

U.S. Congress.



UNITED STATES

OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 91st CONGRESS
FIRST SESSION

VOLUME 115—PART 10

MAY 15, 1969, TO MAY 26, 1969

(PAGES 12645 TO 13880)

The gist of the thallium story was that in 1960 the ARS acted to limit the use of thallium products—but 400 children were poisoned in 1962 and 1963. In 1965, the agency canceled the registration of thallium products, preventing further manufacture. But there was a scanty effort to retrieve supplies in marketing channels.

In January, 1968, ARS inspectors checked 22 stores in Washington and suburban Maryland and found thallium products in six. There was no testimony about whether such products are on store shelves today.

Other disclosures in the hearing, which produced evidence of significant recent reforms:

The law has permitted recalls of unsafe products since 1947—but procedures for recalls were not approved until last Monday. The first recall was in September, 1967.

When the ARS made a seizure of an unsafe product from a retail store, it never once checked manufacturers' records to find out where else the product was being sold.

Early this year, ARS instituted its first criminal prosecution in 13 years against a violator, Hysan Products Co. of Chicago, in connection with a hospital disinfectant.

In 1963, the Food and Drug Administration and the Public Health Service, reversing previous positions on the basis of new studies, urged the ARS to ban lindane vaporizers. Used mainly in restaurants, these devices emit an insecticide 24 hours a day. Not until last February did the ARS do a test under simulated restaurant conditions. The results showed that after five days, "practically all foods, packaged and unpackaged, contained illegal residues of lindane."

GROWERS PRESENT FARMWORKERS WITH A HOBSON'S CHOICE: A COMPANY UNION OR A POWERLESS UNION

Mr. MONDALE. Mr. President, Webster's dictionary defines a Hobson's choice as being "an apparent free choice with no real alternative."

It is just such a choice that many growers wish to present their farmworkers—a choice between a company union and a powerless union.

The realities of this "Hobson's choice" were made unmistakably clear at the recent hearings by Senator HARRISON A. WILLIAMS' Labor Subcommittee on S. 8, the legislation which would extend the National Labor Relations Act to the agriculture industry.

On the opening day, representatives of the United Farm Workers Organizing Committee, AFL-CIO-UFWOC—joined by representatives of other farm labor organizing efforts across the country, presented testimony that clearly indicated the need for legislation that will shift the balance of labor-management power in rural areas. Farmworkers, they pointed out, must have an opportunity to develop the strong institutions that have so long served as a bulwark of industrial democracy in other sectors of our economy. The National Farmers Union, the National Farmers Organization, and the National Grange have favored coverage of the agriculture industry under the NLRA.

The American Farm Bureau Federation president presented testimony in opposition to the enactment of S. 8, although nominally affirming the right to organize and bargain collectively. The Farm Bureau proposed alternative legislation.

Two aspects of the testimony reveal that many growers, while appearing to advocate a free choice to farmworkers, had in effect presented a Hobson's choice.

First, Mr. President, the Labor Subcommittee was presented documents, signed and sworn, that tell of the grower-formed, grower-dominated Agriculture Workers Freedom to Work Association—AWFWA. The documents exposing and confirming this most horrendous activity were official reports filed by officers of AWFWA pursuant to the section 203(b) of the Labor Management Reporting and Disclosure Act of 1959. Because of their importance and significance to all of my colleagues, I would like to have them inserted in the CONGRESSIONAL RECORD, along with some newspaper articles, at the conclusion of my remarks.

This so-called union organization was secretly provided expense money, office space, telephones, cars, and gasoline by growers in California. Money was funneled through an organization called Mexican-American Democrats for Republican Action, and it was used to finance nationwide speaking tours during which the organization efforts of Cesar Chavez and UFWOC were viciously attacked.

The important point is that growers were not offering farmworkers an opportunity to choose through democratic election procedures a genuine representative of farmworker interests, but instead they insisted on a company union that growers themselves organized and financed.

The second disturbing aspect of the testimony was that the determination of the growers to establish a grower dominated union for the farmworker has now been transferred to insuring that any union chosen by the workers is left powerless, and must exist on the terms and conditions of the growers.

Growers' testimony seemed to confirm their interest in guaranteeing a powerless union, for the subcommittee heard various grower representatives oppose coverage of the agriculture industry under the NLRA, although lipservice was paid to elections and collective bargaining.

Careful study of their specific legislative proposals sheds light on their true feelings. First, many growers would deny farmworkers the same economic weapons that are guaranteed to every other American worker by severely limiting the employees right to strike, and restraining not only the farmworkers but the entire labor movement from engaging in a primary product boycott.

Second, many growers insist on legislation that would deny both the employer and the union an opportunity to bargain over union security agreements.

Third, many growers would have their labor management relations mediated and supervised by partisan agents of the growers. The Farm Bureau, for example, has proposed that farmer and farmworker relationships should be governed by a separate statute, and not within the purview of the NLRB, an agency with an expertise in labor relations for all industries, including highly perishable agriculture packing sheds, processing op-

erations, and the like. Instead, they would place administration of labor-management relations in the Agriculture Department, which has a more abiding interest in agriculture production than labor relations, and the Federal district courts, which are already overcrowded.

Fourth, growers are demanding limited statutory coverage of farmworkers, some suggesting that only those workers on farms that hired the equivalent of eight or more full-time, year-round employees could participate in elections of a representative, and bargain collectively with their employers.

