

# Food figures challenged . . . Supermarkets speak out

WASHINGTON (AP) — Executives of four of the nation's largest supermarket chains challenged Agriculture Department figures on the amount of the family food bill that goes to the wholesaler and retailer. They said Tuesday that government figures show middlemen taking as much as 50 percent more of the meat dollar than they actually do.

To make their case, later challenged by some of the congressmen, three of the executives disclosed detailed elements of the costs and pricing of their meat departments. Government and private groups have been seeking those figures for more than a year. "We have bared our souls," declared David B. Sykes, vice president of finance for Giant Food Inc., at the end of a packed 4½-hour hearing on meat prices.

The executives from Giant, The Great Atlantic & Pacific Tea Co. (A&P), Safeway Stores Inc. and The Kroger Co. all stated that, if their meat departments were not the loss leaders of their food chains, they at least have showed no net profit this year. They flooded the House Agriculture Committee's domestic marketing and consumer relations subcommittee with cost, price and

gross margin statistics, charts and tables in support of their contentions. But their accounting methods often differed from USDA's for the same series of figures. Occasionally the statistics were presented in comparisons of different subjects. The executives stressed these points in their testimony and responses to questions: —That USDA figures on price spreads are outdated, do not reflect

actual marketing activity and show the middlemen taking as much as 50 percent more of the meat dollar than they do in reality. USDA economists attribute to middlemen's higher costs and profits 84 percent of this year's rise in over-all food prices. —That "margins" and "spreads" are taken to mean profits alone, when they actually mean just the difference between what the

supermarkets pay the wholesale packer for meat and what they charge consumers for it. That difference may not even cover all of the increased costs in the meat department, much less net profit, they testified. —That they are selling more and more beef, promoting it more and relying on other departments in the store to carry the losses of the meat counters as a whole.

## Weather

Fair and mild Wednesday and Thursday. High today 68°; low tonight 47°; high tomorrow 70°.

# The Battalion

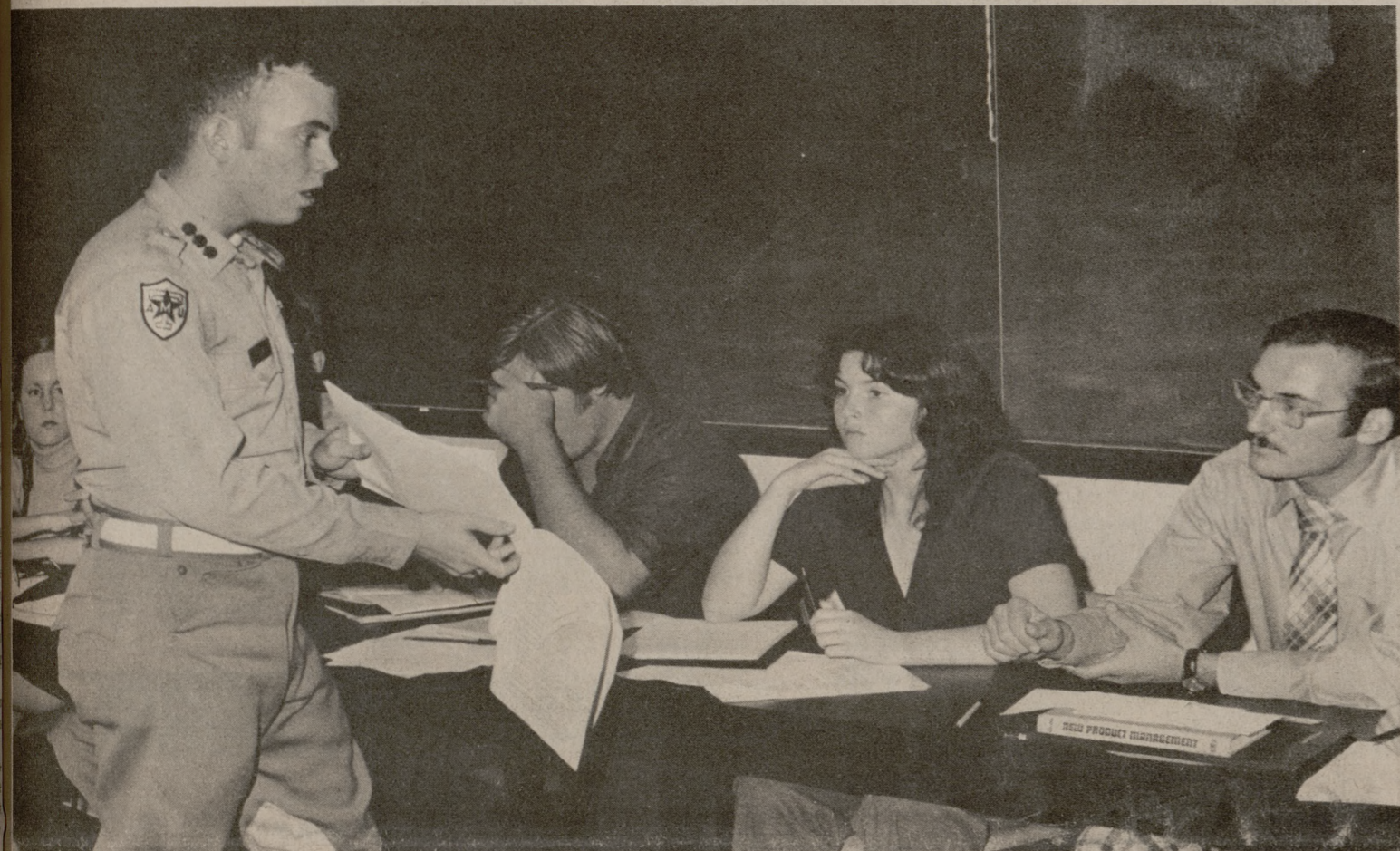
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John Tyler, student vice president of rules and regulations, defends the constitutional referendum run last week. Judicial Board members from left to right: Shannon Walker,

