

Mr. KAPLAN. It is our hope also.

Mr. WYDLER. I don't know how you judge which product is the best, because that would probably be the next problem we have here. I am curious. Has your consumers Union, through the Consumers Reports, ever been sued by people for the information that you have published?

Mr. KAPLAN. Yes.

Mr. WYDLER. Is this frequent?

Mr. KAPLAN. No, very infrequent. During the 21 years that I have been working for Consumers Union we have been sued some three or four times. The suits have never gotten to trial.

During pretrial examination when we disclosed the evidence that we had on the basis of which we published our reports—the suit was either dropped or it was possible to agree with the producer that some face-saving statement in the magazine—face saving for him, in the two or three instances that I remember, would meet his needs.

Mr. WYDLER. These were suits then, as I understand it, by manufacturers. I am thinking of suits by individuals, consumers who had relied on the information and ratings that you had supplied and who felt that they had been misled or misdirected and were suing you for misleading them or giving them poor information.

Mr. KAPLAN. No, we never had such a suit.

Mr. WYDLER. Not even any such suit instigated?

Mr. KAPLAN. No.

Mr. WYDLER. My wife has been after me a lot recently and maybe this will give me the perfect opportunity to solve this problem for her concerning the question of TV color sets and the possible radiation hazard that they have on people. Will you tell me what we know about this? She keeps asking me questions about this and says she read things that are very serious and is quite concerned, yet nobody in the Government seems to be doing anything about it.

I am wondering what the seriousness of this problem might be.

Mr. KAPLAN. Well, it isn't strictly true nobody in the Government is doing anything about it.

Mr. WYDLER. Not quickly.

Mr. KAPLAN. If you are referring specifically to the one instance, to the General Electric sets which were recently—in which General Electric announced it had one chassis which was causing some trouble and it was having it repaired, if you refer specifically to that, then General Electric found this independently.

The Public Health Service has done some testing to establish the seriousness of this hazard and found it not a very serious hazard except under very, very remote use conditions. It applied to a limited number of sets—we published a piece on this in the current issue—it applied to a limited number of sets. It applied only in a downward direction. Sets which were resting on the floor caused no problem at all because the penetration was very very little, an inch or so, and it was completely absorbed.

Sets off the floor might present a minor problem for children or pets who put their feet under the set and thereby would be exposed to some of this but only a minor problem.

It was for that reason, I think very commendably, that General Electric announced it was going to have each one of these sets repaired,