

I finally received  
my TOX TALK



*[Handwritten signature]*

## WHAT IS TOX TALK??????

Now that the summer is over and the hassles of coordinating our vacation schedules are behind us, I'd like to keep a promise I made to you at the Philadelphia Interim Toxicology Meeting in October. That promise was to initiate a Newsletter to provide a means of communication for our interested members.

My proposal at that time was that the articles (to be published) should include:

1. Interesting case histories and analytical procedures in the form of a "Case of the Month". I'm enclosing a reporting format which closely resembles that of TIAFT.
2. Educational Opportunities Listing: University Seminars, Short Courses, & Work Shops
3. Employment Opportunities: If you have or know of an available position, please give a brief description of the duties, qualifications, and any other pertinent information concerning the position.
4. Up-to-date reportage of our organization's committee activity and progress. During these months of organization, it is hoped that our Newsletter will keep you informed of all proposals, and as sections of the by-laws and constitution come out of committee, they will be presented to our members for their comments. For example, the Chairperson's "MESSAGE" inquires about your attitude toward incorporation, and we DO want your comments.

One of the early Newsletters will also include a roster of individuals who have attended at least one of the interim meetings. Another suggestion was to list the names of forensic-oriented laboratories and their directors.

Providing we have sufficient material (and my "cooperative" secretary stops glaring hostilely when I put copy on her desk), I will attempt to issue a comprehensive Newsletter quarterly.

In the time remaining before the Chapel Hill Meeting, please read over the minutes of the Committee Meetings so that we can move ahead smoothly.

### Chairperson's Message

Since our October meeting your committees have worked very hard to put together a format which expresses our organization. The committee responsible for finding a name has agreed on: Society of Forensic Toxicologists. A precis of our progress toward a constitution and by-laws is included elsewhere in this Newsletter. I have appointed Leonard Bednarczyk Secretary. In this capacity he has obtained for us the services of Richard Paul as legal counsel. Dick in turn has initiated action to incorporate our organization. Now we need to hear from you. Is it going the way you want and/or expect it to? Please let us know how well we are representing your concept of this organization.

NOVEMBER 16, 1973

A combined meeting of the nomenclature and organization committees, appointed at the 4th annual Interim Toxicology Meeting was held in Nassau County, N.Y. on November 16, 1973. Present were Abraham Freireich, J. Speaker, J. Bidanset, L. Dal Cortivo, P. Schweda, D. Hoffman, N. Reading, J. Milzoff, and L. Bednarczyk.

Dal Cortivo reported that a number of names were proposed by the nomenclature committee. All the names were discussed. Dal Cortivo pointed out that "Society of Forensic Toxicologists" was the only name suggested by all members of the committee. He moved that this name be adopted. The motion was seconded by Schweda, and a unanimous "Yea" vote was recorded. The committee resolved that any discussion from the general membership would be taken under advisement.

The question of an official seal was tabled. The next item for discussion was one of incorporation. It was decided to have L. Bednarczyk contact an attorney and report to J. Speaker on the information obtained. Dal Cortivo moved that the question of incorporation be tabled. The motion was seconded and carried unanimously.

It was next decided to establish a Newsletter. J. Bidanset volunteered to edit, type, and distribute same.

A lengthy discussion ensued on the purposes of this "Society". It was finally agreed by all that the purposes be as follows:

1. Provide an organization of professional Forensic Toxicologists; i.e., those scientists engaged in the analysis of human tissue and body fluids for drugs and/or poisons, and who interpret the information generated from these analyses.
2. Establish uniform qualifications and rerequirements for certified Forensic Toxicologists and provide a mechanism for the continuing certification thereof.
3. Stimulate research and development in the field of Forensic Toxicology.
4. Provide a forum for discussion and exchange of professional experiences.
5. Promote and further the education and training in Forensic Toxicology under the direction of a certified Forensic Toxicologist.
6. Provide a Board of Review in cases involving differences of professional opinions.
7. When appropriate, to review and make recommendations upon pending or existing legislation which appears to relate to the field of Forensic Toxicology.
8. Act on administrative, career, and financial problems affecting Forensic Toxicologists.

The last order of business was to appoint three committees:

- |                   |   |
|-------------------|---|
| A. MEMBERSHIP:    | Bidanset, Dal Cortivo, Freireich, Hoffman |
| B. BY-LAWS:       | Reading, Milzoff, Stolman                 |
| C. CERTIFICATION: | Speaker, Schweda, Bednarczyk              |

The meeting was then adjourned.

