



THE SOCIETY OF THE PLASTICS INDUSTRY, INC.

250 PARK AVENUE • NEW YORK, NEW YORK 10017 • 212/687-2675

MINUTES

AD HOC NITRILE BARRIER RESIN COMMITTEE

Airport Hotel
Philadelphia, Pa.

June 14, 1973
11:00 A. M.

Attendees:

George Barry, Borg-Warner Co. P.O. Box 68, Washington, W.Va. 26181
Ken Burgess, Dow Chemical Co., Midland, Mich. 48640
Jim Coleman, ICI America, Inc., Wilmington, Del. 19899
Roland DiLeone, American Cyanamid, 1937 West Main St., Stamford, Conn. 06904
A. J. Haefner, Ethyl Corp., Box 391, Baton Rouge, La. 70821
R. L. Harding, SPI, 250 Park Ave., New York, N.Y. 10017
Jerome H. Heckman, Keller & Heckman, 1150 17th St., N.W., Washington, D. C. 2003
Gordon Kiddoo, Vistron Corp., 1608 Midland Bldg., Cleveland, Ohio 44115
J. R. Lawrence, SPI, 250 Park Ave., New York, N.Y. 10017
Clarence Neher, Ethyl Corp., Baton Rouge, La. 70801
W. T. Nelson, E. I. DuPont, Plastics Dept., Wilmington, Del. 19898
H. J. Schneider, Rohm and Haas Co., Independence Mall West, Philadelphia, Pa. 19105
Eli Schwartz, Uniroyal Chemical, Elm St., Naugatuck, Conn. 06511
Fred Shimmers, Borg-Warner, P.O. Box 68, Washington, W. Va. 26181
F. D. Wharton, Jr., Monsanto Co., 800 N. Lindberg Blvd., St. Louis, Mo. 63166

1. Mr. Kiddoo, as Chairman of the Ad Hoc Nitrile Barrier Resin Committee, called the meeting to order at 11:00 A.M. and asked for self introductions of those in attendance.
2. Mr. Harding gave some background on the organization of this Committee meeting and the role that Gordon Kiddoo had played in initiating the action. Mr. Heckman then brought the group up to date on the action by FDA to require an environmental impact analysis report on plastics food packaging materials. In addition to referring to the FDA order published in the Federal Register on March 15, 1973, Mr. Heckman referred to the proposal being made by Mr. Hutt of FDA to make an environmental impact analysis report requirement retroactive for materials cleared or exempted in some way by FDA prior to March 15, 1973. Mr. Heckman's analysis of this proposed requirement is covered in the

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attached memorandum of May 22, to the SPI Food, Drug and Cosmetic Packaging Materials Committee. Mr. Heckman indicated his belief that, at least as a starter, it can be assumed Mr. Hutt appears most concerned about soft drink and beer bottles. Therefore, in a discussion with Mr. Hutt on June 11, it was indicated that FDA would consider a proposal to hold back on requiring environmental impact analysis reports on other bottle resins, most of which are regulated or prior sanctioned materials if the industry will proceed with an environmental impact analysis report on materials used to make carbonated soft drink and beer bottles as the first in a series of analyses that might eventually include all packaging. Mr. Heckman indicated that Mr. Hutt appears to be inclined to proceed in this fashion if the industry could respond with an environmental impact analysis report on such bottles within a period of 90 days after FDA issues such a regulation. He further indicated that he had promised Mr. Hutt that he would talk with him on June 19 to indicate what action this committee would be in a position to take with respect to developing an environmental impact analysis report on carbonated soft drink and beer bottles.

3. Mr. Harding indicated that there had been a precedent in the Public Affairs Council of SPI covering the expenses involved in petitioning the Bureau of Alcohol, Tobacco and Firearms on PVC for liquor bottles. He indicated that he would review this matter with PAC to determine its willingness to cover the extra legal and staff expenses required to develop such a report for FDA.
4. Mr. Kiddoo suggested that the definition of the resins to be included in this environmental impact report be made sufficiently broad to cover all the resins that currently seem to be candidates for this application.
5. Mr. Kiddoo indicated that Viatron would be willing to share the information it has developed that might be useful in developing the environmental impact report. He further explained that his company's work now covers a number of outside studies on the incineration and environmental waste aspects of their nitrile resins systems.
6. A consensus poll was taken on the concept of a cooperative effort to develop an environmental impact analysis report on nitrile type resins. The following companies indicated their willingness to cooperate in such an effort: Dow, Uniroyal, Rohm and Haas, DuPont, American Cyanamid, Monsanto, Ethyl and Borg-Warner. Mr. Coleman, representing ICI America, said that he was not in a position to make a statement on consensus since he represented the interest of ICI in England for whom he was not authorized to speak. Of those companies indicating willingness to cooperate in the development of an environmental impact

analysis report the following companies indicated that they have information that they think would be directly applicable and that they would be willing to share this information in the cooperative effort: Borg-Warner, DuPont (an environmental impact analysis report had already been prepared on their resin and submitted to EPA), Monsanto and Vistron.

7. On the basis of the response of the companies present, Mr. Heckman feels that we may have sufficient background information on these resins to immediately proceed in the preparation of a draft report for review. Therefore, it was agreed that those companies having such information would make it available to Mr. Heckman for the preparation of a draft report. He anticipated that he could have such a draft report ready for review some time in August, or within 45 days of the issuance of a notice by FDA that such an environmental impact analysis report would be required on plastics bottles for soft drinks and beer. It was further anticipated that the final report might be ready to submit to FDA by the end of September if this would be the deadline of their 90 day notice period. The working committee that will meet with Mr. Heckman to review his draft will include the following:

Borg-Warner	Fred Shinnars
DuPont	D. E. Maloney
Monsanto	Fred Wharton
Vistron	Larry Wentz
SPI	John Lawrence

The working committee would meet with Mr. Heckman to review his initial draft within a week of its issuance. After the working committee completes its work on the draft it will be circulated to the full committee represented by the companies attending this meeting. Broader circulation of this draft to other interested parties would be held up pending review of the report by the Ad Hoc Nitrile Barrier Resin Committee.

8. It was agreed that copies of the Minutes of today's meeting would be made available to SPI members with an interest in molding such bottles. These same companies would be given an opportunity to review the environmental impact analysis report prior to its submission to FDA.

Respectfully submitted,

John R. Lawrence
Director, Technical Liaison

JRL:mjh