
Nestlé Complying with WHO Code for Infant Formulas

During past years Nestlé has been widely criticized for encouraging mothers to give their children formula instead of breast milk, and the outcry led the World Health Organization (WHO) in 1981 to adopt a code for marketing infant formulas. The Nestlé Infant Formula Audit Commission, an independent group headquartered in Washington, D.C., and chaired by former Democratic Senator Edmund S. Muskie of Maine, reported in mid-October that the Swiss-based company is largely complying with the new code. In some instances, "Nestlé has gone further than its own self-interest could justify," Muskie declared during a press conference.

The commission received 97 complaints about Nestlé's practices from 28 countries during the past year. After reviewing these complaints and negotiating with the company, the commission now reports that several former Nestlé practices have been eliminated or changed substantially.

For example, the company has agreed to stop supplying institutions with free samples of infant formula other than for the purpose of professional evaluation. Also, the supply of free or reduced cost supplies of infant formula to institutions will be limited to infants who "have to be fed on breast-milk substitutes," and the company no longer will provide free infant formula to breast-feeding mothers as part of its standard marketing practice. Moreover, the company is changing the health hazard statement on product labels "to eliminate pictures of babies and words that may idealize the use of infant formula." These changes, which the company says will be completed worldwide by early 1984, also include admonishments to users to maintain careful hygiene and to heed closely the label instructions on the amount of powdered formula to prepare.

Both Muskie and Nestlé executive vice president Carl L. Angst, who also spoke at the press conference, voiced frustration with the WHO code, saying that it is an imperfect compromise for guiding the company in its dealings with the complexities of the Third World. The central problem is poverty

and its consequences for providing mothers with an adequate diet. Changing Nestlé's product labeling and marketing practices will do little to address that issue, Muskie points out.

—JEFFREY L. FOX

EPA, OSHA Act to Curb Pesticide EDB

Two federal regulatory agencies in recent weeks have moved to impose tighter restrictions on the pesticide uses of ethylene dibromide (EDB); concern about the health risks posed by EDB date back to the mid-1970's.

The Environmental Protection Agency (EPA) has ordered the immediate suspension of the use and sale of EDB for preplanting soil fumigation, the application that accounts for 90 percent of EDB's use as a pesticide. The action follows discovery in four states of ground-water contamination by EDB, which has been identified as a potent carcinogen and mutagen in animals. EPA began its review of the safety of EDB in 1977.

The suspension of preplanting use of the pesticide was ordered by EPA Administrator William D. Ruckelshaus under a provision of pesticide law that permits an immediate ban on use if agency officials determine that an "imminent hazard" to humans exists. A phaseout of several other uses of EDB was also directed in the same 30 September agency order, but the cancellations are cast in a form which enables objectors to delay implementation of the order by asking for hearings which can consume 2 years or more.

Hearings may also be requested in response to a 7 October proposal by the Occupational Safety and Health Administration (OSHA) for a stringent revision of the present standard regulating employee exposure to EDB. The notice calls for a reduction of the present limit of 20 parts per million parts of air to 0.1 parts per million, and for a tightening of requirements on such things as exposure monitoring, protective equipment, and employee education. The OSHA action results from deliberations begun in 1981 when the Teamsters union petitioned the agency for an emergency temporary standard for EDB and was turned

down. The new OSHA notice said that the present standard did not "provide protection against cancer and other adverse health effects."

EPA ordered cancellation of EDB's use as a fumigant for stored grain, milling machinery, and felled logs. Quarantine fumigation of citrus and tropical fruits and of vegetables was also canceled effective 1 September 1984. These cancellations can all be delayed for hearings. Hearings may also be requested on the suspension for soil fumigation but the suspension remains in effect during the appeal proceedings.

The emergency suspension on EDB use for soil fumigation was precipitated when EDB contamination of ground water was detected first in Georgia and subsequently in California, Hawaii, and Florida in areas where EDB has been heavily used as a soil fumigant.

EDB is a halogenated hydrocarbon of the same chemical family as DDT, chlordane, and dieldrin, all of which were placed under regulatory restraints in the 1970's. EDB became controversial in 1975 when a National Cancer Institute study indicated that the pesticide induced cancer in laboratory animals. Later evidence also pointed to carcinogenic and mutagenic effects.

About 300 million pounds of EDB are produced annually in the United States. Only about 20 million pounds are devoted to pesticide use; the balance is used as an antiknock additive in gasoline.—JOHN WALSH

A New Plan for Space Physics

Following up on pledges made last summer (*Science*, 22 July, p. 345), space scientists from the National Aeronautics and Space Administration (NASA), the European Space Agency (ESA), and Japan's Institute of Space and Astronautical Science (ISAS) have drawn up a series of joint spacecraft experiments for the late 1980's and early 1990's to be called, tentatively, the International Solar-Terrestrial Physics program.

