

soning and the passage of this act and the implementing legislation might alleviate that situation in the future.

Did you or Delegate Bard intend for the General Assembly to set up a state food and drug administration?

THE CHAIRMAN: Delegate Key.

DELEGATE KEY: No, I do not necessarily mean that, because that is already handled somewhat by the federal government, but I would expect them to implement laws to take care of those situations that are not covered by the interstate provisions of the federal government.

For example, intrastate meat.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: Are not all drugs covered by the Food and Drug Administration and do they not all have to be approved before they can be put on the market?

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: Delegate Case, my illustrations dealt first with the significance of consumer protection in all areas of life.

Toward the end of my presentation, I answered the question in respect to why constitutional authorization. There are some areas in respect to the dispensing of drugs that do get into state law, not necessarily in terms of the particular illustration that I gave, but you might be interested in knowing that this very day in Congress, there is discussion with respect to the use of the generic description of drugs which has direct impact on the consumer.

Now, I do not think that the particular illustration is as important as the overriding requirements for consumer protection.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: Well, Delegate Bard, you made the very point. The matter is being currently discussed in Congress?

But let us go to the second of the two examples you gave, and that is the example of sweaters and the chemistry that was involved in those. Do you propose to set up a state Federal Trade Commission to take care of this kind of problem?

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: The consumer protection agency that is now in existence, Delegate Case, and you may be familiar with it, is one that has been placed in existence in a federal relationship, it can

go out of existence tomorrow, as you all know.

We have heard testimony on the part of those associated with them and I hold no brief for that agency. Indeed, my own feeling would be that there would be an entirely different kind of relationship in respect to consumer protection.

But the point is as follows: The Committee heard testimony and I would rather that they testified on this fact that within the few weeks that this agency has been in existence, it has already found an overburdened schedule with regard to complaints within the area in which the state alone has jurisdiction vis-a-vis the consumer responsibility.

THE CHAIRMAN: Delegate Case, do you have a further question?

DELEGATE CASE: A few more.

Delegate Bard, I am trying to reach the rationale of your argument. Do you think the Food and Drug Administration or the Federal Trade Commission may go out of business and we would need something of this nature?

THE CHAIRMAN: Delegate Key.

DELEGATE KEY: I think the slant on this has been turned maybe in the wrong direction, Delegate Case, by the direction of your question. We are not that much concerned about the interstate commission going out of business, rather we are concerned with two things, first of all that for the years that we have had our Constitution and, of course, that was alluded to previously, the business element and the producer has been somewhat favored and we have had a philosophy of "Let the Buyer Beware!"

Our contention here is that if we include in our constitution a section worded as this is here, that it will do something other than provide law. It will change the attitude of business persons to inform the buyer rather than try to hide things from him, to be fair with the buyer, rather than try to trick him into deals.

This is the first area.

The second is that there are areas which are not covered by interstate commerce as we are well aware. I think one of our congressman earlier said in the debates with the Congress on the meat inspection laws that 74 percent of all the meat slaughtered in Maryland does not come under interstate commerce, which means that we are eating