Mr. CARPENTER. You mean USDA?

Mr. BARNHILL. Yes, it was USDA. And of course industry would oppose, as they always have, and if I were in indsutry I would do the same thing. But they oppose it.

We still think it is a good idea.

Mr. FELTON. Was the section of your act which says in effect that industry does not have to divulge trade secrets or secret processes in the act from the beginning, or was this added sometime along the way?

Mr. BARNHILL. When was it added?

Mr. MOORE Was it in the original act or has it been added since?

Mr. BARNHILL. It has been added since. I don't remember that it was in the original 1956 act at all. I think this was in the 1966 amendments.

Mr. FELTON. So this was subsequent to your push to get this type of registration?

Mr. BARNHILL. Yes.

Mr. FELTON. Which pretty well closes the door on——

Mr. BARNHILL. Well, except for one thing. First let me answer the last part of the question. We think industry should be responsible for defining the potential or actual toxic effects of any material that they supply that will find its way in the water as a pollutant. At the same time I think this infers that we would do enough work of our own to be able to monitor what industry is telling us.

Now I have forgotten what you just asked me.

Mr. FELTON. Well, this section would preclude you ever seeking registration.

Mr. BARNHILL. No; I don't think it would, because they register, they are required to register under other acts these proprietary chemicals, you see. They get a patent on them. So once they have refined and are ready to produce the material, it becomes——

Mr. FELTON. A trade secret by definition is not patented. Normally trade secrets have to do with that which is not patentable.

Mr. BARNHILL. Yes; but they don't have to tell us how they manufacture this product. They only need to tell us what this product does to the environment. You see the trade secret would be in how they produce this material.

Mr. FELTON. Or what is in it.

Mr. BARNHILL. Well, any good chemist, I think, could eventually tell you what is in any of these.

Mr. CARPENTER. Well, I am thinking of the responsibility that you might see in new refractory organic materials that are being synthesized if not produced at a high rate, thousands per year, as to the feasibility of doing ecological studies on these chemicals, but the still substantial chance that they might turn up in effluents.

Dr. WEINBERGER. If I can, again let me add onto what John Barnhill said. I would say that it is a joint government-industry responsibility to develop test procedures by which new chemicals, new products, may be evaluated for their pollution potential, and this has been a role which we have had and we have worked rather satisfactorily with industry. We worked with them in terms of coming up with a