At a meeting in Washington, D.C., on 26–27 September, they examined the eight missions already planned by

their agencies individually, and found that by eliminating duplication they could do better science with only six missions—while cutting the aggregate costs from \$2 billion over the next decade to roughly \$750 million.

Under the new plan, NASA would be responsible for four spacecraft: WIND, measuring fundamental solar wind parameters; SOLAR, monitoring solar oscillations and the corona; POLAR, observing the earth's aurora; and EQUATOR, monitoring the circumterrestrial plasma. Meanwhile, ESA would launch MULTIPOINT, a four-spacecraft system for studying plasma turbulence. And ISAS would contribute TAIL, investigating the wake of the solar wind as it streams around the earth.

The next step in the program is to get the official endorsement of all three agencies. Early indications are good—and in the United States, at least, presidential science adviser George A. Keyworth, II, has already been quite complimentary about the idea.—**M. MITCHELL WALDROP**

Institute to Aid Congress on Environment Policy

A private organization is being formed whose primary purpose will be to help members of Congress make dispassionate and informed judgments about environmental matters.

The new Environmental and Energy Study Institute will complement the work of Congress's Environmental and Energy Study Conference. Congressman Richard L. Ottinger (D-N.Y.) and others decided that a new private group was needed to get around a new law which prohibits congressional service organizations, like the conference, from getting non-congressional financial support. The conference was getting 40 percent of its \$300,000 budget from the public.

Director of the institute is Ken Murphy, former staff director of the conference. He says the institute will avoid adding to the population of 200-page reports but will perform short-term analyses aimed at making information digestible for lawmakers. He believes the institute is coming on the scene at a "critical juncture," where the reasoned debate that surrounded many

environmental issues in the late 1970's has degenerated into polarization and stalemate.

The institute is aiming for a \$400,000 yearly budget, partially financed by subscriptions to the conference's *Weekly Bulletin*, which it will continue. It has a weighty board of directors composed of congresspersons, scientists, environmentalists, and former government officials.

—**CONSTANCE HOLDEN**

Supreme Court to Review Pesticide Data Release

The Supreme Court will decide how much health and safety data on pesticides should be made available to the public. The Court has agreed to review the decision of a lower court, which ruled in favor of the Monsanto Company in a dispute with the Environmental Protection Agency (EPA) over its interpretation and administration of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Specifically, the suit, which originally was brought by Monsanto, deals with the ownership and disclosure of data a company submits to EPA to register products for sale.

In April 1983, the U.S. District Court for the Eastern District of Missouri found that "Congress exceeded its regulatory authority and violated the Fifth Amendment of the United States Constitution" when it amended certain sections of FIFRA in 1978. Those changes allow other companies and also the general public access to information, such as health and safety data, produced by a company during the development and testing of a product. U.S. District Judge H. Kenneth Wangelin concluded that such disclosures represented an unfair "taking" of Monsanto's intellectual property that then could give competitors an unfair advantage.

As for a need to disclose test data for public review, he concluded that a "product's label provides the public with the assurance that the product is safe and effective and with the knowledge of the product's qualities." Going further would "permit the public to share in the regulation of the pesticide industry," a task that belongs to EPA, he claimed.—**JEFFREY L. FOX**

Ruckelshaus Disappoints Canadians on Acid Rain

Many people expected William Ruckelshaus, administrator of the Environmental Protection Agency (EPA), to use a meeting with Canadian environmental officials this month as the occasion for announcing a new policy on acid rain. As planned, Ruckelshaus attended the ceremony in Halifax, Nova Scotia, on 16 October; he signed a supplement to a Great Lakes pollution control treaty; and he spoke about acid rain. But his message disappointed many listeners. He all but announced that his plans for attacking acid rain have been quashed by other officials in Washington.

In the last 6 months Ruckelshaus has tried hard to fashion an acid rain policy that would be acceptable to the utilities, the coal-producing states, and the states whose waters and forests are being damaged by the pollution. His enthusiasm seemed to promise that there would be a change from the policy of studied ignorance adopted by his predecessor at EPA. But the Cabinet Council on Natural Resources, a White House task force, vetoed two proposals submitted by Ruckelshaus in mid-September, leaving the United States once again with nothing to propose to the Canadians.

"The faces have changed, but the game has not," says environmentalist Elizabeth Barratt-Brown of the Natural Resources Defense Council. "Two weeks ago we learned that the Canadians were told not to expect anything. It looks like it's time for us to go back to Congress" to try to get some action on acid rain, she said. Senator Robert T. Stafford (R-Vt.), chairman of the Committee on Environment and Public Works, is considering holding a session on November 15 to mark up a bill that would impose new controls on sulfur dioxide emissions.

Ruckelshaus told the gathering in Halifax that when he took his acid rain proposals to the White House, he suddenly discovered that "we were dealing with a very big, very controversial issue," one that brings out sharp sectional conflicts in the United States. For this reason, he said he could not hold out hope for quick action.—**ELIOT MARSHALL**