

**The Fight in 1959 for Freedom of  
Information**

**Extension of Remarks of Hon. John E.  
Moss**

**of California in the House of Representa/  
tives, Monday, September 14, 1959**

**Mr. Moss. Mr. Speaker, the year  
1959 saw the present adminis/  
tration**

1959

## CONGRESSIONAL RECORD — APPENDIX

A8503

carry secrecy to unprecedented lengths. Officials in the executive branch far down the administrative line from the President have taken it upon themselves to deny information requested by Congress and its agent, the Comptroller General. The denials were in violation of duly enacted laws, including the Budget and Accounting Acts of 1921 and 1950 and the mutual security authorization of 1959. Administration officials, with increasing frequency during the year, claimed a privilege beyond the law to determine what information Congress—and therefore the public and the press—shall have about the operations of executive departments and agencies.

Congress, and the House Government Information Subcommittee in particular, have been challenging administration officials to cite statutory authority for withholding information. In many documented cases, information has been released after it was shown that there was no authority for secrecy. Such progress, slow and painstaking, has been recorded in reports of the House Government Operations Committee based on the subcommittee's work.

At the same time, however, officials, unable to produce statutory authority for the secrecy they are imposing, have found it handy to claim an undefined, unlimited "privilege." Research has shown conclusively that such a sweeping claim is recognized by neither the Constitution, the statutes, nor the courts.

Administration officials argue that the only information they withhold is advisory material, consisting of "personal opinions." How a document, written by a Federal official as part of his official job, can be a personal matter has never been explained. Nevertheless, subcommittee hearings have shown that information withheld from the Comptroller General included blank forms and the table of contents of a report on procurement activities of the Military Sea Transportation Service. By no stretch of the imagination can such material be considered personal opinions to be hidden from congressional or public view for fear that the official involved may be inhibited from expressing the truth as he sees it. The doctrine of secrecy has been extended so far that the head of the International Cooperation Administration which administers the foreign aid program testified that he believed he could withhold from Congress any document in possession of his agency.

Unfortunately, the most flagrant abuses of the claim of privilege have occurred when Congress has sought to examine the efficiency in the use of tax funds in the field of defense, space research, and foreign aid—each an area of immense importance and immense cost.

Fortunately, Congress served notice this year that it will no longer tolerate the unbridled imposition of secrecy by thousands of satellite presidents in the executive departments and agencies. The Mutual Security Appropriations Act of 1960 provides that if information is refused about a foreign aid project, funds for that project will be cut off automatically unless the President personally supports the refusal and sets forth his reasons for so doing. This is but a first

step in the reassertion of the constitutional rights which are basic to a democratic society and a representative form of government. But it does place the issue of secrecy squarely in the hands of the President. What he does about it will determine whether the Government of the United States follows the constitutional principles or whether Congress must take further, more drastic steps to prevent government in secret.

### Foote & Jenks, of Jackson, Mich., Celebrate 75th Anniversary—One of Nation's Oldest Flavor Houses

#### EXTENSION OF REMARKS

OF

### HON. PHILIP A. HART

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. HART. Mr. President, this year represents the 75th anniversary of one of Michigan's outstanding firms, Foote & Jenks, Inc., of Jackson, Mich. Foote & Jenks was founded in 1884 and is not only one of Michigan's oldest manufacturing concerns, but one of the Nation's oldest flavor houses serving the food and drug and beverage industries of the Nation.

We in Michigan are proud of the outstanding long service of this firm. I ask unanimous consent that there should be printed in the Appendix of the RECORD a brief history and outline and description of the work of this famous concern.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### SOME EARLY HISTORY

Two enterprising young men, Charles E. Foote and Charles C. Jenks, graduate pharmacists from the University of Michigan, pooled their modest savings and opened a retail drug store in Jackson, Mich., in 1884. This was the beginning, modest to be sure, but these were men of vision, restless and energetic, made of the stuff that forecasts progress and growth.

