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A.D.A. News Letter

Vol. 10, No. 4 - Friday, Feb. 15, 1957

FEDERAL TRADE COMMISSION HEARS FORMAL REQUEST OF A.D.A. FOR AMENDMENT OF TRADE PRACTICE RULES FOR DENTAL LABORATORIES

Modification and amendment of the "Trade Practice Rules for the Commercial Dental Laboratory Industry" were requested by six representatives of the A.D.A. at a public hearing conducted by the Federal Trade Commission Feb. 4 in Chicago. Nearly 200 persons filled the ballroom of the Knickerbocker Hotel for the hearing. During the day, 17 witnesses appeared before F.T.C. Commissioner Robert T. Secrest. The hearing was held at the request of the A.D.A. The "Rules" were issued in November, 1955, at the request of the National Association of Dental Laboratories. A decision by the Commission is expected in about 90 days. At the conclusion of the all-day hearing, Mr. David R. Stauffer, chief examining officer for the F.T.C., announced that the time would be extended to the end of February for the filing of additional statements.

'RULES' SHOULD REFLECT STATE LAWS, DR. LYONS SAYS

"The American Dental Association will vigorously protest the continuation of the 'Rules' in their present form and will regard as equally objectionable modified 'Rules' which do not accurately reflect the limitations imposed by state dental laws on the function of commercial dental laboratories," Dr. Harry Lyons, of Richmond, Va., A.D.A. president, told the Commission. Dr. Lyons was preceded as a witness by Dr. Walter E. Dundon, of Chicago, chairman of the A.D.A. Council on Dental Trade and Laboratory Relations, who noted that the Association is formally charged in its charter and bylaws with the "improvement of the health of the public" and said that "the Association believes that the 'Trade Practice Rules' may adversely affect the discharge of this obligation." Other A.D.A. witnesses were Dr. Raymond J. Nagle, dean, College of Dentistry, New York University; Dr. J. Eugene Ziegler, of Los Angeles, director of the School for Dental Laboratory Technicians, University of California; Dr. John R. Thompson, of Chicago, chairman, department of orthodontics, Northwestern University Dental School. The objectives sought by the Association were summarized by Mr. Renah Camalier, of Washington, D.C., special counsel for the A.D.A., as follows: (1) that the definition of the commercial dental laboratory industry be extended to all those manufacturing dental appliances except licensed practicing dentists and their office personnel; (2) that the terms "design" and "occlusion" be eliminated from the "Rules" and that the relationship between dentists and technicians be clearly identified in the "Rules"; (3) that the portions of the "Rules" be eliminated which deal with advertising or promotional allowances, discriminatory services and exclusive deals as having "no meaningful application to transactions to which a dentist is a party," and (4) that the jurisdiction of the "Rules" be expanded to include both ethical and non-ethical segments of the dental laboratory industry.

N.A.D.L. ALSO ASKS FOR CHANGES IN CODE

The National Association of Dental Laboratories was represented by Mr. Kelley E. Griffith, of Washington, D.C., counsel for the N.A.D.L., who described the dental laboratory as "an important but independent auxiliary to the dental profession." On the recommendations made by the A.D.A., Mr. Griffith said the N.A.D.L. recommended that "construction and manufacture" be substituted for "design and manufacture". On elimination of the term, "occlusion," he said the N.A.D.L. recommended substitution of the word

"articulation." Mr. Griffith said that while the N.A.D.L. agreed with the A.D.A. proposal to exempt licensed practitioners of dentistry from the "Rules," he said that the suggested language was too broad. He also said that the N.A.D.L. opposed elimination of the portions of the "Rules" dealing with advertising, discriminatory services and exclusive deals because "members of the industry would be misled into believing that they did not apply."

