

Upton Sinclair and the Pure Food and Drugs Act of 1906

'I Aimed at the Public's Heart and by Accident I Hit It in the Stomach'*

ARLENE FINGER KANTOR, MPH

Seventy years after the passage of the first Pure Food and Drugs Act in the United States, the Food and Drug Administration's ability to establish and enforce allowable standards is being questioned by consumers, scientists, and lawyers.^{1, 2} In reviewing the story of Upton Sinclair and the Pure Food and Drugs Act of 1906, one may be reminded of such recent instances as the decision made by FDA's Toxicology Advisory Board to ban the use of Red Dye Number 2.³ Then, as now, nationwide concern and press coverage were pitted against the industry's desire, where the crucial element was the government's potential to intervene.

In 1902, the United States government made its first attempt to mandate the control of adulterated and misbranded domestic and imported food products. Through the persistence and dedication of Dr. Herbert Wiley of the Bureau of Chemistry, Secretary of Agriculture James Wilson authorized the Association of Official Agriculture Chemists in that year to establish badly needed food standards. A controversy began at once and, during the years to come, opponents and proponents of a general food law were to fight each other bitterly in Congress and newspapers.

The issue of pure food and drugs was publicized in 1902 by journal coverage of Dr. Wiley's experiments with 12 men fed adulterated meals. The "Poison Squad," as it came to be known, was, according to Wiley, "the most highly advertised boarding-house in the world." Public reaction, at first one of surprise, ranged "from ridicule and satire to tearful and vigorous protests."⁴ Yet when the sensationalism subsided, the issue of pure food and drugs remained publicly active. Notable among those distressed about nostrums and secret remedies were the American Medical Association, the American Pharmaceutical Association, and Maud Banfield and Ed-

ward Bok of *Ladies Home Journal*. At the same time, however, a powerful opposition to a pure food and drug bill was crystalizing; it included the Proprietary Association of America, the meat packers, and sympathetic Congressmen.

Conditions were right for a campaign in support of food and drug standards after 1902. Progressive fervor was being generated; the results of Wiley's investigations on the health effects of preservatives were being published, and the administration of food-control responsibilities was now assigned to the Bureau of Chemistry. In 1904, a forum for leaders of the pure food and drug movement was provided at the Louisiana Purchase Exposition by the National Association of State Dairy and Foods Departments.⁵ The exposition, supported by members of the Association who were food manufacturers and distributors, was also attended by scientists and control officials who aroused national interest with their adulteration exhibits. The public became excited, and this reaction frightened manufacturers, further jelling opposition in industry as well as in Congress. The House, and the National Association of State Dairy and Foods Departments, stood firmly against pure food bills.

Although a number of states had enacted legislation to control foods and drugs, states were unable to control interstate traffic. A national pure food and drugs bill had passed the House twice, both times without Senate action. Wiley realized he had to mobilize nationwide support. He spoke to any and all groups—from the Women's Republican Club to the New York Academy of Medicine. His appeals also appeared in the *Independent* and *Public Opinion*. However, in his dedication and sincerity he resorted to sensationalism, tickling the public's imagination but antagonizing businessmen and industrialists.

Nevertheless, in the summer and fall of 1905 public opinion was aroused as never before. The attack against proprietary medicines resumed, in the columns of Edward Bok in

Address reprint requests to the author, Associate in Research, Connecticut Cancer Epidemiology Unit, 30 College Street, New Haven, CT 06519. Ms. Kantor is also a Doctoral Student, Columbia University School of Public Health, New York. This paper was submitted to the Journal July 2, 1976 and accepted for publication September 17, 1976.

*Title quotation from "What Life Means to Me" by Upton Sinclair in *Cosmopolitan* magazine, October 1906 (41:594).

Ladies Home Journal and Mark Sullivan in *Collier's*; and Samuel Hopkins Adams's series "The Great American Fraud" appeared in *Collier's*. The lame-duck Congress was being replaced by members elected in the Roosevelt landslide of November 1904. The President was being pressured to react to the standards dilemma; in his State of the Union Message (December 5, 1905) he requested:

"... that a law be enacted to regulate inter-state commerce in misbranded and adulterated foods, drinks, and drugs. . . . Traffic in foodstuffs which have been debased or adulterated so as to injure health or to deceive purchasers should be forbidden."⁶