They found their great interest to lie in the backroom, rather than behind the counter and it was there that they began the first experiments and discoveries which led to the existence of the present firm of Foote & Jenks, Inc.

The ensuing 75 years has seen the realization of a dream in the best American tradition of free enterprise. The founders invested their young manhood, their energy, and what little money they had in this small business. They hopefully looked beyond its walls. They followed their noses into the perfume business and through it into the flavor field. In doing so they got themselves into the complicated and difficult realm of the manufacturing business, with help to pay, inventory to finance, and competition to conquer. Their early struggles are a matter of record and the business today is a monument to their imagination, their ambition, and their sacrifice.

#### RESEARCH BRINGS PROGRESS

For 46 years the original building, plus a multiplicity of rented warehouse spaces, housed the firm while its stature grew 10 times. In 1947 the business was moved into America's newest and finest manufacturing laboratories, a spacious one-floor, day-lighted

brick and glass building, with its own side-track facility, set in beautifully landscaped grounds which provide space for plant additions as wanted.

In this building are to be found the most up-to-date instrumentation, automatic equipment, and custom-built machinery existing anywhere in the flavor industry. Consistent and constant improvement of equipment is reflected in complete changes in tankage facilities which were once entirely of wood, become all glass-lined metal, then became wholly monel metal and, today, are 100 percent stainless steel.

Production machinery in the manufacturing laboratories includes high-speed colloid mills, homogenizers of 3,500 pounds capacity, ultrasonic emulsifying devices which were the first to be used for the purpose in America, an ion exchange water purification system, 10-ton refrigeration connected to hermetically sealed agitation chambers, power and gravity filtering equipment, and power and gravity conveyors to all warehouse areas.

Production is governed by a control laboratory, the instrumentation of which is modern right up to the point of the newest chromatographic analysis devices. In this laboratory batch samples of every product are retained on file until evidence exists that the batch has completely passed into customer's food and beverage products and has been consumed with gusto by the American people.

Development and research activities are a daily, monthly, yearly, and "forever must" in the research laboratory. Inclusion of ample funds for this activity in budget thinking has made the company pioneers in the production of new flavors as well as in the consistent improvement in form of old favorites—as required by the constantly growing and improving industries which provide the country's foods and beverages.

The management attitude toward constant change and improvement and its acceptance of modern methods is reflected in office operations where every department is fully equipped with up-to-the-minute business machines, including a punchcard operation which provides source material for electronic integrated data processing.

#### THE CORPORATE STRUCTURE

The founders incorporated the business in 1893 and established the policy of employee ownership and management which endures to this day. Ownership in the form of shares of stock is vested entirely among current employees. Directors of the company are elected by the employees and the board of directors elects the officers. Individual length of service of employees ranges from 1 year to 40 years with a current average tenure of 16 years. Employees share in profits, stock dividends, and in benefits provided by the company in the form of group insurance and pension plans.

#### THE OFFICERS AND DIRECTORS

Paul W. Thurston, who was hired by the founders in 1919 to wash bottles, rose through shipping, purchasing, advertising and sales activities to the presidency in 1957. He is the third president of the company, succeeding H. L. Jenks, retired in 1957 who in turn succeeded C. E. Foote, one of the founders.

John L. Laughlin, vice president, research and development began in 1940 as a laboratory assistant and became the corporate officer in charge of the department in 1957. He is a charter member and a director of the Institute of Soft Drink Technicians, a member of the Institute of Food Technologists and chairman of the research committee of the Flavoring Extract Manufacturers Association.

Worth Weed who became treasurer in 1956 was employed as a salesman in 1946. He has served as president of the Michigan Dairy Boosters, president of the Michigan Allied

A8504

## CONGRESSIONAL RECORD — APPENDIX

October 2

Dairy Association and long-time member of the floor committee of the Dairy Industries Supply Association.