At one point, Mr. President, I hoped that growers would simply recognize the worth and dignity of the farmworker, and urge passage of S. 8. That bill would guarantee, at least in part, some of the protections and procedures to the agriculture industry, through orderly recognition procedures and good-faith collective bargaining, encouraged by the NLRA.

Unfortunately, however, the effort and energy of growers, as evidenced by the various proposals to avoid coverage of agricultural employees under the National Labor Relations Act, particularly when read in the light of the formation of a company union, and proposals for a powerless union, dims the prospect for humane advancement in the industry.

It is regrettable that growers who must rely on their workers to reap the harvest, can give in return only a Hobson's choice. The burden is squarely on the shoulders of the growers to demand a free choice in the greatest of democratic traditions for their employees and, if the growers insist on company unions, or powerless unions, then Congress must act to bring democracy to the farm.

Mr. President, I ask unanimous consent that the documents concerning the growers' formation of a company union be printed in the RECORD.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

AGRICULTURE WORKERS FREEDOM
TO WORK ASSOCIATION,
Delano, Calif., February 22, 1969.
SECRETARY OF LABOR,
*Office of Labor Management and Welfare
Pension Reports, U.S. Department of Labor,
San Francisco, Calif.*

DEAR SIR: The undersigned officers of AWFWA herewith submit an Agreement and Activities Report (Form LM-20) and a Receipt and Disbursements Report (Form LM-21) as required by Section 203(b) of the Labor Management Reporting and Disclosure Act of 1959.

The reports may be incomplete but they reflect all the information currently available to us. We are instituting action to recover financial records of AWFWA, if they still exist, and the reports will be amended to reflect any further information as it becomes available.

AWFWA was an outgrowth of an untitled group led by the growers which hired Jose Mendoza and Gilbert Rubio to persuade the workers that there was two sides to the union story, don't be afraid of Chavez, be united and we will protect and support you. The employees and members of the group were to try to get information on plans of UFWOC. This group and others became AWFWA which was incorporated by Jose

Mendoza, Gilbert Rubio and Shirley Fetalvero in July 1968. The three incorporators became the directors of AFWFA. The first public actions of the new organizations were counter-picketing of the United Farm Workers Organizing Committee, AFL-CIO, pickets at the homes of Giumarra foremen, crew bosses at Mc Farland and Earlimart, California in May of 1968, also at public picnic attended by 1,500 people was held at Delano Park on June 16, 1968.

Until recently AFWFA never had a meeting of the Board of Directors or an election of officers. Jose Mendoza called himself General-Secretary and sometimes Gilbert Rubio was identified as chairman. Mendoza acted as the chief-executive of AFWFA. Mendoza was advised by Mr. Basoco of the Department of Labor that a consultant was required if AFWFA had an agreement with employers connected with the grape labor dispute and boycott. Mendoza denied any agreement existed or that AFWFA was being supported by the growers.

So far as we know all of AFWFA's records were maintained by first Fernando Marquez, then by Jose Mendoza and then turned over to Donald Garaniga. We are making efforts to recover these records.

In late 1968, Jose Mendoza left Bakersfield on several trips, on his return he contacted Shirley Fetalvero and Gilbert Rubio wanting them to agree to dissolve AFWFA so it would be legally out of existence. We, with advice from Cornelio Marcias, refused to sign to dissolve the corporation. Mendoza advised he was no longer associated with AFWFA and Cornelio Marcias could be a Director in his place. He threatened to send the Department of Labor after us. In October or November 1968, Shirley Fetalvero and Gilbert Rubio informally met as a Board of Directors and elected Cornelio Marcias as Director of AFWFA.

We have been interviewed by Robert H. Holland of the San Francisco office of the Office of Labor Management and Welfare Pension Reports, US Department of Labor. Mr. Holland advised us that AFWFA was covered by the filing requirements of Section 203(b) of the Labor Management Reporting & Disclosure Act of 1959 and had been delinquent in filing an Agreement and Activities Report (LM-20) since July 3, 1968 or earlier. He also advised us that a Receipts and Disbursements Report covering the fiscal year ending December 31, 1968, was due by March 31, 1969.

On February 22, 1969 Shirley Fetalvero and Gilbert Rubio held an emergency meeting of the Board of Directors of AFWFA. Cornelio Marcias could not be contacted. Gilbert Rubio was elected president and Shirley Fetalvero was elected secretary-treasurer for the purpose of 1.) submitting the required reports to the Secretary of Labor, 2.) obtaining records of AFWFA to complete this filing and other filings which may be required and 3.) to make plans as appropriate to dissolve AFWFA or to decide on future activities.

In line with the preceding the attached reports are forwarded. This letter should be considered an integral part of the filing.

GILBERT RUBIO,

President.

SHIRLEY FETALVERO,
Secretary-Treasurer.

A.—PERSON FILING

1. Name and mailing address (include ZIP code): AFWFA, aka; Agricultural Workers Freedom to Work Association, % (see attached sheet).

2. Any other address where records necessary to verify this report are kept: Donald Gazzaniga, PRI, 6408 Sally Avenue, Bakersfield, Calif.

3. Date fiscal year ends: Dec. 31, 1968.

4. Type of person:

- (a) INDIVIDUAL.
(b) PARTNERSHIP.