MINUTES OF MEETING S.O.F.T. - DECEMBER 14, 1973

Philadelphia meeting was opened by President Speaker. She asked that we prepare a formal presentation for the AAFS meeting to be held in Dallas. After a discussion, it was agreed that a formal announcement would be premature.

Freireich made a motion that the minutes of the last meeting be read. Bednarczyk read the minutes of the November meeting. They were accepted as read. The minutes were given to Bidanset for printing in the Newsletter.

The President next asked for Committee reports.

1. Report on Incorporation - Bednarczyk

Richard Paul, Esquire, was commissioned to investigate incorporation of S.O.F.T. He informed me that such action in the State of Delaware is rather easy, and will cost less than \$100. This fee is exclusive of his fees which he generously donated to this organization. As a part of this report it was recommended that Mr. Paul be retained as legal counsel for S.O.F.T. The question of incorporation was discussed; Mr. Paul suggested, and it was agreed, that he prepare a draft of the corporation, serve a certificate of incorporation and reserve the name of the organization with the Secretary of the State of Delaware. This action was agreed on by all present. The question of incorporation was tabled to our next meeting.

2. By-Laws Committee - Reading

2.1 Meetings Articles IX, X

2.1.1 Annual meetings to be held in the fall of the year.

2.1.2 Executive meetings as required by the President

## 2.2 Officers

2.2.1. President

2.2.2. President-Elect (Secretary)

2.2.3. Membership Secretary/Treasurer - 3 year term of office

2.2.4. Newsletter Editor

2.2.1 Term of office of President limited to one year.

2.2.2. The President-elect would act as an Executive Secretary/Executive Co-ordinator under the President so that each President would then have two years' involvement with organization.

Friereich objected to Newsletter Editor being an elected officer. He recommended, however, that he be on executive board.

Assistant-Treasurer should be appointed initially by the Treasurer on an interim basis.

Paul - 4 offices are required, but not 4 officers.

No officers are successional but may run again.

Board of Directors should be staggered 3-2-1 years so that one member is elected each year by the membership.

### Duties of Officers:

President to be overall coordinator of organization, run meetings, appoint committees and committee chairman.

Secretary - right hand of President.

(Dal Cortino - suggested a Newsletter be sent out polling membership on incorporation.

- suggested the seal be a micro-diffusion disk.

Treasurer - responsible for maintaining active membership roster and finances.

All three individuals would be empowered to sign checks for the organization, but all checks require two signatures.

Qualifications of Officers - established by credentials committee.

(Credentials)

Membership Committee Report: Bidanset

Three classes:

- restricted to individuals who have demonstrated an ability to perform as Forensic Toxicologists as recognized by members of S.O.F.T. They must obtain a qualified level of training as shown by degree attainment, or training as determined by S.O.F.T. Must have extensive experience in Toxicology and/or continued interest in field.

Full Members:     Ph.D. + 2 years' experience )  
  ) + continued interest  
  )     M.S. + 4 years' experience )  
  )     B.S. + 6 years' experience )

Assoc.Members:     For those not qualified for full membership, but who show interest in the field of forensic toxicology. Associate membership need not lead to full membership.

Student Affiliates:     students enrolled in any science program whatsoever should be welcomed.

- A. Sponsorship by two members of the Society who are in good standing.
- B. Resume submitted, brief but thorough, sent to full membership for approval. Positive comment will not be required; however, negative comments must be submitted in writing.



Individuals will be given notice of adverse comments and must then appear to defend their position.

Credentials Committee: - will consist of the officers of the Society, with provisions for the eventual formation of a separate and distinct committee.

Charter Membership: - any individual who meets the requirements for a particular classification of membership and who has attended at least one of the meetings held prior to but not including the 1974 meeting in Chapel Hill, N. C.

Reading - suggested that certification be required before a member can hold office in S.O.F.T.

Freireich - suggested that certification be required before one can be a full member.  
Membership should be exclusive and restrictive.

Report on Certification: Bednarczyk

1. Background of individual

1.1 Resume

1.2 Peer group review by Certification committee.

1.3 Letters of recommendation from two certified forensic toxicologists.

All associate members who apply for certification must complete certification within 1 year of application.

Requirements for Certification

1. Ph.D. + 3 years' practical experience
2. M.S. + 7 years' practical experience
3. B.S. + 11 years' practical experience

Examination Fee: \$100 - \$150

Written examination

Check Sample:

Annual Proof of Certification:

one of the below

1. check sample
2. publication
3. completion of a course at an accredited university.

