

Dr. MIDDLETON [pointing to Mr. Griswold]. I was thinking of your experience in Los Angeles.

Mr. FELTON. How is your approach going to be different?

Mr. GRISWOLD. If you apply for an injunction under a common law procedure you have a very difficult time in abating it, you see. However, if you have stringent rules in regard to odor where it is adequately described and they are to become law and then are enforced with adequate evidence, you can get through the court.

But in the cases Dr. Middleton is talking about, in two cases I recall on odors—one was the rendering plant at Selbyville, which gave out a strong pungent to a nauseous odor, the medical practitioners in the town testified to the fact that this type of odor was a health impairment because of nausea or vomiting that took place under certain occasions or continued loss of sleep and this type of nervous strain was very difficult for respiratory cardiac patients.

In another one, and this was a little amusing, of a Ticonderoga papermill, New York, affecting Shoreham, Vt., across the lake from Ticonderoga; the odors of these mills, according to businessmen, and particularly to motel and hotel operators, seriously impaired their business, because even honeymooners that stayed there and checked in early in the evening left at 12 or 1 o'clock because they couldn't stand the odor.

Mr. CARPENTER. What was the disposition of that case?

Mr. GRISWOLD. It was to require the International Paper Co. to put on control equipment that would materially reduce or eliminate the odor to a point where it would not occasion a problem in Shoreham, Vt.

Mr. CARPENTER. And that was successfully accomplished?

Mr. GRISWOLD. That has been accomplished, except right now Vermont is complaining again and it is possibly because the mill is running at peak capacity and is overloaded, and they are contemplating building another mill there three times as large.

Dr. MIDDLETON. Mr. Felton asked: "Is the present law system adequate, and how would we approach it differently?"

I think from our comments you may have sensed how we would do it differently, in that we would attempt not to rely on just a public reaction, an adverse public reaction to some smell, an odor, but rather be able to identify this chemically so some law could specifically regard the regulation of that compound, so we wouldn't have to rely on nuisance law, with all its vagueness.

We would say hopefully in our publication of criteria on odors we could identify the odor constituents that are obnoxious and give the measurement techniques for sensing them, and then, by establishing the threshold of sensory perception, establish levels that would be acceptable or not.

Mr. CARPENTER. Would you infer that you would eventually publish a criteria for cadavering, for instance?

Dr. MIDDLETON. I would have to say I don't know what you mean by this. How to dispose of—

Mr. GRISWOLD. Odors from rotting human—

Mr. CARPENTER. One of sulfur-containing amines from rotting meat?

Dr. MIDDLETON. Very well could.