- (c) CORPORATION.
(d) OTHER (Specify):

B.—NATURE OF AGREEMENT OR ARRANGEMENT

5. Full name and address of employer with whom made (include ZIP code): (See attached sheet).

6. Date entered into: On or about May, 1968.

7. Names of persons through whom made: Same as above.

8. Check the appropriate box to indicate whether an object of the activities undertaken, is directly or indirectly:

a. To persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing.

b. To supply an employer with information concerning the activities of employees or a labor organization in connection with a labor dispute involving such employer, except information for use solely in conjunction with an administrative or arbitral proceeding or a criminal or civil judicial proceeding.

9. Terms and conditions (Explain in detail; see Part B-9 of instructions): (See attached sheet).

C.—SPECIFIC ACTIVITIES TO BE PERFORMED

10. For each activity, separately list in detail the information required (see Part C-10 of instructions):

a. Nature of activity: (see attached sheet).

b. Period during which performed: (see attached sheet).

c. Extent performed: (See attached sheet).

d. Names and addresses of persons through whom performed: (See attached sheet).

11. Identify (a) Subject employees, groups of employees, and (b) labor organizations. (See attached sheet).

D.—VERIFICATION AND SIGNATURE. The person in item 1 above and each of his undersigned authorized officers declares, under penalty of law, that all information in this report, including all attachments incorporated therein or referred in this report, has been examined by him and is, to the best of his knowledge and belief, true, correct, and complete.

Signed: Gilbert Rubio, President, at Delano, Calif., on February 22, 1969. (If other title, cross out and write in correct title above.)

Signed: Shirley Fetalvero, Treasurer, at Delano, Calif., on February 22, 1969. (If other title, cross out and write in correct title above.)

No. 8 (a) Jose Mendoza; a. unknown; b. unknown; c. unknown.

Gilbert Rubio; a. unknown; b. unknown; c. unknown.

Aurelio Rios; a. unknown; b. unknown; c. unknown.

No. 9-14: Unknown.

No. 15: These are disbursements currently available to us. Additional information will be furnished when available.

M.A.D.R.A. withdrawals, June 28, 1968—\$700.35 for Cashiers check to PRI endorsed Donald A. Gazzaniga for return to AFWFA.

June 28, 1968, Wonderly Electronics \$84.08 for tape recorder.

June 28, 1968, Roundtree Camera \$103.00 for camera and supplies \$58.70, check No. 103.

Check No. 104, July 2, 1968, County of Kern—\$100.00—Reservation for Hart Park.

Check No. 108, Radio Station KWAC \$640, July 16, 1968 Radio advertising AFWFA.

Check No. 105, \$477.07 Davenport's July 2, 1968 Copying machine.

Check No. 106, July 10, 1968, Smith Radio Service \$50.00 Public Address Service.

Check No. 107, July 10, 1968, Jose Mendoza \$300.00 cash endorsed by Jose Mendoza.

Check No. 109, July 9, 1968, A. B. Dick Co., \$168.99 for mimeograph and supplies.

Check No. 110, July 19, 1968, Delano Ambulance—Service Ambulance for Gilbert Rubio for \$37.00.

Check No. 111, July 19, 1968, \$20, Mrs. Rubio, repair for Gilbert Rubio's car.

Check No. 112, July 19, 1968, Golden West Telephone Company, \$79.86 for payment of Jose Mendoza's telephone bill.

Check No. 113, \$300.50 to Bank of America.

A.F.W.F.A. CHECKS

Check No. 117, September 9, 1968, Gilbert Rubio, expenses, \$21.00.

Check No. 119, September 17, 1968, Pacific Telephone Co., \$119.00.

Check No. 116, September 10, 1968, Kern County Patrol, \$30.00, Bodyguard for Mendoza.

Check No. 120, October 14, 1968, Merchants Printers, \$78.59.

Check No. 121, October 14, 1968, Golden West Telephone Co., \$337.71.

Disbursements were made by PRI for AFWFA for salary and expenses of Mendoza, Rubio and Rios.

Telephone bills of Shirley Fetalvero and Gilbert Rubio of over \$500 were paid in cash by Wanda Hillary and Jose Mendoza.

1. Shirley Fetalvero, 117 W. 15th Avenue, Delano, Calif.

5. John Giumarra, Jr., John Giumarra, Sr., Joseph Giumarra operating in whole or in part as Giumarra Vineyards Corp., Giumarra Farms, Inc. and Giumarra Bros. Fruit Co., Edison Highway, Bakersfield, Calif.

Jack Pandol, Rt. 2, Box 388, Delano, Calif. Pandol & Sons, Rt. 2, Box 388, Delano, Calif.

Robert Sabovich, Melvin Sabovich, Sabovich Bros., P.O. Box 577, Lamont, Calif.

Eugene Nalbandian, Eugene Nalbandian Inc., P.O. Box 665, Lamont, Calif.

John J. Kovacevich, P.O. Bin 488, Arvin, Calif.

William Mosesian, Lamont, Calif.

9. During early 1968, the United Farm Workers Organizing Committee, AFL-CIO, UFWOC, was engaged in a labor dispute with several table grape growers in around Kern and Tulare Counties in California, including the Giumarra Vineyards Corporation, Highway #58, Edison, California, and Pandol & Sons, Rt. 2, Box 388, Delano, California. In May, 1968, a meeting was held at Sambo's Restaurant on Union Street in Bakersfield attended by John Giumarra, Sr., John Giumarra, Jr., Treasurer and General Counsel respectively of Giumarra Vineyards Corporation, Teresa Arrambide, a labor foreman for Giumarra, Paul Marrufo, head foreman for Sabovich Bros., grape growers, Vine & DiGiorgio Roads, Lamont, California, Louis Barazza, a former associate of Cesar Chavez, Robert Flores, personnel manager of Di Giorgio Fruit Corporation, Jess Marquez, who runs a camp for DiGiorgio, Fernando Marquez, brother of Jess, an accountant with an office in Lamont, Jack Pandol of Pandol & Sons, Gilbert Rubio, Jose Mendoza, and others.