Don C. Jenks, grandson of the founder, joined the company in 1940 and worked through manufacturing, laboratory, accounting and purchasing to be elected secretary in 1951. He has served two terms as president of the Flavoring Extract Manufacturers Association and is a member of its board of governors. The company's officers are directors and the directorate is completed by Harry C. Devlin who was employed in 1925 as a manufacturing assistant and became superintendent of manufacturing in 1956.

## TWO NEW DIVISIONS

In 1958 the Pharmaceutical Flavor Clinic, Division of Foote & Jenks, Inc., was formed with a nationally recognized pharmaceutical authority, Dr. Sereck H. Fox, as its consulting director. Dr. Fox is an adviser to the U.S. Pharmacopeia, to the British Pharmacopeia and is a fellow in the New York Academy of Sciences. Specialized laboratory personnel work under his supervision on projects for the manufacturing pharmaceutical industry in the task of making bad-tasting medicines taste good—or at least acceptable to patients of all ages.

A wholly owned subsidiary, the Needs Corp., was formed in 1958 for surveying diversification opportunities in both allied and unrelated fields. Officers are Thurston, Laughlin, and Jenks with I. Z. Mathany (F. & J. advertising manager) and K. R. Wright, who is F. & J. packaging and shipping superintendent, completing the Needs Corp. directorate.

## THOSE WE SERVE

Foote & Jenks, Inc., serves the ice cream manufacturers, the confectioners, the baking industry, the pharmaceutical manufacturers, and the soft drink bottlers. F. & J. research has provided these industries with flavors that have long enjoyed a nationwide reputation for sheer excellence.

Sales are made direct to customers in 47 States and 26 foreign countries with contact maintained by a force of 14 sales and service representatives plus an export office in New York City. Presently the company has direct representation covering special assignments in Hawaii, Latin America, and Europe. Licensed manufacturing is done in Canada with a special staff contacting the trade there.

The company's personnel take greatest pride in the fact that many customers have been served for more than 25 years, including 184 for more than 40 years and 27 for more than 50 consecutive years. Many of these long-time customers also boast of business lives consisting of 75 and more years.

## THE RAW MATERIALS

From the spice markets of the Orient, from the exotic, romantic green islands of the South Pacific, from far away places with strange sounding names come the materials which the F. & J. flavor specialists expertly process and blend. The finished product enables those we serve to market products which bear famous brand names and enjoying countrywide recognition for highest quality.

## ORCHIDS FOR INDUSTRY

Not all diamonds are set in wedding rings. Many are used by the tool and die industry for cutting purposes. Similarly, not all orchids go to the junior prom. The industrial orchid, botanically identified as *Vanilla planifolia*, is a tropical vine, its flower a beautiful orchid, its fruit the vanilla bean. The vanilla bean has been a major import item of Foote & Jenks, Inc., for 75 years. Careful selection and processing of the vanilla bean provides the delicious flavor for ice cream, cookies, cakes, and desserts, to mention only a few. The pharmaceutical industry uses the extract to impart good taste to medicinal products. Substantial portions of the world

supply are grown by natives of Mexico and Madagascar, whose annual crop may amount to those beans which can be carried to the market in the growers' hands. The green beans, similar in appearance to the catalpa pod, are cured by the heat of the tropical sun to develop the naturally delicious aroma. Thousands of natives thus are required to provide a single ton of beans which is a batch size purchase for Foote & Jenks, Inc.

## OUR 75TH YEAR

In observance of its 75th anniversary the firm has been honored by recognition from the President of Mexico and the President of the Malagash Republic (Madagascar) through their Ambassadors in Washington, as well as by the American Vanilla Bean Association, for its activity, leadership and growth in the production of pure vanillas made from vanilla beans grown and cured abroad.

Similar recognition has been tendered by the International Association of Ice Cream Manufacturers, the National Association of Retail Ice Cream Manufacturers, the American Bottlers of Carbonated Beverages, and the National Confectioners Association. The White House is included by virtue of a complimentary and encouraging citation over the signature of Presidential Advisor David W. Kendall.

