



INTERNAL CORRESPONDENCE

CHEMICALS AND PLASTICS

RECEIVED

MAR 25 1975

R. N. WHEELER, JR.

RIVER ROAD, BOUND BROOK, NEW JERSEY 08305

FILE COPY
DO NOT
V.E.

To (Name) Dr. A. B. Steele
Division
Location New York, New York

Date March 21, 1975
Originating Dept. Product Distribution

Answering letter date

V.E. Dist act

Copy to See Attached Distribution List

Subject Status Report - Vinyl Chloride

A meeting was held in Washington between representatives of the SPI Ad Hoc Committee on the distribution of vinyl chloride/polyvinyl chloride and OSHA which included Mr. C. R. McClure, Chief of the Division of Occupational Health Office of Compliance Programming, Ms. F. Ryer, also of the above mentioned division, and Mr. D. Flowers, special assistant to the Associate Secretary of Labor for Federal and State Compliance.

The SPI recommended labeling program, as outlined in the status report dated 2/20, was presented using UCC labels as exhibits. OSHA accepted it as being satisfactory and fulfilling the requirements of the regulation. They plan to incorporate it in their inspector's compliance procedures.

They approved the idea of large labels on full pallets but pointed out the customers would be cited if an inspector found product in their plant unlabeled. Therefore, if it becomes necessary to label, we must see that at least one of the pallet labels is in contact with the bottom row so it will be present until the final bags are consumed.

They stated that on imported vinyl resin, labels must be placed on the bags as soon as they come in contact with U.S. labor. This may be on the ship, docks, plant, etc. This should be of particular interest to our Film Products Division who I understand are importing resin from Japan.

As is the case at all meetings of this nature, extreme care had to be exercised in the direct questions passed to OSHA and, accordingly, some assumptions must be made since direct answers are not available. These are:

1. Since they contend that exporting of vinyls will be handled similar to asbestos, we conclude the SeaLand vans do not have to be labeled. This, along with comments indicating labels were required only on primary packages, leads us to conclude that our intent to not tag package trailers or box cars will also be satisfactory.
2. While samples were discussed, no specific conclusion was reached. They admitted the bag inside the box, if labeled, was satisfactory notification for the customer but did not notify the shipper as to its contents. This, however, didn't appear to be of much concern to them. If the label is placed on the outside of the sample box, it will probably preclude our shipping via UP, RRE, Greyhound bus, etc. If our Legal Department doesn't object, I recommend we follow the policy mentioned above and label only the primary container.

UCC
024185

Page Two
Status Report - Vinyl Chloride
March 21, 1975

During the discussion, the question of applicability of the regulation to resins with very low concentrations of residual VCL was raised. They indicated such a proposal had merit and they were in sympathy with producers and users of such resin and stated their solicitor's office was looking for something in the regulation or preamble to justify their exclusion. They did not believe the classification as a fabricated item would be appropriate and if nothing in the regulation as issued could be found, an amendment would be required. This would result in open hearings and take some time. We believe our Solvent and Dispersion resins fit this category.

There is no further word on the request for Stay of Mandate and Stay of Effective Date of Standard Pending Application for Unit of Certiorari to the U.S. Supreme Court. Accordingly, as much as I hate to play it this close, the word still is do no labeling until advised to do so. Every effort will be made to give as much lead time as possible.



E. Bell

EB/mg

UCC
024186

COPY DISTRIBUTION LIST

Mr. B. E. Abrams	New York
Mr. M. M. Anderson	Somerville
Mr. T. F. Archer (2)	Bound Brook
Mr. J. H. Barrett	Somerville
Mr. C. J. Brounstein	Chicago
Mr. D. E. Deese	Texas City
Mr. M. DiCubellis	Bound Brook
Mr. A. E. Donaldson	Bound Brook
Mr. W. J. Dugan	Bound Brook
Mr. T. T. Elgin	S. Charleston
Mr. J. C. Flanders	New York
Mr. R. E. Flowers	Torrance
Mr. G. J. Freebersyser	S. Charleston
Mr. R. H. Gauthier	S. Charleston
Mr. D. E. Gould	Bound Brook
Mr. J. A. Grady	Torrance
Mr. R. E. Graebert	S. Charleston
Mr. M. A. Hill	S. Charleston
Mr. S. Hoffman	New York
Mr. H. Johnson	Clear Lake
Mr. D. E. Jordan	Bound Brook
Mr. W. G. Kahler	S. Charleston
Mr. R. T. Kramer	S. Charleston
Mr. T. G. Kudro	Somerville
Mr. V. L. Larson	New York
Mr. A. W. Lutz	New York
Mr. R. L. Morgan	S. Charleston
Mr. W. E. Morgan	New York
Mr. J. V. Murray	New York
Mr. D. Neal	Bound Brook
Mr. J. Novak	Somerville
Mr. C. D. Nutter	S. Charleston
Mr. A. R. Randall	Somerville
Mr. W. J. Seelig	Clear Lake
Mr. R. W. Sesler/W. C. Roeh	Texas City
Mr. L. H. Shanks	San Francisco
Mr. R. G. Stanley	Bound Brook
Mr. L. S. Truslow	New York
Mr. S. Vicik	Chicago
Mr. R. W. Walton	Clear Lake
Mr. R. N. Wheeler	S. Charleston
Mr. R. L. Yelton	New York

UCC
024187