This meeting was to outline activities of AFWFA. We were to tell workers not to be afraid of Chavez to be united and we as an organization would support and protect workers; we were to oppose UFWOC efforts to organize and boycott. This meeting and other meetings decided AFWFA would also try to enlist workers and obtain information on UFWOC's plans and activities. The meeting decided to get funds from the growers and hire Mendoza and Rubio at \$120.00 a week to start opposing Chavez. AFWFA started counter-picketing UFWOC pickets at the homes of Giumarra's foremen in McFarland and Earlimart. The Giumarras furnished office space for Mendoza and Rubio in the conference room at the Edison Highway headquarters with typewriter and other office supplies.

Arrangements were made to pay Mendoza and Rubio and then Aurelio Rios through Fernando Marquez first through MADRA then through an AFWFA bank account. Several meetings involving many persons were held but only John Giumarra, Jr., Rob-

ert Sabovich, and Jack Pandol gave orders to Mendoza and AFWFA.

10. (A) AFWFA WAS TO:

(a) Counter-picket and try to drown out UFWOC pickets wherever they picketed any grape grower or they picketed any grape grower or their employees, using sound trucks, jeers, etc.

(b) Hold picnics for mass of agricultural workers giving free food, beer, and music and raffles to get them to listen to speeches against Chavez and UFWOC.

(c) Enlist the aid of all growers and their foremen in enrolling workers into AFWFA without cost with the idea that we would represent them.

(d) Try to settle grievances or disputes between farm workers and the grape growers.

(e) Picket advertisers of Catholic Register which supported Chavez and UFWOC until John Guimarra, Jr. told us to stop.

(f) Appear on radio, TV and the news with propaganda against Chavez and UFWOC.

(g) Opposed Teamsters-UFWOC boycott of Coors beer by counterpicketing.

(h) Try to get information on all UFWOC planned activities to take action to halt or disrupt them (Sanger picnic, labor day parade).

(i) To keep track of all people associated with and helping UFWOC using friends, papers, and taking pictures of people in and around UFWOC headquarters.

(j) To put out mimeographed notices, flyers, message and reports on flyers to be widely distributed to the workers and the public in Spanish and English. Obtain bumper stickers attacking the boycott and UFWOC.

(k) Counter picket stores selling New York products after New York City boycotted the table grapes, including picketing of Sachs 5th Avenue in Los Angeles.

(l) Picket news media and TV stations in Los Angeles who were giving biased coverage for Chavez and UFWOC.

(m) To use all of the above methods to get headlines, newspaper and TV coverage with statement of farm workers are not on strike and boycott is just another trick to force the Union on the workers.

10. (B) These activities were performed between May and October 1968.

10. (C) All activities were performed to the extent possible.

10. (D) All activities were carried out under the name of AFWFA or MADRA (Mexican-American Democrats for Republican Action) by the following people:

(1) Jose Mendoza, 2421 I Street, Bakersfield.

(2) Gilbert Rubio, 217 Cliff Street, McFarland.

(3) Shirley Fetalvero, 177 W. 15th Avenue, Delano.

(4) Mary Matt, 371 Oleander Drive, Bakersfield.

(5) Wanda Hillary, Baker Street, Bakersfield.

(6) Donald Gazzaniga, Sally Drive, Bakersfield.

(7) Robert Flores, DiGiorgio Fruit Corporation, Lamont.

(8) Jess Marquez, DiGiorgio Fruit Corporation, Lamont.

(9) Fernando Marquez, 4212 Alexander, Bakersfield.

(10) Cornelio Macias, Newark Rod., Sanger.

(11) Teresa Arrambide, Moffet St., Wasco.

(12) Louis Baraza.

(13) Aurelio Rios, Dover Street, Delano.

(14) Paul Maruffo.

(15) Helen Murillo, 7616 Delight Avenue, Lamont.

(16) Anna Mariano, 822 Kensington, Delano.

(17) John Guimarra, Jr., Edison Headquarters, Edison, Ca.

(18) Robert Sabovich, P.O. Box 577, Lamont.

(19) Melvin Sabovich, P.O. Box 577, Lamont.

(20) Eugene Nalbandian, P.O. Box 665, Lamont.

(21) William Mosesian, Lamont, California.

(22) John Kovacevich, P.O. Bin 488, Arvin.

(23) Sabovich Bros, P.O. Box 577, Lamont.

(24) Jack Pandol, Rt. 2, Box 388, Delano.

Many people were interested to picket and to come to picnics, etc.

11. Employees of all table grape growers in Kern, Tulare, and Fresno Counties of California, including field workers, both members and non-members of UFWOC, AFL-CIO and unorganized employees in the sheds. We were supposed to be active in the Coachella Valley but we never went.

A.—PERSON FILING

1. Name and address (include ZIP code): AFWFA, aka, Agriculture Workers Freedom To Work Association, c/o Shirley Fetalvero, 117 W. 15th Ave., Delano, Calif.

2. Any other address where records necessary to verify this report are kept: Donald Gazzaniga, Public Research Institute, 6408 Sally Ave., Bakersfield, Calif.

