

for quality of the product or condition of the product, to sell to us, for school lunch or institutions or anything else, you must conform to the processes.

We have just taken a position that once it is rejected and it is all right for other people, they may take it if they wish, but we don't. It is primarily a matter of operating efficiency.

Mr. MYERS. This would be handling rather than processing. I don't know the technical difference but the processing—

Dr. MEHREN. If it comes in over our minimum requirement, we don't provide in our procurement contracts for refreezing. It is just not for us.

Mr. ROSENTHAL. Do you want to take one more crack at this record?

Mr. GRANGE. I just wanted to add this one point in answer to the last question. Perhaps this is too tight a requirement, if they bring it down immediately to zero. Why, then, won't we take it? My answer is simply that once we started permitting deviations from contracts and then accepting after they had reworked, redone, changed the product in some way, we are opening up a territory that we just have not gotten into insofar as the product characteristics are concerned, and it—well, this has been our buying policy.

If we rejected it, because the container is not properly marked, they can re-mark it and correct that. But when you get into product characteristics, we have followed this rather tight procurement policy that, once we turn something down, we don't want that particular product being reoffered to us.

If you recall, you questioned the Department of Defense witnesses because I think the specification was 60 degrees for their eggs. A shipment was above 60 degrees when offered. They took them back, reduced the temperature to below 60 degrees, and reoffered the eggs. You questioned why Defense would let them do that.

If it were damaging at 60, why let them in at the later point? We have been tight in the fact we will not let them change the product and reoffer it.

Mr. MYERS. Then your reasoning behind it is punitive rather than quality control.

Mr. GRANGE. Protective, Mr. Myers, rather than quality control. It would apply to all different kinds of deviations from quality requirements.

Mr. MYERS. Protective, I don't think, means much in this instance.

Dr. MEHREN. We give a man an offer to buy from him if he meets certain conditions. He understands them. That is the basis we operate on. If he deviates in terms of process as well as quality or safety attributes, he hasn't kept it. We can't have a variety of procurement practices.

If we do, we would have a rather—

Mr. MYERS. It has nothing to do with quality control?

Dr. MEHREN. Not necessarily. It is illegal as well as improper for a Government agency to be punitive except under the procedures of law. We would never think of being punitive. But we think of running the shop as well as we can, and this is one way we try to do it.

Mr. ROSENTHAL. Thank you very much. We have one more witness. Thank you very much. We appreciate you being with us. Next witness is Dr. Keith Lewis of the Public Health Service.

Mr. ROSENTHAL. Dr. Lewis, do you have a prepared statement?