NEW YORK STATE SOCIETY ENDORSES A.D.A. POSITION

Dr. Charles A. Wilkie, of Brooklyn, secretary of the Dental Society of the State of New York, said that his society "heartily supports and

endorses the A.D.A. position." Dr. Wilkie was followed by Dr. Louis Brach, of Jersey City, who said he was chairman of a special committee in New Jersey and an interstate committee, including Massachusetts, New Jersey, Maryland, Delaware and the District of Columbia, which were seeking outright repeal of the "Rules" as "definitely inimical to the dental health of the public and the profession as well." During the afternoon session eight dental laboratory owners, most of them representing state laboratory groups in New York and New England, testified in favor of retention of the "Rules" in their present form. Those who spoke were Mr. Eric Blau, of New York, director of industrial and public relations of the Dental Laboratories of the State of New York; Mr. Hugo Garganese, of Providence, representing the Associated Dental Laboratories of Rhode Island; Mr. Ronald S. Gray, of Melrose, Mass., of the Dental Laboratory Association of the State of Massachusetts; Mr. Earl Wilcox, of Hartford, who said he represented 81 dental laboratory operators in Connecticut; Mr. Meyer Tescher, of New York, president of the Dental Laboratory Association of the State of New York; Mr. Linn Eliason, of Portland, past president of the Associated Dental Laboratories of Maine; Mr. Marvin Peck, of Hartford, president of the Connecticut State Dental Laboratory Association, and Mr. Ben Sternberg, of New York City, who identified himself as a dental laboratory owner.

DENTISTS ASKED TO WRITE NEW YORK MAYOR REGARDING FLUORIDATION

As part of its campaign to secure fluoridation for New York City, the Committee To Protect Our Children's Teeth, Inc., headed by Dr. Benjamin Spock, well-known pediatrician, is asking dentists throughout the nation to send their views on water fluoridation to Mayor Robert F. Wagner, City Hall, New York. A public hearing on fluoridation will be conducted by the Board of Estimate headed by Mayor Wagner on March 6. Dr. Spock urged that either telegrams or letters be sent to the Mayor in advance of this date. He pointed out that the committee is seeking letters and telegrams from all dentists throughout the country. Among members of the committee are Dr. C. Raymond Wells, of Brooklyn, former A.D.A. president, and Dr. Herbert L. Taub, of Jamaica, president of the Dental Society of the State of New York. Dr. Spock also has asked that dentists send copies of their letters or telegrams to him at the headquarters of the committee at 105 East 22nd St., New York 10, N.Y. In New York City, fluoridation has been repeatedly endorsed and recommended by the Board of Health and has been supported by dental and medical groups.

COURT DENIES CLAIM BY DR. F. B. EXNER

In Chehalis, Wash., the Lewis County Superior Court rejected a suit started by Dr. Frederick B. Exner, of Seattle, against the Chehalis Fluor-

idation League. Dr. Exner has sought to collect a \$1,000 reward by claiming that he could prove that harmful effects had resulted from controlled water fluoridation. Judge John J. Langenbach on Feb. 4 dismissed Dr. Exner's suit "with prejudice," thus barring any attempts at bringing the suit again on the basis of the same facts submitted by the plaintiff. In dismissing the suit, the court cited the testimony of Dr. Frederick S. McKay, of Colorado Springs, pioneer researcher in fluoridation, and Dr. Robert A. Downs, of Denver, former member of the A.D.A. Council on Dental Health and chief of the public health dentistry section of the Colorado Department of Public Health, who were among witnesses for the defense. The suit was an outgrowth of an election campaign in 1955 in which the Chehalis Fluoridation League was formed to promote the program. During the campaign, the League in a newspaper advertisement offered a \$1,000 reward "to anyone who can prove that fluorides in one part per million have caused any ill effect on anyone anywhere!" Dr. Exner claimed the reward. When the League contended that the Seattle radiologist had presented no valid proof that the fluorides were harmful, he brought suit against the League in August, 1955, in an attempt to force payment. Dr. Exner expressed disappointment at the decision and said he would appeal to a higher court.

