

# NEW STRIFE NEARS IN GRAPE DISPUTE

## Student Group Expected to Begin Boycott of Gallo

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LIVINGSTON, Calif., Sept. 15 —This dusty town of 3,000 people in the middle of the San Joaquin Valley, California's agricultural heartland, prides itself on being the place "where the sun ripens the fruit of prosperity." But it is currently the scene of a bitter dispute between the United Farm Workers and the E. & J. Gallo Winery, the nation's largest wine-maker.

That battle is expected to intensify early next month when the National Student Association starts a nationwide boycott of Gallo products, including such student favorites as "Red Mountain" and "Boone's farm Apple Wine."

Cesar Chavez, U.F.W. president, will make a speaking tour of college campuses to spur efforts on this boycott, along with the ones the U.F.W. is sponsoring on table grapes and lettuce.

For six years, Gallo had a contract with Chavez's group, but on April 18 the contract expired and in June renegotiation talks broke down. Robert J. Gallo, company vice president, asserted that the "inefficiency" of the union hiring hall and U.F.W. membership rules had brought the talks to a halt.

Mr. Chavez contended that Gallo simply wanted to sign with the International Brotherhood of Teamsters, who have been locked in a fierce jurisdictional battle with the U.F.W. to represent field hands since 1970.

### Beginning of Strike

On June 26, Gallo announced that it was negotiating with the teamsters. The next day, the U.F.W. struck. On July 10, Gallo signed a four-year contract with the teamsters.

Currently, the Gallo strike and one at the smaller Franzia Bros. Winery north of here are the only scenes of vineyard picketing activity by the U.F.W. All picketing in the Delano area, heart of the table grape industry, were suspended by Mr. Chavez after two of his members were killed in mid-August.

On Aug. 29, over 60 U.F.W. strikers were arrested here when they attempted to enter the fields and talk to strike-breakers who are harvesting Gallo's grapes. Several strikers, a picker and a sheriff were injured during the incident. Subsequently, Gallo obtained an injunction that limits the number of pickets and mandates that they operate across the road from the pickers.

The Chavez group is challenging the constitutionality of the restrictions as one part of a legal battle with Gallo.

Soon after the strike commenced, Gallo attempted to evict about 70 striking farm worker families living in Gallo labor camps here. Many workers live in the 25-year-old camp year round, even though the camps are classified only as "seasonal" housing and are badly in need of structural repair. There is a shortage of other housing for field hands in this area.

### Evictions Challenged

The U.F.W. attorney, Barbara Rhine, has challenged the evictions, contending there has not been "a lawful termination of the employer-employee relationship." This is based on the contention that the teamster contract was not legitimately ratified because strikers were not allowed to vote.

Thus, the U.F.W. eviction challenge may make it necessary for the court to examine how the teamster contract was ratified. The contract was signed by James Smith, the organizer whose efforts in Delano were repudiated by the teamster president, Frank Fitzsimmons, last month, upon heavy pressure from George Meany, A.F.L.-C.I.O. president.

The National Labor Relations Act provides that strikers are entitled to vote in ratification elections, but farm laborers are specifically exempted from the act.

Additionally, the U.F.W. recently filed a \$3-million lawsuit charging that Gallo had allowed the deterioration of water and sanitation systems in the labor camp "as part of a deliberate attempt to drive the residents from their homes."

Mr. Gallo denied this charge vigorously and said it was designed solely for "publicity purposes."

Still, the water was declared contaminated by the Merced County Public Health Department in late August, and Gallo has now chlorinated the entire system.

Gallo is a privately held company owned by family members. Thus, it publishes no financial data, but according to industry sources the company had a pre-tax profit of \$35-million to \$40-million on sales of \$250-million in 1971.

A 1973 study by the First Harlem Securities Corporation reported that Gallo sold 109-million gallons of wine in 1972, almost one-third of total United States consumption.

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