S YDNEY, Australia, Sept. 3, 1984- A study committee has recommended that state officials authorize the destruction of two frozen embryos that belonged to a Los Angeles couple who died in a plane crash. A final decision, however, has been put off until December. Jim Kennan, State Attorney General of Victoria, said today that he would allow the state to consider public opinion on the issue for three months to see if there was any reason not to accept the recommendation. The two embryos have been held in storage since the couple, Mario and Elsa Rios, were killed in a light plane crash in Chile last year. They had been trying to have a baby by in vitro fertilization at the Queen Victoria Medical Center in Melbourne. They left no instructions on what should be done if both died.

Conclusions of Panel
The committee of legal experts, philosophers, theologians and scientists recommended that frozen embryos should be destroyed if couples die or divorce without leaving instructions. The feeling apparently was that since the Los Angeles couple had not specified what should be done, no one else had the right to do so and the embryos should just be thawed. The panel, headed by Professor Louis Waller, noted that the donation of the embryos requires the producer's consent. It also viewed the embryos as having no life or rights at that stage, because the couple had also agreed to embryo experimentation. The Waller Committee recommended that medical experimentation on embryos up to 14 days old be allowed and that freezing of embryos continue, but it came out against the payment of surrogate mothers. Mr. Kennan said the state would move at once to outlaw paid surrogate mothering as well as advertising for surrogate mothers.

Outcry Over Embryos
Reports of the existence of the embryos in June prompted an outcry around the world. Groups opposed to abortion demanded that every effort be made to revive the embryos by implantation in a surrogate mother. Women in Australia, the United States, Japan and other nations asked that the embryos be implanted in them. There was much speculation
on whether the embryos had claim on the Rios estate, estimated at more than $1 million. The decision announced today was immediately attacked by groups demanding that the embryos be treated as orphans and made wards of the state. Margaret Tighe, head of such a group in Victoria, said frozen embryos now had the same rights as a frozen pea, but that her group would fight any attempt to destroy them. In June officials said a committee that had been studying the legal and ethical problems of in vitro fertilization since 1982 would consider the fate of the Rios embryos. Mr. Kennan said then that the state would follow the committee's decision.

But the officials appeared to have had second thoughts. The committee handed in its report two weeks ago, but Mr. Kennan did not announce the findings until today and he added the three-month public debate period. Professor Waller's office said he was out of the country and could not be reached. Dr. Alan Trounson, a leader of the Queen Victoria in vitro fertilization team, hailed the decision. "It sounds a very good report - liberal," he said in an interview. "It might have been a lot more difficult." He said it might have outlawed the freezing of embryos "and made life very difficult."

Slim Chance of Survival
Dr. Trounson echoed an earlier warning by Professor Carl Wood, head of the medical team, that the embryos were frozen when the technique was in its pioneer stage and there was little chance they would survive thawing. Dr. Trounson said the chance of survival "is virtually zero." Freezing embryos for later implantation in the womb was developed at Queen Victoria. Doctors there have achieved two births so far using frozen embryos, and six more women are pregnant in the program. Eggs were removed from Mrs. Rios and fertilized with sperm from an unidentified donor. Some eggs were reimplanted, but no pregnancy resulted. Two spare embryos were frozen and the couple indicated they planned to return to Melbourne for a new attempt, but died in the crash, center officials said. Couples enrolling in in vitro programs at Queen Victoria now must state what should be done with their frozen embryos if something happens to them.

Assignment: Can you think of five issues that are raised a result of this case?