A.D.A., N.A.D.L. PLAN SERIES OF CONFERENCES

A series of conferences between representatives of the A.D.A. and the National Association of Dental Laboratories will be held during the spring months to work out agreements regarding certification and accreditation of dental laboratory technicians and dental laboratories. Agreement on the need for a series of conferences was reached at a meeting of officials of the A.D.A. and the N.A.D.L. at Chicago on Feb. 3. At the close of the conference, the following joint statement was issued:

As a basis for the development of continuing educational programs for and to improve the efficiency of the dental laboratory craft, representatives of the American Dental Association and the National Association of Dental Laboratories met in Chicago on February 3 to study problems relating to the certification and accreditation of dental laboratory technicians and dental laboratories.

The conference was held in the Central Office of the American Dental Association. Participating were: Mr. Nathan Cooper, president, and other National Association of Dental Laboratories officials and representatives, including Mr. J. F. Auderer Jr., Mr. Horace Denner, Mr. Homer Dickson, Mr. Harold Eiserloh, Mr. Kelley E. Griffith, Mr. Paul L. Jones, Mr. George Klein, Mr. Arthur Koorse, Mr. Don Neuenschwander, Mr. Ralph Rothstein, Mr. Max Schoenfeld, Mr. Paul A. Slone, Mr. G. Paul Stough, Mr. Meyer Tescher, and Mr. Victor Van Fleet; and Dr. Harry Lyons, president, and several trustees and other American Dental Association officials, including Dr. John Abel, Dr. William R. Alstadt, Mr. Herbert Bain, Mr. Bernard Beazley, Dr. Herbert Bunker, Mr. Bernard Conway, Dr. Walter Dundon, Dr. Rudolph Friedrich, Dr. Howard Higgins, Dr. Harold Hillenbrand, Dr. Paul Jeserich, Dr. Carl Laughlin, Dr. Lon W. Morrey, Dr. Harold Oppice, Dr. Shailer Peterson, Dr. Arthur Schopper, Mr. Reginald Sullens, Dr. Lewis Thom, and Dr. Robert Wells. The conferees met in an unusually fine atmosphere of amity and cordiality.

Statements outlining problems pertaining to dental laboratory technicians and dental laboratories were presented by representatives of the American Dental Association and the National Association of Dental Laboratories. Informal comments and discussion were offered, all pointing to the complexity of the problems and indicating the need for a series of conferences to study the details of the several problems presented and subsequently to develop solutions acceptable to both the profession and the craft in the interest of public welfare.

It was agreed that a schedule of future conferences and appropriate agenda would be developed within the next thirty days by the secretaries of the National Association of Dental Laboratories and the American Dental Association.

\$112,899 CONTRIBUTED TO RELIEF FUND AS TEN MORE STATES PASS QUOTA

The A.D.A. Relief Fund contributions reached \$112,899.48 as of Feb. 10. Forty-two out of 54 constituent dental societies and one out of five federal dental services exceeded their quotas. Tennessee led all others with contributions of 382.8 per cent of its quota. Alaska is in second place with 360 per cent and the Public Health Service is in third place with 212.9 per cent. Ten additional states passed the 100 per cent mark since Jan. 27. They are: District of Columbia, Rhode Island, Utah, Vermont, West Virginia, Iowa, Missouri, Ohio, Oregon and Virginia. A report of contributions by societies and federal services will be published in the March 1 News Letter.

MARCH 31 IS FINAL DATE FOR RECEIPT OF 1957 A.D.A. MEMBERSHIP DUES

The deadline for receipt of the 1957 A.D.A. membership dues is March 31, and individuals whose dues have not been received by this time will cease to be members in good standing. Non-payment of dues may jeopardize the individual's participation in the Association's insurance program and will terminate his subscription to The Journal of the American Dental Association. As of Jan. 31, membership dues had been received from 45,549 persons, an increase of 1,959 from the corresponding date of last year.

