

# State and Local

## Officials say McDonald's misled public

CHICAGO (AP) — McDonald's Corp. misled the public when it said it was revealing ingredients in its fast food "because of increasing customer interest" but failed to acknowledge pressure from attorneys general in three states, authorities said Wednesday.

McDonald's, purveyor of more than 50 billion hamburgers, announced Monday it was "taking the lead on this issue" and would distribute the information to its restaurants and franchises nationwide.

But on Wednesday, officials with the attorneys general in California, New York and Texas said McDonald's agreed to provide the information only after pressure from their offices.

And they say McDonald's jumped the gun by announcing the move before a joint statement agreed to by itself and four other fast-food operations.

In Texas, Attorney General Jim Mattox said through an assistant the McDonald's announcement represented "a calculated effort to make the public think they were doing this out of the goodness of their heart, when in

fact they were doing it because of pressure from our office."

Steve Gardner, an assistant attorney general in Mattox's office, said, "It's our position they did it in hopes of misleading the public."

Charles Rubner, an assistant vice president at McDonald's sub-

California attorney general's office said McDonald's agreed to publish the ingredient information as part of an agreement negotiated with five fast-food chains: McDonald's, Burger King, Jack in the Box, Kentucky Fried Chicken and Wendy's. And they said McDonald's was

competitors when in fact it was the result of very considerable pressure and negotiations directed at the entire industry by attorneys general offices in several states."

Gardner said the attorneys general became involved because of pressure from the Center for Science in the Public Interest, a non-profit consumer advocacy group in Washington, D.C.

Michael Jacobson, the center's executive director, said Wednesday his organization believes publishing booklets listing ingredients and nutrition information isn't enough.

McDonald's and other fast-food chains are required by federal law to print ingredients on the wrappers of their food, Jacobson said.

The issue is important, he said, because people with high-blood pressure, certain allergies or other ailments must know what's in their food.

Rubner also said Wednesday that McDonald's had reversed an earlier decision and now plans to include information about the amount of cholesterol and salt in its menu items.

*The McDonald's announcement represented "a calculated effort to make the public think they were doing this (releasing nutrition information) out of the goodness of their heart, when in fact they were doing it because of pressure from our office."*

— Steve Gardner, Texas assistant attorney general.

urban Oak Brook headquarters, said, "The primary reason we're doing this is because of increasing customer interest."

"I will acknowledge that certainly the discussions we've had with the attorneys general was good input to us that signaled to us there was more widespread interest in the issue beyond the East Coast."

Gardner and officials in the

the last of the five to agree.

In California, Fred Register, special assistant to the attorney general, said McDonald's also violated an agreement calling for a joint public announcement of the fast-food chains' decision to publish nutrition information.

Register said McDonald's news announcement "creates the impression that McDonald's has taken a step independently of its

## Perot vows to fight cuts in spending for school reform

AUSTIN (AP) — Computer magnate H. Ross Perot, a driving force behind the expensive school reforms now in place, says he is ready to fight any plan to cut education spending to help balance the state budget.

"We'll gear up and go at it again," Perot said.

He told the *Dallas Times Herald* that he will be "working actively" to defend the reforms when the Legislature meets in special session to work on the projected \$2.3 billion deficit.

Perot was chairman of the Select Committee on Public Education that recommended public school reforms approved by lawmakers in 1984. The reforms were paid for, in part, by a \$2.6 billion tax hike.

But Gov. Mark White has said the state budget crisis would not cause any education spending cuts. But some lawmakers have said some of the reforms should be reviewed, with an eye toward saving money. House Appropriations Commit-

tee Chairman Jim Rudd, D-Brownfield, said Monday the House may consider eliminating funding for the teacher career ladder, delaying class-size restrictions and lifting requirements for preschool programs for disadvantaged 4-year-olds.

Perot said if lawmakers want to economize in public school funding, they should slice "junk" in athletic programs and vocational education.

"If you've got to cut, then cut in the right places," he said. "We're throwing money out the window on vocational education. We don't need any more Astroturf. We don't need to pay coaches more than the median salary of teachers."

"We can't get our priorities screwed around. There's a lot of soft stuff they can cut out."

Perot said that saving the special programs for disadvantaged 4-year-olds is particularly crucial. "On a cost-effective basis, it's worth millions and millions and millions of dollars down the road," he said.

## Texas university fights discrimination suit appeal

HOUSTON (AP) — The athletic department at West Texas State University is federally funded and should abide by federal sex discrimination rules, an attorney argued Wednesday before the 5th U.S. Circuit Court of Appeals.

Suzanne Meeker, who represents the six women who filed a class-action suit in 1980, said that WTSU's

intercollegiate athletic programs receive federal aid through revenue sharing, work study funds and the use of buildings constructed with federal money.

The suit charges that those programs unfairly favor men by giving male athletes more money, better facilities and better game and practice times.

U.S. District Judge Robert Porter of Dallas ruled in favor of the 6,500-student university in Canyon on June 19, saying its intercollegiate athletic programs don't receive a direct benefit from federal aid and therefore Title IX sex discrimination laws do not apply.

Title IX forbids discrimination on the basis of sex in school programs.

In 1974, the U.S. Supreme Court interpreted the statute to mean that only school programs receiving federal assistance fall under the law.

Meeker told the three-judge panel Wednesday that the athletic department selects scholarship recipients and then submits them to the student financial aid office.

If the financial aid office deter-

mines the student qualifies for federal funds, the athletic scholarship is then set aside or reduced.

But Laura Jefferson, an assistant state attorney general, said financial aid officials don't select scholarship recipients. The officials only distribute the money according to federal guidelines, she said.