After 3 failures of check samples, a certified member must show proof of education or training and must be re-evaluated by the certification committee.

ABSTRACT OF THE APRIL 26, 1974 MEETING

The subject of incorporation was again discussed. For the various reasons included in the attached letter from Richard Paul, Esq., the Ad Hoc Committee authorized the incorporation with the following officers:

President .....Jane Speaker  
Vice President.....Abe Freireich  
Secretary.....Leon Bednarczyk  
Treasurer.....Jesse Bidanset

These are tentative assignments, pending approval at the Chapel Hill Meeting.

We then proposed the establishment of an American Board of Forensic Toxicologists to serve as a Credentials (or Membership) Committee. The following toxicologists were approached to assume the responsibility of acting as a temporary Board (subject to the approval of the membership at large):

Schweda, Dal Cortivo, Milzoff, Hoffman, Freireich, Speaker, Turk, Bednarczyk, Reading, Blanke, Stolman, Bidanset.

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OCTOBER MEETING OF THE SOCIETY OF FORENSIC TOXICOLOGISTS

The Fifth Interim Toxicology Meeting will be held on October 17th & 18th at the Carolina Inn, in Chapel Hill, North Carolina. The meeting will consist of informal presentations concerning toxicological analysis. For more information concerning this meeting, contact Arthur Mc Bay, Ph.D., Toxicology Laboratory, Office of the Chief Medical Examiner, P.O. Box 2488, Chapel Hill, North Carolina 27514.

ATTENTION NEW YORK AREA MEMBERS

Inquiries yielded the following airline transportation information (from New York's La Guardia Airport) for the above Meeting:

AIRLINE: EASTERN AIRLINES  
FARES: "INDIVIDUAL" ROUND TRIP COACH  
ROUND TRIP (N.Y. TO RALEIGH) \$92.00  
\*"GROUP RATE" ROUND TRIP COACH 69.99  
(10 or more people constitutes group)

Bus & Limousine service available from Raleigh Airport to Chapel Hill (13 mile distance)

\*GROUP RESERVATIONS MUST BE MADE AT LEAST ONE WEEK PRIOR TO FLIGHT. TICKETS MUST BE PICKED UP (INDIVIDUALLY OR BY GROUP REPRESENTATIVE) AT LEAST 5 DAYS PRIOR TO FLIGHT.

The flights listed below were the only ones available at convenient hours and are non-stop:

Flight #565 .....Departs La Guardia.....10/16/74 at 7:40 P.M.  
Arrives Raleigh .....9:00 P.M.  
Flight #585.....Departs Raleigh .....10/19/74 at 8:10 A.M.  
Arrives La Guardia.....9:25 A.M.

FOR FURTHER INFORMATION AND RESERVATIONS, CALL JESSE BIDANSET AT AREA CODE 516-489-1202.

RECOMMENDATION FOR CERTIFICATION OF  
FORENSIC/ TOXICOLOGISTS  
by the S.F.T.

**REQUIREMENTS FOR CERTIFICATION:**

1. Fees -- \$100.00 minimum
2. Curriculum Vitae
3. Education -- M.D. in Pharmacology, Analytical Chemistry, Organic Chemistry, Biochemistry, or Toxicology. Certified transcript required.
4. Experience -- Two years as a Toxicologist.
5. Examination -- Rigorous and extensive. A committee will be appointed to submit and review questions.

**FAILURE:** After three (3) failures, it will be necessary to provide evidence of further education or training before acceptance for re-examination.

**WITHDRAWAL:** \$25.00 will be held by the Society.

**REINSTATEMENT:** After a lapse of time from the practice of Toxicology, re-examination will be necessary for continued certification.

**GRANDFATHER CLAUSE:**

The Curriculum Vitae will be submitted to a committee which will compare it for its correspondence with the following definition of the Forensic Toxicologist.

A person with a college-level degree who has demonstrated proficiency in developing a scheme of analysis, performing the analyses, and interpreting the results obtained, and has by virtue of his position signed reports of this work.

The person must further have been recognized as an expert witness in a court of record.

## ELECTIVE OFFICES

1. There shall be four elective offices. Three directors and one treasurer.
2. Qualifications of elective officers: All elective officers must be full members of the society.
3. Terms of office.