22 MORE DENTAL SOCIETIES URGE CONGRESSMEN TO APPROVE RETIREMENT BILL

Twenty-two more dental societies were on record this week urging their congressmen to act favorably on the Jenkins-Keogh measure which would permit self-employed persons to set up their own retirement funds through a system of partial tax deferment similar to the pension program for employees of corporations. The measure (H.R. 9 and 10), introduced twice before in Congress, is now before the House Ways and Means Committee headed by Rep. Cooper (D., Tenn). The A.D.A. House of Delegates has approved the measure in principle. At least eight of the resolutions adopted by state dental societies in favor of the legislation appeared in the Congressional Record Appendix at the request of congressmen. Additional support for the proposal has come from the Delaware State Dental Society, District of Columbia Dental Society, Illinois State Dental Society, Minnesota State Dental Association, North Carolina Dental Society, Oregon State Dental Association and Pennsylvania State Dental Society. Fifteen additional local and district societies are included in the new total of societies endorsing the measure and seeking congressional action.

A.D.A. WILL TESTIFY ON NEED FOR DENTAL RESEARCH BUILDING

Representatives of the Association are expected to present testimony in favor of a building to house the National Institute of Dental Research at hearings of the subcommittee on health of the House Appropriations Committee during the last week of February. The hearings, being conducted by the subcommittee headed by Rep. Fogarty (D., R.I.), are on the proposed budget for the Department of Health, Education and Welfare, including askings for research activities of the National Institute of Dental Research. The administration's proposed new budget includes \$ 6,430,000 for dental research activities, an increase of \$ 404,000 from the current budget.

MISSISSIPPI ASSOCIATION SPONSORS PRACTICE ADMINISTRATION CONFERENCE

A two-day conference on practice administration was held Feb. 7-8 in Jackson, Miss., by the University of Mississippi in cooperation with the Mississippi Dental Association, the Mississippi State Board of Health and the School of Medicine, University of Mississippi. Speakers included Dr. Harold Hillenbrand, Chicago; Dr. Frank F. Lamons, Atlanta, and Dr. Lloyd H. Dodd, Decatur, Ill. Presiding were Dr. John Evans, president-elect of the Central District, Mississippi Dental Association, and Dr. John Clark Boswell, secretary of the Mississippi State Board of Dental Examiners.

DR. BLACKERBY ON ADVISORY COMMITTEE FOR PUBLIC HEALTH TRAINEESHIPS

Dr. Philip E. Blackerby Jr., of Battle Creek, Mich., member of the A.D.A. Council on Dental Education and associate director of the W.K. Kellogg Foundation, has been named the dentist member of a new National Advisory Committee on Public Health Traineeships. The 11-member committee was established to assist in a new public health training program approved by Congress last year. The program provides funds to enable dentists, dental hygienists, physicians, nurses and other health personnel to secure graduate or specialized training in public health. Applications are now being taken for training grants for the 1957-58 academic year. Applications should be submitted by April 1 for those desiring to begin courses in the fall. Information about the program can be obtained by writing the Chief, Division of General Health Services, Bureau of State Services, U.S. Public Health Service, Washington 25, D.C.

JOHN HOLLISTER ELECTED TO TWO POSTS IN CONVENTION GROUPS

Mr. John J. Hollister, A.D.A. business manager, has been elected secretary of the newly formed Professional Convention Management Association. The new organization was formed at a meeting of representatives of leading national health groups in Philadelphia Jan. 25 to provide for the "better conduct" of conventions serving professional health organizations and allied groups. Members will also exchange information on convention facilities and other factors related to the planning of meetings. In Philadelphia, Mr. Hollister was also chosen chairman of the 1958 conference of the Advisory Council on Medical Exhibits. The council, which met following the organizational meeting of the P.C.M.A., is composed of leading exhibitors and exhibit managers in the dental, medical and associated fields.