

MANUFACTURING CHEMISTS' ASSOCIATION, INC.

PLAINTIFF'S
EXHIBIT
CMA-228

Minutes of Meeting

Labels and Precautionary Information Committee

Greenbrier Hotel - White Sulphur Springs, West Virginia - March 12 & 13, 1953

The meeting was called to order at 10:00 A.M., March 12, 1953

Members Present:

R. D. Minter (Chairman) - - - - - Monsanto Chemical Company
 T. R. Aalto - - - - - Heyden Chemical Corporation
 A. G. Cranch, M.D. - - - - - Union Carbide and Carbon Corporation
 J. T. Fuess - - - - - Eastman Organic Chemicals Dept.,
 Distillation Products Industries.
 W. A. Knapp - - - - - General Chemical Division, Allied Chem.
 & Dye Corporation
 F. S. Low - - - - - Westvaco Chemical Division, Food Mach.
 & Chemical Corporation
 M. D. Madsen (for A. Q. Butler) - - - - - Mallinckrodt Chemical Works
 F. D. Sparre (for S. J. Hill) - - - - - E. I. du Pont de Nemours & Company, Inc.
 J. B. Williamson - - - - - American Cyanamid Company
 W. W. Yeager (for G. E. Brewer) - - - - - Shell Chemical Corporation
 D. E. Campbell (Secretary) - - - - - Manufacturing Chemists' Association, Inc.

Guests:

R. G. Troup - - - - - J. T. Baker Chemical Company
 G. L. Wilkes - - - - - Shell Chemical Corporation

Absent:

J. S. Walker - - - - - Hooker Electrochemical Company
 J. H. Foulger, M.D. - - - - - E. I. du Pont de Nemours & Company
 W. J. Quinn - - - - - Merck & Company, Inc.
 W. W. Sunderland - - - - - The Dow Chemical Company
 N. M. Walker - - - - - Pennsylvania Salt Manufacturing Co.

1. ELECTION OF OFFICERS AND NEW MEMBERS.

It was moved, seconded and voted:

THAT, the officers elected at the meeting in May 1952 should
 be continued in office for another year.

This motion was passed unanimously and included a vote of appreciation for
 the services of the current officers. For the fiscal year June 1, 1953, to May
 31, 1954, the officers will be:

Chairman - - - - - R. D. Minter
 Vice Chairman - - - - - J. S. Walker

2. REGULATIONS.

2.0 International -- I.L.O.

Dr. Cranch presented a discussion of this item, including a review of two articles, with particular emphasis on one by Mr. W. L. McGrath, President of the Williamson Heater Company. Dr. Cranch stressed the nature of recommendations adopted by the International Labor Organization. According to current information, the label recommendations adopted in Geneva in 1952 have not as yet been presented to the United Nations. Apparently, from current information, the I.L.O. labels, if used, should be used only in addition to adequate precautionary label.

It was moved, seconded and voted:

THAT, a subcommittee be appointed by the Chairman and be instructed to study and make recommendations to the LAPI Committee for any action, if such is felt necessary.

The Chairman appointed the following subcommittee:

Dr. Cranch (Chairman)
Mr. Brewer (Mr. Yeager)
Mr. Williamson
Mr. Hill

2.1 Federal Regulations.

H.R. 108 and H.R. 620. The Committee decided to take no position on these bills other than to reaffirm the Association's contention that these labeling matters should remain a state problem for solution at that level. The remaining questions raised by these bills appear to be under review by other organizations and will be kept on the agenda for further observation.

2.2 State Regulations.

Following a consideration of various state legislative problems and other bills which had been offered to the Committee, there was some discussion as to the responsibility of the LAPI Committee. This was with particular reference to items contained in these various measures which did not refer specifically to labeling and precautionary information. Although not wanting to take action outside the field of responsibility and the authority granted, the Committee felt that some record should be made of the concern over the responsibility for review of legislation, and that a committee which could be drawn from the member firms of the Association would be of definite value.

It was moved, seconded and voted:

THAT, the LAPI Committee recommends to the Board of Directors of the Association that a Committee be formed to review all proposed legislation affecting the chemical industry, the proposed committee to then take such further action as necessary with the assistance of the appropriate MCA technical committee, if such exists.

It was pointed out that the American Petroleum Institute had been singularly successful in instituting a legislative review procedure on a national and state-wide basis.

2.2.7 New Jersey

Mr. Quinn submitted a report that there is nothing new on this subject at the present meeting. The subcommittee will continue their contacts.

2.2.8 New York State

Mr. Low reported on New York Bills S-1193 and S-1974. Mr. Low suggested that the Association should write Mr. S. T. Barker, Assistant Director, Bureau of Environmental Sanitation, New York State Department of Health, expressing the opinion as to the undesirability of the bills now pending and requesting hearings. This was approved, and Mr. Low has agreed to furnish a draft of the proposed letter which will be issued by the Washington office. There has been further word received from Mr. Barker, according to Mr. Low, that the Legal Department is drafting a proposed regulation in line with Mr. Low's discussions with him.

2.2.10 Oregon

Oregon Senate Bill 314 was brought to the attention of the Committee. No action was taken on this matter at this time.

2.2.14 Kansas

Mr. Minter reported that he has offered assistance to the groups in Kansas and that there has been no further action as of this date. He indicated that he will attend a meeting when and if one is called in Topeka.

