

AMERICAN ASSOCIATION
FOR THE
ADVANCEMENT OF SCIENCE

Board of Directors

PAUL B. SEARS, *President*
LAURENCE H. SNYDER, *President Elect*
GEORGE W. BEADLE, *Retiring President*
WALLACE R. BRODE
PAUL M. GROSS
GEORGE R. HARRISON
MARK H. INGRAHAM
PAUL E. KLOPSTEG
CHAUNCEY D. LEAKE
MARGARET MEAD
THOMAS PARK
PAUL A. SCHERER, *Treasurer*
DAEL WOLFFLE, *Executive Officer*

DAEL WOLFFLE, *Executive Officer*
GRAHAM DUSHANE, *Editor*
CHARLOTTE V. MEETING, *Assistant Editor*

Editorial Board

MARK H. ADAMS KARL LARK-HOROVITZ
WALLACE R. BRODE EDWIN M. LERNER
BENTLEY GLASS WILLIAM L. STRAUS, JR.

Editorial Staff

SARAH S. DEES, JUNE M. FORBES, OLIVER W. HEATWOLE, YUKIE KOZAI, JEAN MCCARTHY, ELIZABETH MCGOVERN, DAVIS S. MOORE, ELLEN E. MURPHY, ROBERT V. ORMES, BETHSABE PEDERSEN, MADELINE SCHNEIDER, JOSEPH TURNER, JACQUELYN VOLLMER

EARL J. SCHERAGO, *Advertising Representative*

SCIENCE founded in 1880, is published each Friday by the American Association for the Advancement of Science at Business Press, Lancaster, Pa. Entered at the Lancaster, Pa., Post Office as second class matter under the Act of 3 March 1879.

SCIENCE is indexed in the *Reader's Guide to Periodical Literature* and in the *Industrial Arts Index*.

Editorial and personnel-placement correspondence should be addressed to SCIENCE, 1515 Massachusetts Ave., NW, Washington 5, D.C. Manuscripts should be typed with double spacing and submitted in duplicate. The AAAS assumes no responsibility for the safety of manuscripts or for the opinions expressed by contributors. For detailed suggestions on the preparation of manuscripts, book reviews, and illustrations, see *Science* 123, 714 (27 Apr. 1956).

Display-advertising correspondence should be addressed to SCIENCE, Room 604, 11 West 42 St., New York 36, N.Y.

Change of address: The notification should reach us 4 weeks in advance. If possible, please furnish an address stencil label from a recent issue. Be sure to give both old and new addresses, including zone numbers, if any.

Annual subscriptions: \$7.50; foreign postage, \$1; Canadian postage, 50¢. Single copies, 25¢. Special rates to members of the AAAS. Cable address: Advancesci, Washington.

The AAAS also publishes THE SCIENTIFIC MONTHLY.



Test by Testimonial

The recent decision of the Federal Trade Commission to drop its charges of false advertising against Pioneers, Inc., the Oakland, California, company that produces the battery additive AD-X2, has important implications for scientists and the general public.

At the request of the FTC and later of the Post Office, the National Bureau of Standards tested the additive and reported in 1952 that its composition was "essentially the same as that of a number of other additives examined during past years by the Bureau: In all cases, the results have shown that these materials are worthless."

In 1953, the Senate Small Business Committee began hearings about the additive. The chairman of the committee, Senator Edward J. Thye, asked the Post Office Department, which had issued a fraud order preventing Pioneers, Inc., from using the mails, to suspend that order. The department complied.

Secretary of Commerce Sinclair Weeks was the first to testify at the hearings and may reasonably be said to have set the keynote for subsequent sessions when, after saying that he did not want to "be accused of overruling the findings of any laboratory," he added, "But as a practical man, I think that the National Bureau of Standards has not been sufficiently objective, because they discount entirely the play of the market place." A curious view of objectivity! The Secretary said further that there were "many testimonials to the fact that the product is good and has saved the users money. As a practical man, I do not see why a product should be denied an opportunity in the market place."

In the committee report for 1954, Senator Thye's introductory remarks also help us to understand the course of the hearings. He stated that the "committee views with sympathetic attention the problems of small business men who find themselves at odds with any Government body which holds life-or-death power over them."

During the hearings, Secretary Weeks dismissed the director of the Bureau of Standards, but reinstated him in response to public outcry; he appointed one committee to consider the work of the Bureau of Standards; he asked the National Academy of Sciences to appoint another committee to appraise the work of the Bureau on the battery additive AD-X2. After consideration of conflicting and less well controlled tests, the eminent committee so appointed reported that the work of the Bureau in battery testing was excellent, and concluded that "the relevant data now available . . . are adequate to support the position of the Bureau of Standards that the material is without merit."

Nevertheless, on 16 May 1956, the FTC dismissed its false advertising charges against Pioneers, Inc. The commission upheld the hearing examiner, who on 9 November 1955 said that "The greater weight . . . [of the scientific testimony] is on the side of the complaint," but that the "overwhelming" weight of consumer testimony . . . is with the respondents and is "particularly significant and helpful in the present case, in view of the conflict in scientific evidence."

The commissioners overemphasize the conflict in scientific evidence, for the experiments done at the Bureau of Standards were the most extensive and conclusive. We also wonder whether they do not put too much reliance on the testimony of users, which has, it seems to us, doubtful validity as evidence or, in legal terms, little probative value. *Caveat emptor!*—G. DuS.

Science

Test by Testimonial

G. DuS

Science **123** (3207), 1059.

DOI: 10.1126/science.123.3207.1059

ARTICLE TOOLS

<http://science.sciencemag.org/content/123/3207/1059.citation>

PERMISSIONS

<http://www.sciencemag.org/help/reprints-and-permissions>

Use of this article is subject to the [Terms of Service](#)

Science (print ISSN 0036-8075; online ISSN 1095-9203) is published by the American Association for the Advancement of Science, 1200 New York Avenue NW, Washington, DC 20005. 2017 © The Authors, some rights reserved; exclusive licensee American Association for the Advancement of Science. No claim to original U.S. Government Works. The title *Science* is a registered trademark of AAAS.