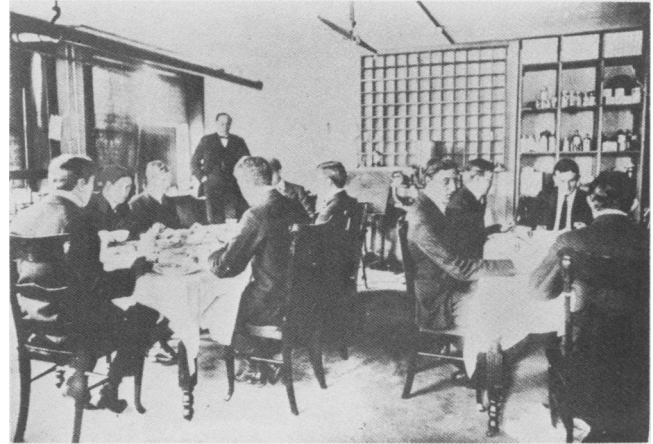
The bill was introduced in the Senate the next day by Senator Weldon Brinton Heyburn.⁴



Reformer: Wiley as the public saw him. About 1910

Wiley was still concerned, and with just cause. Powerful interests were secretly at work to defeat the bill. Lobbies in the Senate opposing standards included attorneys for the canning industries, drug and whiskey interests, and proprietary medicine vendors. They pleaded for exemptions, claiming the bill was too harsh and in fact insane.⁴ Wiley continued to make speeches appealing to man's better nature; he beseeched organized womanhood to protect their families, and the Woman's Christian Temperance Union and the General Federation of Women's Clubs enthusiastically responded. One-hundred thirty-five thousand of the American Medical Association's physicians signed a petition to Heyburn requesting food and drug standards.

The House of Representatives was working on a pure food and drugs bill, which was also introduced the day following Roosevelt's message. But as late as April 1906, there was no action in sight.



The Poison Squad

The Role of Upton Sinclair

Upton Sinclair "discovered" Socialism in 1902. He abandoned writing boys' stories and began composing socialist essays and novels on chattel slavery in America. His first book of this type, *Manassas*, was published in 1904, and less than 2,000 copies were sold. It was praised by Socialists, among them Fred Warren, editor of the Socialist weekly *Appeal to Reason*, who encouraged Sinclair now to portray the struggle over wage slavery. Sinclair wrote:

"In October 1904, I set out for Chicago, and for seven weeks lived among the wage slaves of the Beef Trust. I sat at night in the homes of the workers, foreign-born and native, and they told me their stories, one after one, and I made notes of everything. In the daytime I would wander about the yards, and my friends would risk their jobs to show me what I wanted to see. . . . I went about the district, talking with lawyers, doctors, dentists, nurses, policemen, politicians, real-estate agents—every sort of person."⁷

In the spring of 1905 the resulting story, entitled *The Jungle*, began to appear in the *Appeal to Reason*, circulation one-half million, and Sinclair received favorable letters from readers.⁷ George Brett, of the MacMillan Company, offered Sinclair an advance of \$500 provided Sinclair cut out the story's gory descriptions, for, he said, no respectable concern in America had ever published anything so horribly explicit. Sinclair refused to comply. Five more publishers rejected the book, after which Sinclair published it himself in 1905. Offering a "Sustainer's Edition" to readers of the *Appeal to Reason*, he received merely 3,000 requests.

Sinclair then offered *The Jungle* to Doubleday, Page and Company of New York, and was kindly received by Walter H. Page. Page submitted the manuscript to James Keeley, managing editor of the *Chicago Tribune*, for his evaluation. Keeley secretly hired a publicity agent of the packers to do the appraisal. The agent, in his 32-page report, claimed the text was full of "rascalities." Sinclair, however, persuaded Doubleday, Page and Company to investigate his book themselves, and the firm sent their own lawyer to the Chicago stockyards. When the lawyer returned, confirming all of the



Upton Sinclair at twenty-seven, when he was writing *The Jungle*

statements in the text, the book was published (February 1906).⁷ "I have embellished nothing," Sinclair insisted; "I have invented incidents . . . I have simply dramatized and interpreted . . . but . . . I have not invented the smallest detail."⁸ Stories of rats in hoppers, the selling of condemned meats, a boy locked in a factory at night to be devoured by rats—all of these tales were apparently true, as others were soon to discover.

Isaac F. Marcossou, press agent for Doubleday, suggested surreptitiously utilizing President Roosevelt as a publicity agent. Both Marcossou and Sinclair sent copies of *The Jungle* to the President, and both received replies stating he was investigating the charges. On March 9, 1906, Roosevelt replied to Sinclair, "I shall read it with interest," and then proceeded to privately contact Secretary Wilson to request he "carefully read through (Sinclair's) letter" himself and get a "first-class man" to investigate the accusations.⁹ Roosevelt then wrote Sinclair, in a letter evaluating the book, that "the specific evils you point out shall, if their existence be proved, and if I have power, be eradicated."⁹ Sinclair claimed:

"The President wrote to me that he was having the Department of Agriculture investigate the matter, and I replied that was like asking a burglar to determine his own guilt. If Roosevelt really wanted to know anything about conditions in the yards, he would have to make a secret and confidential investigation."⁷