"There are two distinct depart-

ments — the financial aid department and the athletic department," Jefferson said. "The athletic department is not the intended recipient of the work-study program."

Tina Bennett Morrison, one of the women who filed the suit, said conditions for women athletes at the school have improved since the action was filed.

## What's up

Thursday

**STUDENT GOVERNMENT:** applications for External Communications and Public Relations will be available through the summer months. Please come by 221 Pavilion from 9 a.m. to 5 p.m. to pick up applications. For more information call 845-3051.

**ATARI USER GROUP:** will meet at 7:30 p.m. in 102 Teague. For further information call Bill, 845-4054.

**BRAZOS DUPLICATE BRIDGE CLUB:** meets every Thursday at 7 p.m. at the College Station Community Center. Beginners are welcome.

**MARANATHA CHRISTIAN CHURCH:** will present a "Rock-n-Roll Seminar" at 7 p.m. in 110 Harrington on today and Friday. For more information call 693-5611 or 696-2510.

**Items for What's Up should be submitted to The Battalion, 216 Reed McDonald, no less than three days prior to desired publication date.**

## Punishment evidence heard for convicted gang rapists

DALLAS (AP) — A jury began hearing evidence Wednesday in the punishment phase of the trial of five men convicted of gang-raping a 27-year-old woman while her boyfriend was forced to watch.

Four men were convicted Tuesday of sexual assault and kidnapping. A fifth defendant was convicted of sexual assault but acquitted of kidnapping, and a sixth was acquitted of sexual assault.

The six were arrested by Duncanville police Feb. 16 after receiving a phone call from a 20-year-old man who said he and his girlfriend had been abducted at knifepoint.

The woman was bound to a wooden chopping block with a coat

hanger during her ordeal, investigators said.

The woman said she went to the home of her former boyfriend on Feb. 14 to pick up her clothing.

Prosecutors who described the incident as a "Valentine's Day chopping block party" presented evidence that the woman was bitten and threatened with death.

They also argued that the five terrorized the victim's boyfriend by tying him up, threatening to kill him and forcing him to watch the assault.

David Lloyd Cupples, 31, the woman's former boyfriend, was found guilty of aggravated sexual assault and aggravated kidnapping charges. He faces a maximum sen-

tence of life imprisonment on each charge.

Johnny Ray Austin Jr., Joel A. Cruz and James Allen Schultz, all 19, were convicted of second-degree sexual assault and third-degree kidnapping. The sexual assault conviction carries up to 20 years in prison, while the kidnapping charge carries a maximum sentence of 10 years.

Richard Edwin DeLoach, 18, was acquitted of a kidnapping charge but was convicted of second-degree sexual assault.

Nelson W. Lancione, 18, who testified he was at the house less than an hour and did not participate in the assault, was acquitted of a charge of aggravated sexual assault.

## Eastern, Texas Air Corp. merger gets tentative approval

WASHINGTON (AP) — The Transportation Department on Wednesday tentatively approved the merger of Eastern Airlines and Texas Air Corp., but said the carriers must first prove the deal will not squelch competition.

In opening the way to creation of one of the nation's largest airlines, the department emphasized concerns about the potential for a monopoly in the Northeast "shuttle" corridor serving New York, Boston and Washington, D.C.

In a statement, the department

said the airlines must explain how they will maintain the competitive situation in that area.

"While it appears the merger would not result in a monopoly or lessen competition substantially in any region of the United States," the department said in a statement, "there are a number of outstanding issues which must be addressed."

Before Texas Air wins final approval in its bid to buy Eastern for \$600 million, certain conditions will have to be met, the department said.

New York Air, which along with

Continental Airlines is owned by Texas Air, competes vigorously in the Northeast with Eastern. The Justice Department's anti-trust division had raised concerns that the merger could create a monopoly in the corridor.

In response, Texas Air in May agreed to sell some landing and takeoff rights, operated by New York Air in Washington and New York, to Pan American World Airways. The Justice Department then withdrew its objections.

But the Transportation Depart-

ment said Wednesday that Pan Am's existing slots and facilities combined with those it is purchasing from Texas Air, "may be inadequate to support a competitive shuttle at LaGuardia" in New York.

Thus the department issued a "serious note of caution," and said it "must be convinced that there will be effective competition on the shuttle routes and that accordingly Texas Air and Pan American must explain how Pan American proposes to operate competitive service of the type

required for the shuttle routes before DOT reaches a final decision."

In addition, the effective date of the Eastern-Texas Air takeover would have to be postponed until Texas Air's sale to Pan Am is completed, the department said.

Texas Air spokesman Bruce Hicks said that section of the order was under careful review by the airline because it is possible the Texas Air-Eastern deal might be finished before the Oct. 1 effective date of the Pan Am sale.

## It was this big! Yachtsmen have 'whale' of experience

FALMOUTH, England (AP) — Two Texas yachtsmen who crossed the Atlantic in a 16-foot cutter said Wednesday a whale slammed into their craft three times but failed to capsize it.

David Nelson, 34, a veterinary surgeon, and Michael Kosa, 32, a biologist, both of Austin, arrived in southwestern England on Wednesday, 37 days after setting out from Newport, R.I.

Nelson said seven days into the crossing their cutter, which the men built themselves, was hit three times by a gray whale which surfaced beneath them, lifting the boat four feet out of the sea.

"We reckon the whale was almost as frightened as we were," Nelson said. "But we were far more worried afterwards about whether he had been hurt."

The Texans said they also encountered a hurricane and rode it out for three days under a bare mast, the gales driving them out to their beam ends three times with huge seas washing over the boat.

Their arrival in England went almost unnoticed.

"We just didn't want any fuss," Nelson said. "We didn't even tell our friends what we were going to do when we set out."

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