## LOOKING AHEAD—IN RETROSPECT

Annually all employees meet together to review the year just closed, plan for the future and break bread together in traditional friendship and good will. This all-hands meeting follows the annual meeting of stockholders at which it is always pointed out that all stockholders are employees and that most employees are stockholders. At the last such meeting, Thurston, the president, noted that in comparatively recent years the business had built, equipped and paid for its modern buildings; had enabled its employees to own over a hundred thousand dollars worth of automobiles—at least a quarter-million dollars worth of life insurance—more than a half-million dollars worth of homes. He stated that dollars earned and spent in the birth, rearing and education of children—together with expenditures for the comforts which go with today's high standard of living run to sums which may well be a matter of conjecture. In referring to the founders he said, "74 years of company history lie behind us. That period of time has seen the realization of a dream in the best American tradition of free enterprise. Our sound position today is a monument to the imagination, ambition and sacrifice of C. E. Foote and C. C. Jenks who had the vision to found this company in 1884 in trust and confidence that the American competitive system would reward a closely followed policy of good goods and honest dealings. Time has justified their faith and our duty lies in the continuance of that policy to the end that our customers are well served and that free, competitive enterprise may continue to offer its rewards for both vision and hard work."

## Technological Advance and Farm Policies

## EXTENSION OF REMARKS

OF

## HON. FRANK CARLSON

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. CARLSON. Mr. President, I ask unanimous consent to include in the RECORD a recent report made by the Na-

tional Planning Association on "Technological Advance and Farm Policies."

The National Planning Association is a nonprofit, nonpolitical organization, established in 1934, devoted to planning by Americans in agriculture, business, labor, and the professions. This report, presented by the Agriculture Committee, states that the crux of the farm policy problem as it has emerged in the last 6 years is overrapid technological advance and that farm price and income trends will continue to worsen unless producers find some acceptable means for balancing supplies with markets available at reasonably satisfactory prices. It is an important contribution to obtaining a clearer understanding of the complex problems which must be dealt with by new farm legislation at the earliest possible moment.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

## TECHNOLOGICAL ADVANCE AND FARM POLICIES

Technical advance in agriculture has been of untold value to this country. We are the best fed of all nations. Food is cheaper in relation to workers' earnings than in any period of our history or in any other country in the world. Technical advance also has released millions of workers from agriculture for productive employment in other lines of activity, thus making an important contribution to our rapid growth. But farm technical advance is now proceeding at such a pace that it prevents the usual supply and demand forces from stabilizing supplies and prices at reasonable levels.

Each year for the past 6 years \$1.5 billion to \$2.5 billion of farm products have been removed from commercial markets by the Government loan, storage, and surplus removal operations. Furthermore, there is an upward trend in these overabundant supplies, for in the last 2 years the amounts removed would have been even greater except for the soil bank program. Through its acreage reserve features this program has idled 17 million acres of land formerly devoted to the allotment crops—corn, cotton, wheat, rice, and tobacco. An additional 10 million acres of land formerly devoted to general crops were idled in 1958 by the conservation reserve features of the soil bank.

An exploration of the economic relationships between technological advance and farm price support policies must start with this recent economic history.

It is evident that if farm production were brought into balance with commercial market outlets at recent price levels, farm income would be reduced by the amount of these recent annual surpluses. That is, farmers would not receive the \$1.5 to \$2.5 billion they have been getting from sales of products to the Government. (Government payments, largely for the soil bank program, totaled an additional \$1.1 billion in 1958.)

If the supplies now diverted to Government storage and disposal, plus the potential supplies held in check by acreage allotments and the soil bank, were channeled through commercial markets, market prices would be much lower. Statistical analyses of farm prices and supply relationships indicate that farm income including Government payments would drop by \$4 to \$6 billion.

Farm leaders and farmers have been greatly confused on this. Continued loan, storage and surplus disposal operations, combined with the acreage allotments and the soil bank in recent years, have prevented increased supplies—equivalent to 6 to 10 percent of annual farm output—from glutting commercial markets.