Roosevelt had also recently received three articles with proof from Doubleday concerning situations akin to those depicted in *The Jungle* and, possibly fearing exposure in a serious magazine more than in a book of fiction, he requested Wilson to act.⁷

Wilson and Roosevelt agreed it was unwise to call upon the Bureau of Animal Industry to investigate the matter, as the public was critical of its inspection methods. Therefore, they sought two men having no official contact with the Department of Agriculture: Charles P. Neill, United States labor commissioner, and James Bronson Reynolds, New York reformer. Neill and Reynolds requested Sinclair accompany them to Chicago but, unable to do so, Sinclair sent Mrs. Ella Reeve Bloor (a socialist from New Jersey) as his representative.

The plan for an investigation did not, however, remain secret very long. Packers quickly proceeded to clean up their factories before the investigators arrived, and were prepared to promise anything. "The controversy started at once," Sinclair recalled.⁷ On behalf of the packers, J. Ogden Armour wrote, in a series of articles in the *Saturday Evening Post*, that his products were blemish-free. Yet Sinclair gathered proof in a companion piece to the series (published in *Everybody's Magazine*) that Armour's workers had been bribed into silence, and that he had "court records of many pleas of guilty that Mr. Armour and his associates had entered in various states to the charge of selling adulterated meat products."⁷

Neill and Reynolds were able to obtain evidence of everything charged. "There was enough to make a terrific story if it got into the newspapers," wrote Sinclair,⁷ and that was exactly what Roosevelt did not want. It was a repugnant report of dirt, disease, and negligence in the poorly ventilated meat factories, of tuberculosis among workers, and extraneous material in products. Roosevelt advised Sinclair to remain silent concerning the investigation, insisting he "cannot afford to be hurried any more than I can afford to be stopped from making the investigation; it may take months before we can get a really satisfactory statement."⁹

Sinclair was impatient. Reviews of *The Jungle* had been unfavorable. The country was engrossed in fiction about New York Society (Glasgow, *The Wheel of Life*; Wharton, *The House of Mirth*), in mystery (Nicholson, *The House of 1000 Candles*), and in love and marriage in the old South (Wister, *Lady Baltimore*). A book of blood, viscera, and socialism held no place among these best-sellers. The first reviews of *The Jungle* ranged from distaste and contempt to bare tolerance. *Outlook* described the book as "hysterical."¹⁰ "Mr. Sinclair's literary success was that he turned everybody's stomach," wrote the *Independent*.¹¹ "It is a queer document of Socialist propaganda," said Edward Marsh of *Bookman*, "and there is too much of it to be wholly true."¹²

Sinclair's book was not being purchased, and he could no longer afford to remain silent. He wrote the *New York Times* of Mrs. Bloor's mission to Chicago with Neill and Reynolds, and "the whole story was on the front page the next day."⁷ The public demanded release of the report, and Roosevelt was eventually forced to disclose its contents. Admitting the situation was "hideous," the President desired to withhold the report as he feared disclosure would result in damage not to the packers but to the innocent stock growers, and that the country's export trade in meat would be ruined. In addition, beef packers promised that if he did not release

the report, they would right their wrongs.⁹ Congress insisted upon receiving the report,⁹ and newspapers clamored for excerpts. Complaining packers replied that Neill and Reynolds were merely shocked by the sight of blood, and accused Roosevelt of hostility remaining from his failure as a cattleman in Medora in 1886.

The Neill-Reynolds investigation was disclosed in May, after Sinclair's letter to the *New York Times* had been published nationally. *The Jungle* quickly became the sixth most popular novel in the country and leaped to first place in a few weeks. Reviews turned abruptly from disdain to praise and sanction. Critics did not discuss the literary value of the book as much as "its importance as an exposure of abuses in the stockyards and packing houses of Chicago."¹³ (Interestingly, less than a dozen pages of the rather lengthy book dealt with this.) *Saturday Review*, *Spectator*, *Review of Reviews*, and the *New York Times* published overwhelming praise in May and June. The *New York Evening World* wrote, "Not since Byron awoke one morning to find himself famous has there been such an example of worldwide fame won in a day by a book as has come to Upton Sinclair."¹⁴ "I had now 'arrived'," Sinclair recalled.¹⁴ *The Jungle* was one of the best sellers of 1906, and was translated into more than 20 languages.

