

ENVIRONMENTAL DEFENSE FUND INCORPORATED

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11 February 1970

Dear Scientist:

In an EDF newsletter dated 8 January 1970, litigation against USDA and HEW was described. Because this EDF litigation might not succeed, we requested that comments on DDT be sent to F. R. DDT Notice, Dr. Harry W. Hays, Director, Pesticides Regulation Division, Agricultural Research Service, U.S. Department of Agriculture, Washington, D. C., 20250. Although this irregular USDA procedure is not authorized by law, we felt it important that the scientific community be heard and that comments on DDT not be primarily from pesticide manufacturers and formulators.

This letter is being sent mainly to scientists who have done research that is relevant to the DDT issue. EDF wants to thank those who have responded; many excellent letters have been received, and USDA will not be able to ignore them.

Not enough scientists have responded, however; some well known scientists with vigorous views on DDT have not been heard. The deadline is February 20. May we again stress the importance of expressing your views to USDA. Something brief is vastly better than nothing at all. See the newsletter for instructions. After all the public statements by scientists about DDT, it is not going to look good if they do not make a strong response when USDA specifically asks for comments. We hope USDA will hear from you.

In spite of all the publicity from Washington about the "restrictions" on DDT, policy is as it was before and the release of DDT into the environment continues as before. It has been all public relations and no action.

May we offer caution regarding comments that are hedged, qualified, or "gray." Bureaucrats will "phase out" DDT for decades (while its use continues), "as soon as possible" can mean 1994, and "all but essential uses" means all uses because all are "essential." USDA has been rendering arbitrary decisions of that kind for years.

News brief: USDA made a motion to dismiss the EDF litigation in the Court of Appeals in Washington, D. C., for lack of jurisdiction. The Court deferred USDA's motion and granted EDF's motion to advance and expedite the case on the Court's calender, thus giving EDF standing to bring the action. In addition, the Court added the following gratuitous comment, which permits interesting reading between the lines: "Nothing herein shall be construed by [USDA] to foreclose further administrative action on [EDF's] complaint pending the disposition of this case."

We thank you for your continued support.

Sincerely,



Charles F. Wurster
Chairman, Scientists
Advisory Committee

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C.F. WURSTER