3. File No.

4. Period covered by this report. From: _____ To: _____

B. Statement of receipts: Report all receipts from employers in connection with labor relations advice or services regardless of the purposes of the advice or services.

5. Name and address of employer (include ZIP code): This information is given to the best of our knowledge at this time. As more information becomes available we will submit it. See attached sheet for numbers 5, 6 and 7.

6. Termination date.

7. Amount.

C. Statement of disbursements. Report all

disbursements made by the reporting organization in connection with labor relations advice or services rendered to the employers listed in Part B.

8. Disbursements to officers and employees: See attached sheet.

9. Office and administrative expenses.

10. Publicity.

11. Fees for professional services, No. 9 through 14.

12. Loans made, see attached sheet.

13. Other disbursements.

14. Total disbursements (sum of items 8-13).

D. Schedule for statement of disbursements. Use this Schedule to report only disbursements made for the purposes described in part D of the instructions.

15. Employer: See attached sheet.

16. To whom paid.

17. Amount.

18. Purpose.

IF MORE SPACE IS NEEDED ATTACH ADDITIONAL SHEETS

E. Verification and signature. The person in item 1 above and each of his undersigned authorized officers declares, under penalty of law, that all information in this report, including all attachments incorporated therein or referred to in this report, has been examined by him and is, to the best of his knowledge and belief, true, correct, and complete.

Signed: GILBERT RUBIO, President, at Delano, Calif., on February 22, 1969. (If other title, cross out and write in correct title above.)

Signed: Shirley Fetalvero, Treasurer, at Delano, Calif., on February 22, 1969. (If other title, cross out and write in correct title above.)

Numbers 5, 6, and 7: The checks below were deposited in the M.A.D.R.A. Account No. 0208696 at the Community National Bank at 6th and Chester Avenue in Bakersfield.

Date of check	Name and address of account	Signed by—	Amount
June 18, 1968	Kern Valley Farms, Inc., Post Office Box 505, Lamont, Calif. Office: Wheeler Ridge Rd., Mettler, Calif., phone 858-2874. United California Bank, Bakersfield.	James Trino, Jr.	\$200
June 19, 1968	Dalton Richardson, Richardson Farms, Route 2, Box 520, Valpredo Rd., Mettler, Calif., phone 858-2520. Bank of America, Arvin, Calif.	Dalton Richardson	200
Do.....	Muzinich Farms, 207 Panorama Dr., Bakersfield, Calif., farm on Le Gray Rd., phone 858-2555, residence phone 323-2252. United California Bank, Bakersfield.	Anthony L. Muzinich	200
Do.....	Gagossian Farms, 2455 Produce St., Greenfield, phone 323-9493, also on DiGiorgio Rd., phone 845-1561. Bakersfield National Bank, Greenfield, Calif.	Leo Gagossian	200
Do.....	Griffin Spray Co., 3104 St. Mary's St., phones 871-8000 and 366-3308. Community National Bank, Bakersfield, Calif.	Thomas E. Griffin	200
June 20, 1969	Eugene Nalbandian, Inc., Post Office Box 665, Lamont, Calif., phone 845-0729, shed on DiGiorgio Rd. Bank of America, Bakersfield, Calif.	Eugene Nalbandian	200
June 22, 1969	C. Scarrone, Marie Scarrone, Route 1, Box 640, phone 858-2510, Arvin, Calif. Bank of America, Arvin branch.	C. Scarrone	200
June 28, 1968	Bianco Fruit Corp., Post Office Box 1801, Delano, Calif., phone 725-3215. Bank of America, Delano, Calif.	Bianco Fruit Corp. (machine stamp initials not discernible on microfilm copy)	200
June 30, 1968	Haddad & Berling, G St., Wasco, Calif. Made out to MADRA Research.	Harley Berling	200

Check No. 1335, July 8, 1968, from General Distributors Fresno, Ca., East Fresno Branch of the Bank of America to the amount of \$250.00 paid to Berge Kirkorian c/o P.O. Box 202, Arvin, Calif. Endorsed and deposited to M.A.D.R.A. account.

Creek, California to the amount of \$250.00 to John Kovacevich, endorsed and deposited to M.A.D.R.A. account.

Check No. 325, July 21, 1968, from Calpine Containers, 1875 Olympic Blvd., Walnut

The checks listed below were deposited in AFWFA Account No. 0647802166, Bank of America at "H" & Broad, Bakersfield, Calif. Account was opened July 25, 1968.

Bank No.	Amount	Issued by—	Date	Payable to—
90-142, check No. 2276	\$300	Mazzie Farms, Derby Rd., Arvin, Calif.	July 11, 1968	AWFWA
90-142, check No. 52641	100	San Joaquin Tractor Co., 1201 Union Ave., Bakersfield, Calif.	June 28, 1968	AWFWA
90-139	100	Kern County Equipment Co.	July 3, 1968	AWFWA
90-90, check No. 793	100	Central California Ice Co., 3401 Chester St., Bakersfield, Calif.	July 1, 1968	AWFWA
90-142, check No. 015703	200	California Box & Lumber Co., DiGiorgio Rd., Lamont, Calif.	July 6, 1968	AWFWA

Bank No.	Amount	Issued by—	Date	Payable to—
11-55, check No. 140860.....	\$200	Blake Moffit & Towne, 2225 16th St., Bakersfield, Calif.	June 20, 1968	AWFWA.
	150	O. D. Handel & Son Farms, 413 Central Ave., Shafter, Calif.	Aug. 5, 1968	AWFWA.
Deposit, check No. 236.....	400	D. A. Gazzaniga, expense account, 6409 Sally Ave., Bakersfield, Calif.	Sept. 11, 1968	Jose Mendoza.
Check No. 174.....	500	California for Right to Work, 300 27th St., Suite C, Oakland, Calif.	Oct. 9, 1968	Do.