Don Hegi, Chairman Jerri Ward and Sam Walser. (Photo by David Kimmel)

## Revote required on referendums

By TERESA COSLETT  
Staff Writer

The Judicial Board unanimously declared the results from the six referendums on amendments to the student senate constitution void, in an election appeals case Tuesday night.

The referendum was on a separate ballot from the candidates in the freshman election. Results from voting on the referendum had not been tabulated.

The referendum will be voted on again during freshman election run-offs Dec. 5.

Plaintiff Douglas Winship brought the case before the Judicial Board because a notice of the re-

ferendum wasn't run in the Battalion early enough.

Under university regulations, the election board is required to announce elections in the Battalion 10 class days prior to the election.

Referendums are mentioned in the ratification and legislative articles of the student senate constitution but not the university regulations.

Student body president Steve Eberhard represented the defendant Susan Warren, election board chairman. Eberhard asked the board for a summary judgement saying the election board was technically right but that he supported running the referendum again due to a light turnout.

Winship said such a summary judgement would satisfy him.

Also representing the defense, John Tyler, student vice president of rules and regulations, said he took personal responsibility for not making election regulations clearer on referendums.

But overturning the results would set a dangerous precedent, said Tyler. A referendum and election are different by definition.

Winship said the two were the same under the regulations.

After deliberating 30 minutes in a closed session the board upheld Winship's appeal on the ground that the university regulations do apply to referendums.

## Fears overload

By JUDY BAGGETT  
Staff Writer

The Residence Hall Association (RHA) Judicial Board voted 13-3 against having an appeals board at Tuesday night's meeting.

An appeals board would hear cases of students dissatisfied with the decision of a dorm judicial board. At present if a student appeals, the case goes to the associate director of student affairs. A student is judged only once by his peers.

"I think we'll be overloading ourselves," said Celeste Noehlman, Fowler representative. "I don't have enough time to devote to it."

Since many members agreed that the case load might be too heavy and time consuming, George Lippe, chairman of the RHA Judicial Board, suggested the idea of having an alternating five man appeals board. The judicial board has 20 members. Most members rejected it, saying either all or none of the judicial board must hear the case.

During the meeting, the board unanimously approved the by-laws written by the by-law committee after one change in the hearing process. The by-laws will be presented to the RHA for approval.

The by-laws stated that all pro-

ceedings are confidential. Noehlman questioned the board's ability to close the hearing, citing a recent case in which a dorm judicial board had to give an open hearing to a defendant who requested it.

"You've got to give them a choice," Noehlman said.

The board changed the statement to read that all proceedings are confidential at the request of the defendant. The board was uncertain whether a closed voting session was legal. Lippe said he would check with the student legal adviser.

The by-laws state that an infraction will be reported by the chairman or a member of RHA. An infraction "can include oodles of stuff," Lippe said. He gave examples of water fights and damage to dorm property. An infraction can be incurred by either a resident of a hall or the residence hall itself.

