hundred seizures were made of foods found to be adulterated or misbranded. Sixty-four hearings were held by the commissioner in flagrant cases. All cases were corrected without referring the cases to the courts. Many housewives appeared at a hearing on food violations Monday, April 4, which indicates their interest in our consumer problems.

Kosher Products Division: Formerly by State Police; inspection of all Kosher products, bakeries, caterers, etc.. Here we have added an advisory committee - known as the Orthodox Rabbinical Committee on Kosher Foods - consisting of five rabbis in different sections of our state.

Weights and Measures Division: Inspection and prior approval of all scales and measuring devices used in our state, determining the correct weight and measure and accuracy of all weighing and measuring devices on which commodities are weighed or measured for sale to the consuming public.

This department will be expanded on October 1, 1960, as the present county sealers will be transferred to our state division of weights and measures and will be under state civil service, as the county form of government is being abolished at that time.

Athletic Division: Supervising wrestling and boxing.

Now let us consider what we need in the days to come to strengthen consumer protection.

First, we need a strong scientific organization, equipped to conduct more basic research in foods, drugs, cosmetics, and devices. Scientific research sets the pace for regulation-making and enforcement. Both industry and government must have methods that produce the same results.

There are many new chemicals and changes in processing technology about which we must know a great deal more, to deal effectively with new problems of consumer protection.

We now have two scientific laboratories - the Health Department laboratory for all our frozen desserts, milk and milk products, and the Connecticut Agricultural Experimental Station in New Haven, which handles all other analytical work. The station is headed by Dr. Harry Fisher who is a nationally known chemist. We are indeed fortunate to have a person such as Dr. Fisher in our state.

I should like to point out the importance for all of us to emphasize the contributions that agricultural experiment stations have made in this country. They have made a tremendous impact on research and development in many areas of human activity. With the success of the federal support for agricultural experiment stations, we see today increasing support in many areas, both in the medical sciences and in the basic sciences. There is no better example of the combination of basic and applied research than that conducted in our agricultural experiment stations throughout the country.

There is much to be desired - and so much to be done.

Our state of Connecticut has made some inroads into the problems of consumer protection. I will mention some of the corrective legislation we have recently adopted and are now on our statute books.

"The Labeling of Hazardous Substances" - The Drug Division: The work of the drug division has been greatly increased by additional duties, particularly the enforcement of the hazardous substance law. This law provides that all products used in the home must carry special labeling if they contain any substance which is hazardous, toxic, etc..

Designed to furnish the public and the physician with adequate information in case of misadventure, the law requires that the label of household products containing a hazardous substance must carry the name of such substance, a warning as to the type of danger, and first aid treatment, as it is estimated that there are 22,000 products requiring such special labeling.

A number of ordinary household materials, when swallowed, are poisonous and can cause death. Often because parents are not aware of their danger, they are placed within easy reach of small children. These include paint and paint thinners and removers, cleaning agents, furniture waxes and polishes, bleaches, detergents, lighter fluids, and of course, drugs, and sometimes cosmetics.

The very color and design of attractive modern packaging can offer a special attraction to small children and make the harmful substances the packages contain interesting, and often fatal, subjects for childish investigation.

These are just a few examples of the types of household products whose labeling is not now regulated under the federal law. These materials require better regulation to safeguard those in the home.

The Public Health Service estimates that every year, 600,000 children swallow household aids left within their reach, and that about 500 children die each year as a result of such accidents.

"Establishment of a Poison Center" - Poison center warns on placing non-edibles on shelves with food.

Clean, perhaps, but not sweet. That was what a Connecticut woman found out when she inadvertently put two spoonfuls of a dishwashing detergent powder into her cup of coffee by mistaking it for sugar. She suffered no ill effects, but she apparently did not enjoy her cup of coffee. The case was cited by the state Poison Information Center as an example of the dangers of storing non-edible household products in unlabeled jars on foodstuff shelves.

It was reported that during one month (September) 50 emergency telephone calls from physicians were received. Of these, 78 percent were for children under five years of age. Substances involved: medications, 12; cleaning products, 11; pesticides, 8; mushrooms, 7; cosmetics, 1; solvents, 1; and miscellaneous, 10. There were no deaths, but emergency room treatment was necessary in 19 cases and 12 remained in the hospital for further observation and treatment.

The incubated rejected egg law was repealed in Connecticut in 1959. This was a most troublesome piece of legislation. Thanks to the Federal Food and Drug Inspection Department, the racket was recently broken up, and Connecticut will have no part of this unfortunate situation.

Here are some of the violations we found in our state in the last couple of months. (I would like to mention a few of the highlights of our work in this field of consumer protection)

VIOLATIONS FOUND IN CONNECTICUT

Watered orange juice.
 Excessive dry skim milk in frankfurters.
 Excessive fat in hamburger.
 Colored sweet potatoes - as yams.
 Use of substitute cream.
 Cream made of vegetable fat, used in restaurants as cream.
 Whipped cream topping made from vegetable fat, used as whipped cream.
 Old potatoes, colored red, purporting to be new Florida potatoes.
 Easter candy baskets.
 100% pure virgin olive oil (593, 1-gallons - 40% peanut oil
 143, 1-gallons - blended oil, short volume)

State Regulations for Frozen Foods: The recently adopted frozen food code by the food and drug officials of the United States now seems to be the center of interest of all segments of the frozen food industry. For many years, Connecticut realized that there were abuses in the handling and distribution of frozen foods within our state.

In 1955 the Connecticut General Assembly passed legislation authorizing the then Food and Drug Commission, after public hearing, to promulgate regulations for storing and transportation of quick frozen foods, including temperature controls, sanitation and other matters in accordance with recognized standards necessary for the protection of public health and the preservation of such foods in wholesome condition. We are now in the process of writing these regulations with uniformity being our goal.

State Regulations for Food Vending Machines: At present no regulations local health officer checks for sanitation

Sanitation controls.

Proper labeling.

Fresh, wholesome and edible foods.

"43 beans in every cup of Nescafe" (Slogans), etc..

There is an ever-increasing need for legislation and enforcement to adequately protect the consumer in education and information regarding the textile fabric field - nylon stockings and other commodities for which there is but little protection at the present time.

In addition to the above, I feel that we should establish a consumer advisory committee in our state - and in all states. We in Connecticut have already paved the way for this endeavor.

This leads me into my last point - Adequate Education and Information. What can we do, and groups do to inform the public adequately about the needs for their protection, so that they may appear before legislative committees on public health & safety, and other committees, which make up the changes in laws.

The numerous consumer organizations, Better Business Bureaus, American Medical Association, National Dairy Council, Federal Food and Drug, National Bureau of Standards-Weights and Measures Division, and others are doing a militant job.

We need many Dr. Persia Campbells; Father McEwens, Boston College; Colston Warne, Consumers Union; and other to advise us on consumer problems and consumer information. They are doing a magnanimous job in this field.

It is up to each of us within our own sphere, to educate the public to beware of frauds and impositions and to demand the strongest possible protection we all can provide in the area of consumer protection and information.

If you feel, in this short presentation, that Connecticut is doing its part in consumer representation on a state level, we in Connecticut (thanks to the foresight and willingness of our Governor Ribicoff to have created such a department) are happy to be a part of this all-important endeavor -- to be a good department of consumer protection.

It has been my pleasure to have had the privilege to address the Council on Consumer Information at this fine gathering of people dedicated to the good and welfare of all peoples, in all walks of life.