Senator A. J. Beveridge read *The Jungle* at this time and, having meditated on the federal meat inspection laws, decided to act. A proposal was drafted with the assistance of Neill, Reynolds, and Wilson. It was passed within weeks by the Senate (on May 25, 1906) as a direct result of disclosures made in Sinclair's novel and proven in the Neill-Reynolds investigation. Although the Neill-Reynolds report did not pertain specifically to the Pure Food Bill, reaction to the report resulted in the passage of the bill. Debate on a similar bill began in the House on June 21, 1906, and by June 23 it was passed by a great margin (241 in favor, 17 opposed).⁵ The bills of the House and Senate were reconciled, and the resulting bill was affirmed by both bodies. On that day, June 30, 1906, President Roosevelt signed the law. Primarily responsible for the events of the closing days in June were public opinion aroused by the slaughterhouse exposures in Sinclair's *The Jungle* and the Neill-Reynolds report, Wiley's leadership in the campaign, and presidential support.

However, Roosevelt's support of the measure remains uncertain. Muckrakers were regarded with reserve by the President, as they generally alarmed him. He felt they could "do nothing effective," as they lacked intelligence; some were "Socialists . . . some are merely lurid sensationalists; but they are all building up a revolutionary feeling."⁹ Roosevelt regarded "the growth of the Socialistic party in this country" as being "far more ominous than any populist or similar movement in the past."⁹ As Wiley discovered in the first few months of Roosevelt's administration, the best way to incur Presidential opposition was to "(run) afoul of his good will."¹⁴ Sinclair was most successful at this. Although the relationship between them was one of great civility at first, it deteriorated as the fight for the Pure Food and Drugs Bill continued.

The Jungle enjoyed fame, and Upton Sinclair became

suddenly wealthy. In the early autumn the book was re-examined by critics for its literary value. Sinclair was accused by the *New York Evening Post* of "exulting in misery" and "hating the comfortable class." *The Independent* used the term "flyblowing" to describe Sinclair's talents, and felt his choice of materials smacked of decadence. *The Jungle* was compared to Zola's writing by many reviewers, in that both were two-phased: one phase the photography of sewage, and the second an element of social reform. "The story is told without any attempt to point a moral," it was written in *Athenaeum*, "but it degenerates into a Socialist argument, and thus loses a good deal of its artistic merit."¹⁵

Although *The Jungle* receded from the best-seller list by the fall, its popularity was difficult to destroy. Sinclair wrote, "'Fame' meant that newspapers and magazines would print a little bit of what I wanted to say."⁷ Because Sinclair had not been defeated in the struggle to preserve *The Jungle* as it was originally written, he became internationally recognized as a fighter for pure food and drugs standards. This initial fame aided him in his later career, as he continued to write exposés (e.g., *King Coal*, 1917, an investigation of the 1913 Colorado coal strike; *Oil*, 1927, a probe of the Harding administration's oil scandals), idealistic works calling for social reform, and several plays. He ended his activity in the Socialist party after being narrowly defeated for governor of California in 1934, and went on to complete more than 80 books including *Dragon's Teeth*, for which he received the 1943 Pulitzer Prize.

REFERENCES

1. Schneider, H. A. Why the FDA Can't Win This One. *Am. J. Public Health* 66:342, 1976.
2. Editorial. FDA: Review Panel Faults Commissioner's Defense of Agency. *Science* 192:1084-1085, 1976.
3. Boffey, P. M. Scientists and Bureaucrats: A Clash of Cultures on FDA Advisory Panel. *Science* 191:1244-1246, 1976.
4. Wiley, H. W. *An Autobiography*. Indianapolis: Bobbs-Merrill Co., 1930.
5. Anderson, O. E. *The Health of a Nation*. Chicago: University of Chicago Press, 1958.
6. 59th Congress. *The Congressional Record*, First Session, p. 102, 1905.
7. Sinclair, U. *The Autobiography of Upton Sinclair*. New York: Harcourt, Brace and World, Inc., 1962.
8. Sinclair, U. Is *The Jungle* True? *Independent* 60:1129-1133, 1906.
9. Morrison, E. *The Letters of Theodore Roosevelt*. Cambridge, MA: Harvard University Press, 1952.
10. Editorial. *Outlook* 82:758, 1906.
11. Editorial. *Independent* 61:1158, 1906.
12. Editorial. *Bookman* 23:195, 1906.
13. Editorial. *Literary Digest* 33:595, 1906.
14. Sinclair, U. *My Lifetime in Letters*. Columbia, MO: University of Missouri Press, 1960.
15. Editorial. *Athenaeum* 1:446, 1906.

SOURCE: The photographs of "The Poison Squad" and "Reformer" are contained in the book *The Health of a Nation*, by Oscar E. Anderson, Jr., Chicago: University of Chicago Press, 1958, for which they were obtained from the National Archives and the Library of Congress respectively. The picture of Upton Sinclair (circa 1905) appeared in *The Autobiography of Upton Sinclair* published by Harcourt, Brace and World, Inc., New York, 1962, and is from the Lilly Library, Indiana University, Bloomington.