The Directors shall be elected for a three (3) year term of office with the exception of the first three elected. In this case one shall be elected for one year, one shall be elected for two years and the third shall be elected for three years. Each year one new director shall be elected.

The Treasurer shall be elected for a three year term.

### 4. Duties:

The Directors shall:

- A. Preside at all membership meetings.
- B. Present an annual report of the work of the organization at each annual meeting.
- C. Appoint all committees and individual assignments, temporary and permanent.
- D. Insure that all books, reports and certificates as required by law are properly kept or filed.
- E. Be empowered to sign checks and drafts for the organization.
- F. Have other such powers normally vested in an executive body of a membership organization.
- G. Appoint the Director who has one year remaining in term of office as chairperson to nominally preside at all meetings of the directors.

## **Duties (Continued)**

**The Treasurer shall:**

- A. Be in charge of all monies belonging to the organization.**
- B. Be empowered to sign checks and drafts on the organization.**
- C. Attend to correspondence.**
- D. Render an accounting of all finances at such times that the Directors shall require.**
- E. Nominate to the Directors assistant treasurers as needed.**
- F. Maintain a current membership roster.**
- G. Perform all other duties normally associated with the office of Treasurer of a membership organization.**

## **Committees and Individual Appointments:**

- 1. The Directors shall appoint the following standing committees from the membership:**
  - A. Membership - Appointed at the Fall Meeting to serve for one year. The membership committee shall process the applications as outlined in the By-laws.**
  - B. Assistant Treasurer(s): Shall be nominated by the Treasurer and serve indefinitely at the discretion of the Directors**
  - C. Publications Committee: Shall consist of a News Letter Editor and such other individuals necessary to disseminate the official and unofficial communications to the general membership body.**
- 2. The Directors shall appoint other committees as required.**

**PAUL AND LUKOFF**  
*Attorney at Law*

RICHARD ALLEN PAUL  
PAUL M. LUKOFF

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AREA CODE 302.655-7136

December 10, 1973

Leonard Bednarczk, Ph.D.  
200 S. Adam Street  
Wilmington, DE 19801

Dear Len:

Confirming the conversation I recently had with you, it is my recommendation that the Organization of Forensic Scientists in which you are interested should incorporate and the state of incorporation should be Delaware.

The reasons for incorporation are several. Perhaps the most basic reason is that the organization will be obtaining receipts from dues and other activities and in order to insure that it is not taxable income to some person, a corporation established in the proper fashion and granted tax exempt status as a charitable corporation through the Internal Revenue Service need not report this as income. Moreover, activities conducted on behalf of the corporation can be possibly taken as tax deductible expenses and meetings and such can be the basis for the expenditure of personal funds which would be taxable as an ordinary and necessary business expense.

Moreover, the creation of a corporation limits liability. If any person acting in behalf of your organization should inadvertently injure another person, he would, of course, be acting as agent for the organization and it would be liable as well as the individual who caused the harm. Under the corporation theory of limited liability, corporation's liability would be limited to its assets and the personal assets of the various members would in no way be liable.

Leonard Bednarczk, Ph.D.  
December 10, 1973  
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Moreover, the corporation has perpetual existence and as long as kept in force by the filing of the annual franchise return and a small fee to the State of Delaware, it will continue even though the membership from time to time changes.

Finally, the use of a corporation will enable you to operate under a fictitious name, i.e. the name of the corporation.

I would estimate the total cost of incorporation, including preparation of the Certificate of Incorporation, filing fees with the Secretary of State of the State of Delaware and the obtaining of a corporate seal to be no more than \$100.00 and perhaps a little less than that figure. As I indicated to you, there will be no charge for my services.

Please convey this information to your colleagues and if they are interested, let me know.

Very truly yours,

  
Richard Allen Paul

RAP/jm



Please return completed forms to: J.H. BIDANSET, Ph.D.  
P.O. BOX 160  
East Meadow, N.Y. 11554

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**CASE HISTORY:** Please include age, sex, poison involved, quantity used, clinical course (if any), & time of death relative to ingestion (if available).

**METHODOLOGY:** Method of extraction, Identification & Quantitation.  
(If you use recovery factors, kindly give details)

**RESULTS OF ANALYSES:** Please give tissue distributions.

**SIGNIFICANT POST MORTEM FINDINGS:  
& FINAL CAUSE OF DEATH :**

**REFERENCES (IN THE LITERATURE):** Please reference methodology and/or interpretative data when possible.

**SUBMITTED BY:**