¹ Sept. 10, 1968.

Note: Account closed out Oct. 25, 1968.

1. Zellerbach Paper Company contributed a check for \$200.00 to Farm Workers' Rally which was not deposited in the above bank accounts.

2. Jack Pandol lent AFWFA his 1968 Chevy pick-up for two months for AFWFA use.

3. Bob Sabovich gave AFWFA a 1958 Chevy station wagon for AFWFA use.

4. DiGiorgio furnished mimeograph machines and supplies to print AFWFA flyers on DiGiorgio property.

5. The Giumarra Vineyards Corporation, Edison Highway No. 84, Bakersfield, California, through John Giumarra, Sr., and John Giumarra, Jr., paid the following:

(1) A salary in an unknown amount for Jose Mendoza.

(2) Two \$50 "loans" to Gilbert Rubio and one \$50 "loan" to Aurelio Rios totaling \$150. The Giumarras also allowed use of conference room at Giumarra headquarters with telephone, typewriter, and office supplies.

6. They also allowed free access to the yard gas pump to obtain gas for vehicles for AFWFA business. They provided repair of automobiles in the corporate garage.

7. Fernando Marquez furnished expense money in cash and checks to Mendoza, Rubio, and Rios.

8. Don Gazzaniga paid salary to Mendoza, Rubio, and Rios through the Public Research Institute (PRI) with the cover that they were researchers for PRI. Information and pictures obtained by AFWFA were used for PRI.

[From the Los Angeles Times, Mar. 4, 1969]

RIVAL TO CHAVEZ: GROWERS HIT AS ORGANIZERS OF NEW UNION

(By Harry Bernstein)

A group of California growers, aided by members of the John Birch Society, helped create an organization of workers set up as a rival to Cesar Chavez AFL-CIO United Farm Workers Organizing Committee, it was charged Monday.

California state law prohibits employer sponsorship of unions or associations which are ostensibly formed to represent workers.

Monday's accusation followed disclosure of a bitter fight among leaders of the Agriculture Workers Freedom to Work Assn. (AWFWA).

Two officers of AFWFA reported to the Labor Department in Washington that the organization was founded by growers, not workers, as a counteraction to AFL-CIO efforts to unionize farm workers, and to boycott grape growers who have refused to hold union representation elections.

Jerry Cohen, attorney for Chavez' AFL-CIO union, said court action will be filed this week in Bakersfield against the John Birch Society, the Right to Work Committee and a group of growers on grounds that they all conspired to illegally help form the rival AFWFA.

AIDE DENOUNCED BOYCOTT

Jose Mendoza, general secretary of the AFWFA, recently made a nationwide tour to denounce Chavez and the grape boycott. He charged repeatedly that Chavez had no support among farm workers.

Mendoza, 37, was honored at a banquet of the National Right to Work Committee in

Washington, D.C., and was presented with an award by Sen. Everett Dirksen (R-Ill.) on behalf of the committee for his efforts to help farm workers.

Mendoza, of Bakersfield, officially was getting financial help from the National Right to Work Committee for his nationwide tour.

A week ago, however, Gilbert Rubio, listed as president of the AFWFA, and Shirley Fetalvero, secretary-treasurer of the organization, filed a report with the Labor Department's Office of Labor Management Reports to comply with the federal Landrum-Griffin Act of 1959.

LISTS ORGANIZATION DATE

That document contended AFWFA was first conceived in May, 1968, at a meeting in a Bakersfield restaurant attended by Mendoza, Rubio and a group of about 10 key grape growers.

Rubio and Miss Fetalvero said in a sworn statement to the Labor Department that those attending the session included John Giumarra Sr., and John Giumarra Jr., treasurer and general counsel respectively of Giumarra Vineyards, the prime target of the AFL-CIO strike-boycott.

Others at the meeting included Jack Pandol, another grower, and representatives of the Di Giorgio Corp., which is one of the few companies under contract to the Chavez farm workers' union.

The meeting was called to "outline activities of AFWFA," Rubio and Miss Fetalvero said, adding:

"We were to tell workers not to be afraid of Chavez, to be united, and we would support and protect workers and oppose (AFL-CIO) efforts to organize and boycott."

He and Mendoza were offered \$120 a week to start opposing Chavez, Rubio said, but that money, along with other sums, was paid to AFWFA through another organization to be called MADRA, the Mexican-American Democrats for Republican Action.

Records of the operation were kept by a "one-man public relations operation," said the union attorney, referring to Donald Gazzaniga, head of Public Research Institute, which is itself a part of a firm known as California Editors Publishing Co.

Gazzaniga recently published a booklet, "California's Number One Industry Under Attack," defending grape growers' opposition to unionization of their workers.

PAID SALARIES

It was distributed by the National Right to Work Committee.

Gazzaniga paid the salaries to Mendoza and Rubio under the cover that they were researchers for (his publication)," Rubio said.

The document filed with the Labor Department then listed dozens of checks ranging up to \$500 which were allegedly used by AFWFA after they came through the Mexican-American Democrats for Republican Action.