A complaint is submitted to the chairman of the judicial board or the associate director of student affairs, within two class days of the infraction.

A hearing will be set within 10 class days after the report of the infraction.

Cases will be decided by a simple majority of the quorum. A quorum is two-thirds of the total voting

membership. The chairman will deliver the verdict within 24 hours after the decision has been reached.

The board has a choice of several punishments. A student's weekend may be restricted which means the student would have to sign in at the University Police Station every two hours from 8 a.m. to 12 p.m. The offender would have to sign in every three hours on Sunday from 9 a.m. to 9 p.m.

Also, a reprimand could be given by the board, with the possibility of more severe action if violations continue.

The third option is compensation for damages. A student could be put on a work detail to compensate for the offense.

The final punishment is a recommendation to the associate director of student affairs for conduct probation, suspension, expulsion from the university or removal from university housing.

The defendant can appeal the decision to the associate director of student affairs within five class days.

Also at the meeting, the board unanimously approved Rebecca Grimes, Krueger representative, as secretary.

## Congress told Governors want economic program

HILTON HEAD ISLAND, S.C. (AP) — The nation's Democratic governors urged Congress on Tuesday to enact a broad economic program—including wage, price and profit controls—unless the rate of inflation subsides substantially by mid-1975.

They watered down a resolution calling for "immediate action" on controls because of opposition from most members of a panel of experts.

Only 14 of the 32 Democratic

governors and governors-elect who gathered at Hilton Head for the three-day Democratic Governors' Conference remained for Tuesday's final unanimous voice vote on the economic resolution.

The group voted 8-6 against eliminating any reference to controls and then agreed 7-6 to take out the plea for action now.

Chairman Wendell Anderson of Minnesota said the resolution had strong support from the governors

who left before the vote. The resolution declares that "strong, immediate steps are required" by Congress to deal with the economy and the energy situation and urges tax reform, limits on oil imports and authority for gas rationing. It also called for the dismissal of Agriculture Secretary Earl L. Butz.

The action was overshadowed, in terms of importance and long-range impact, by continuing controversy

over Monday's move by the governors to compromise on a key provision in a proposed party charter and thus avert dispute at next month's Kansas City mini-convention.

Three representatives of the AFL-CIO told a group of governors at a breakfast meeting they had reservations about the proposal on grounds it could still permit "implicit quotas" to assure participation of women, blacks and minorities in party activities.

The governors insisted they also opposed quotas and said they would work to avoid a repetition of 1972, when virtual quotas for those groups were acquired in credentials battles at the party's presidential nominating convention.

Gov. John Gilligan of Ohio, architect of the compromise which would put into the party's permanent charter the rules he helped to draft for 1976, said he believed the compromise will be accepted at Kansas City.



## Waiting patiently

Students take it easy after being assured by Dr. Charles Powell, director of student affairs, that those who had been in line the longest would retain their rights to the first seats. Conflict arose Tuesday night among the almost 200 people waiting in

front of G. Rollie White when it was discovered there would be six lines rather than the two which had formed for tickets to the Texas-A&M game. (Photo by Jack Holm)

## Companies backed by Supreme Court

WASHINGTON (AP) — Out-of-state companies seeking to enforce contracts in state courts received a helping hand from the Supreme Court on Tuesday.

The court's 8 to 1 decision involved a Memphis cotton merchant who contracted with Mississippi farmers in 1971 for 25,000 bales of cotton.

By the time the cotton was ready for delivery in 1973, prices had risen sharply and some farmers broke their contracts.

The firm, Allenberg Cotton Co. of Memphis, sued farmer Ben E. Pittman.

The Mississippi Supreme Court dismissed the suit because Allenberg did not have a Mississippi business license.

The Supreme Court, in an opinion by Justice William O. Douglas,

said the firm did not need such a license because it was engaged in interstate commerce.

The lone dissenter, Justice William H. Rehnquist, said Douglas appeared to be advancing "the proposition that trading in agricultural commodities, whether wheat or cotton, is a form of interstate commerce which may not be regulated by the states."

In other cases, the court:

—Held unanimously that the government in seeking to collect withholding taxes from a bankrupt employer, does not have priority over former employees seeking their wages.

—Issued an unsigned opinion requiring a lower federal court to hear the appeal of a Virginia man who was convicted under a state narcotics law later ruled unconstitutional.



Ray Hutchison