John Giumarra Jr., reached by phone in Rochester, N.Y. where he was making a speech, said "the allegations that we gave money to Mendoza are not true and we will fight it in court."

He said Rubio had once supported the union, then joined AFWFA to fight the union,

"and now seems to have switched again. None of their legal actions have been upheld in court, and this will not either."

[From the San Francisco Chronicle, Mar. 4, 1969]

FEDERAL REPORT: BIG GROWERS' SECRET ANTI-UNION ORGANIZATION

(By Dick Meister)

Government reports disclosed here yesterday that some of the State's largest growers secretly operated what they disguised as a workers' organization to try to undermine California's farm union organizers.

The organization—still in existence, but virtually inoperable since the Government demanded the reports that disclosed its true nature—is called the Agricultural Workers Freedom to Work Association (AWFWA).

Since last July, the association's general secretary, Jose Mendoza, has spoken at legislative hearings and elsewhere saying he represented a large group of farm workers who are opposed to unionization.

Mendoza, who recently left the association to carry on similar activities with the "Right to Work Committee," repeatedly denied the association had anything to do with growers.

But Gilbert Rubio, the president of the association, and Shirley Fetalvero, the secretary-treasurer, described it far differently in the Government reports.

The reports, required of labor and management groups under the Landrum-Griffin Act, finally were submitted at least eight months late—to the Office of Labor Management and Welfare Pension Reports here on February 22.

HIRED

They said the association "was an outgrowth of an untitled group led by the growers which hired Jose Mendoza and Gilbert Rubio" and made them the chief officers of the association.

It got started, they said, at a meeting in Bakersfield last May, attended by Rubio, Mendoza and the owners and managers of several of the area's larger vineyards.

Among those present, said the reports, were growers John Giumarra Jr., John Giumarra Sr. and Jack Pandol; Robert Flores, personnel manager of the DiGiorgio Fruit Corporation, and a foreman, Paul Marrufo, for the Sabovich Bros. vineyard.

AGAINST

The reports said the meeting was called to outline the association's activities against the United Farm Workers Organizing Committee (UFWOC) and its efforts, under Cesar Chavez, to organize vineyard workers.

"Several meetings involving many persons were held," said the reports, "but only John Giumarra Jr., Robert Sabovich and Jack Pandol gave orders to Mendoza and AFWFA."

Among other things, the orders told the association to carry out in the name of farm workers, such acts as:

"Halt counter-picket and try to drown out UFWOC pickets . . . get information on all UFWOC planned activities to take action to halt or disrupt them."

"To keep track of all people associated with the helping UFWOC, using friends, papers and taking pictures of people in and around UFWOC headquarters."

"Picket advertisers of Catholic Register, which supported Chavez and UFWOC until John Giumarra Jr. told us to stop."

"Hold picnics for mass of agricultural workers giving free food, beer and music and raffles to get them to listen to speeches against Chavez and UFWOC."

The reports said the aim was "to get headlines" and TV coverage for statements that the organizing committee's strike against the growers, and its related grape boycott, were designed to force unions on the workers.

[From the Fresno Bee, Mar. 3, 1969]
ANTI-UFWOC GROUP IS CALLED RIGHT-WING UNIT

LOS ANGELES.—The formation and subsequent activities of the Agricultural Workers Freedom To Work Association (AWFWA) today were linked to southern San Joaquin Valley growers and the "right wing."

The tie-up is reported in a letter from officers of AWFWA to the U.S. Department of Labor and verbally by a member of the association who declined to be identified.

United Farm Workers Organizing Committee attorney Jerry Cohen scheduled a press conference here today to release the AWFWA letter. Cohen claims AWFWA was established deliberately as a "company union" to further what he calls the growers' anti-labor aims.

Cohen said that later this week he will amend an UFWOC suit against the AWFWA which accuses the latter of being a company union. He said the amendment will contain a long list of names of growers who contributed financially to the AWFWA.

While the AWFWA report to the Labor Department, filed in compliance with Labor Department regulations, is the key to Cohen's presentation, his allegations are supported by an independent check with a member of the AWFWA. This AWFWA member said the organization was founded "on the labor issue, but within a month we found we were part of the red guard and the main issue was the right to work."

This member said the AWFWA was started to give farm workers a voice in the battle between the UFWOC and the growers. The member then said: "But we found that we were fair game for anybody. We thought AWFWA was our organization, then we found we were a front."

Cohen, in an interview before the press conference said he plans to show that some Glumarra Ranch officials helped form the AWFWA and provided office space, telephones and gasoline for cars.

Cohen said that an organization called Mexican-American Democrats for Republican Action was used to funnel money to AWFWA.

The money the lawyer asserted was used to finance AWFWA rallies, picket lines and to pay for AWFWA Director Jose Mendoza's speaking trips. Later, the continued Californians For Right To Work, an organization which has as one of its five directors Jack Pandol, a Delano grower, began to finance Mendoza's speaking tours.

It is Cohen's contention the AWFWA was formed by growers and that Mendoza was hired at \$120 a week to direct the operations.

Mendoza has since withdrawn from AWFWA and now is traveling widely and talking, as a grape worker, in the right-to-work cause.

Cohen said right-wingers, including the John Birch Society, have been involved in anti-UFWOC and anti-Chavez work. He said that in Cleveland a dial-a-number telephone provides a recorded voice that claims Sirhan Sirhan was a member of the UFWOC.

The unidentified member of AWFWA also said right-winger influence has moved in and dominated the AWFWA's actions. By California Law, according to Cohen prohibits a company union that is formed by and financed by a company in opposition to union activity.

PESTICIDE CONCERN

Mr. NELSON, Mr. President, I ask unanimous consent that a letter I wrote recently to Secretary of Health, Education, and Welfare Robert Finch regarding pesticides, evidence, and investigations on pesticides and his response be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

APRIL 22, 1969.

HON. ROBERT H. FINCH,
Secretary, Department of Health, Education,
and Welfare, Washington, D.C.

DEAR MR. SECRETARY: I commend and support your action yesterday to appoint a Secretary's Commission on Pesticides and their Relationship to Environmental Health and your decision to establish an interim guideline for Food and Drug Administration action on fish with high concentrations of pesticide residues.

Although legislation which would take a similar commission approach with regard to pesticides is now pending before Congress, your administrative action using your authority to create a Secretary's commission is certainly appropriate, especially in view of the urgent need to set tolerance levels for pesticides in fish which will assure protection of human health and provide guidelines for industries and recreational programs which depend in large part on a healthy Great Lakes fishery.

Your commission also represents an important step forward in urgently needed efforts to expand our knowledge and understanding of the increasing pesticide concentrations in our national and worldwide environment and the dangers this presents to fish and wildlife and to humans.

The findings of the commission should be significant not only for possible actions that could be taken by the U.S. Department of Agriculture to improve regulation of pesticide use, but also for future actions which could be taken by the Food and Drug Administration with regard to health protection, and also by the U.S. Department of Interior to deal with the effects of persistent, toxic pesticides as a pollutant.

Let me also commend you on the broad-ranging representation of the commission membership. The resources of not only our health scientists, but of our ecologists, our fish and wildlife biologists, and others must be brought to bear on this problem.

I should point out that I sincerely hope that the commission will be able to proceed in an entirely objective manner in arriving at recommendations for action. Its chairman, Dr. Emil Mrak, testified in 1963 before a Senate subcommittee holding hearings on coordination of federal pesticide regulatory activities that he supported the position that "no evidence is presently available that there is danger of anyone being poisoned by pesticide residues in food." He added, "Now, if there is information in this field to support the use of short-lived chemicals in place of persistent ones, we do not have it."

Further, Dr. Mrak took issue with a President's Scientific Advisory Committee report of that year which stated that "... although they (pesticides) remain in small quantities, their variety, toxicity, and persistence are affecting biological systems in nature and may eventually affect human health." Dr. Mrak said, "This statement is contrary to the present body of scientific knowledge available to our people."

In view of these conclusive statements by Dr. Mrak in 1963 on pesticides and their effects, I believe it would be reassuring to hear from Dr. Mrak that he does in fact approach this very critical task now without having any prejudgment which could influence the outcome of the commission's recommendations.

Let me also suggest that if significant new information on the pesticide problem develops in or out of government during the six months interim before the commission makes its recommendations, such information be brought to the public attention as quickly as possible, and acted on.

As an instance, the National Cancer Institute contracted in 1963 with the Bionetics Research Laboratories of Falls Church, Va., and Bethesda, Md., for a study of the important question of whether there are cancer-causing effects in some widely used pesticides, herbicides, and related chemical compounds.

Apparently, this study has been on the verge of release for some time, as evidenced by the fact that a summary of its early data was prepared for presentation at the annual meeting of the Society of Toxicology in Williamsburg, Va., last month, then withdrawn.

A finding of cancer-causing effects in any compound which is present in our food products would be cause for grave concern and immediate action to limit as far as is reasonably possible the presence of such a compound in our food. I understand that such action has been taken with regard to one herbicide, aminotriazole, because it was found to cause cancer.

In view of the pressing questions now before us on the effects of persistent, toxic pesticides and other chemicals in everyday use, I believe the highest priority must be given to completing and publishing not only the Bionetics study, but to completion of any other studies which may now be underway in federal public health agencies to determine other possible pesticide effects.

Finally, in view of the recent FDA seizure of frozen Coho Salmon from Lake Michigan because of high pesticide residue concentrations in the fish, I believe the immediate establishment of an interim pesticide tolerance level for fish is necessary, and I support your action establishing such guidelines. Clearly, there is enough evidence to cause serious concern for the implications of high pesticide concentrations for human health, and for further FDA action if necessary.

Legal tolerance levels have long been established by the FDA for a wide range of food products, including meat, poultry, vegetables, milk, and fruit. In addition, the World Health Organization, after intensive health studies, has established an acceptable daily allowance for human intake of DDT. I understand that by itself, a one quarter pound serving of Coho Salmon with DDT residues throughout the edible portion of the fish of 19 parts per million concentration would exceed that acceptable daily intake by more than three times, in the average-sized man.

The recent DDT ban in Michigan, and the two year ban in Sweden, only add further to the rapidly building evidence that there is need to take swift action to adequately regulate and limit the use of persistent, toxic pesticides.

I appreciate and commend your concern in this important matter.

Sincerely yours,

GAYLORD NELSON,
U.S. Senator.

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., May 13, 1969.

HON. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: Thank you very much for your letter of April 22 supporting my plans for a Commission on Pesticides and their Relationship to Environmental Health and the establishment of interim guidelines on the limits of pesticides allowable in fish.

In the course of discussions leading to establishment of the Commission, I have explored its role and mission extensively with Dr. Mrak. Let me speak for both of us and assure you that the chairman plans to conduct the business of the Commission scientifically and objectively. At the time of the hearings six years ago, Dr. Mrak's state-