2.2.15 Pennsylvania

The following is a part of the report submitted by Mr. Quinn. Both Mr. Quinn and Mr. N. M. Walker have been actively following this law development in Pennsylvania. Mr. Quinn talked with Mr. Dreiling of the Pennsylvania Department of Labor and from his conversations does not feel there is any need for additional follow-up at this time. From that report, the indications are that the Pennsylvania Legislature will be somewhat slow in acting on the amendment to the General Safety Law. Mr. Dreiling has agreed to send a copy of the first version of the bill, and provision has been made to take care of this in the event that Mr. Quinn is in England at that time.

It was reported that at a recent safety conference in Philadelphia a suggestion was made in the course of a floor discussion that it would be desirable to have legislation in Pennsylvania which would require antidotes on the labels for all dangerous chemicals. Mr. Dreiling has indicated that there is no such legislation present or proposed. In the event of the introduction of such legislation, we will be informed. The Chairman appointed Mr. Troup and Mr. Hill as additional members of this subcommittee to assist Messrs. Quinn and Walker.

2.2.16 Colorado

Colorado House Bill 152, copies of which were sent to the Committee, was discussed previously. According to the latest information, this bill was approved by the Governor, March 3, 1953.

2.2.17 Wyoming

Wyoming House Bill 168. It was reported that action had been taken on this bill by the National Agricultural Chemicals Association or Chemical Specialty Manufacturers Association. According to our latest information, this bill was approved by the Governor, February 25, 1953.

2.2.18 Washington State

The Committee discussed the letter from Mr. Shaw which had been circulated earlier. Latest contacts with him indicated that he would accept Federal labeling requirements and that he had not intended to require poison on every listing.

2.3 City Regulations.

2.3.1 New York City

It was reported that there has been very little change since the action reported by the New York City Fire Department. Mr. Fuess reported on correspondence between Mr. Mayhood of the Association and the New York Fire Department. This called the Fire Department's attention to the cooperation of this and other industry representatives in the proposed regulations and the apparent disregard of any suggestions made in the regulations as finally adopted. It was further reported that there is very little possibility of any change in these regulations. Mr. Fuess and Mr. Hill will continue their contact with the New York Flammable Liquids Codes Committee.

3. LABELS -- SAFETY DATA SHEETS.

3.2 Lead Dioxide.

The label as approved by the Committee, Page L-4, was reapproved.

3.6 Toluene.

The label as approved in the minutes, Page L-10 was reapproved by the Committee.

3.9 Ortho-Dichlorobenzene.

The Committee reaffirmed the action noted in the minutes, Page L-13. However, it requested Mr. Minter to investigate data further for labeling purposes.

3.10 Sulfur Dioxide.

The Committee reviewed this label which had been considered at the meeting of May 7-8, 1952 (LAPI Minutes, Page L-18). As noted in the minutes, this was submitted to the Compressed Gas Association, and the Committee received a copy of the reply from that group. The label has been deleted from the Third Revision of Manual L-1. In response to the request of the General Safety Committee for a label to be used in the publication of a data sheet, it was moved, seconded and voted:

THAT, the label as adopted by the Committee is hereby reapproved for submission to the General Safety Committee.

It was noted in this connection that the Chlorine label should be considered with particular reference to the statement "liquid causes burns."

3.17 Butadiene.

The label adopted by the Committee (see Minutes, Page L-20) was reaffirmed for use in the Safety Data Sheet.

3.44 Benzene.

The label as appearing on Page 29 of the Third Revision of Manual L-1 will be used.

3.45 Perchloric Acid.

The label appearing in the new Manual on Page 57 will be used.

3.46 Vinyl Chloride.

There is no change adopted at this meeting for this label from that appearing in the Manual. It is the same as Cyclohexane. The label, however, has been referred to Mr. Minter and Dr. Cranch for review.

3.47 Mercury Oxide.

A subcommittee, comprising the following members, was appointed to prepare a label:

Dr. Butler (Madsen)
Mr. Sparre

3.48 Arsenic Trioxide.

It was indicated that this has some of the same properties as Lead Arsenate, but a subcommittee has been authorized to prepare a label for consideration by the Committee at their next meeting. The Chairman appointed Mr. Low (Chairman), Mr. Knapp, Dr. Foulger, and Dr. Cranch.

3.49 Benzidine.

The following report was submitted by Mr. Sparre:

As a result of new British data discovered by Doctor Foulger and apparently confirmed by some fairly recent work by National Aniline Company, I arranged to have Doctor Foulger call Doctor Cranch at the proofreading session in Bill Knapp's office, which was attended also by Aalto and myself. There seems to be no longer any doubt that benzidine causes bladder tumors and a new statement of hazard, "Repeated absorption may result in bladder tumors" and a new precautionary statement, "Wear fresh clothing daily. Take hot shower after work using plenty of soap," were added. The complete label therefore becomes:

BENZIDINE

WARNING! HAZARDOUS SOLID AND VAPOR
RAPIDLY ABSORBED THROUGH SKIN
REPEATED ABSORPTION MAY RESULT IN BLADDER TUMORS

Avoid breathing dust or vapor.
Avoid contact with skin and eyes.

In case of contact, immediately wash skin with soap and plenty of water; flush eyes with plenty of water for at least 15 minutes and get medical attention. Wear fresh clothing daily. Take hot shower after work using plenty of soap.

4. NEW LABELS.

(a) Standing subcommittee.

Mr. Williamson, Chairman of the Standing Subcommittee, reported first on the proposed questionnaire, a copy of which was circulated at the Committee for review. This questionnaire will be submitted to any and all requesting consideration of labeling by the Committee. The questionnaire provides a means of listing the properties of the products to be considered by the Committee in the labeling. It was moved, seconded and voted:

THAT, the questionnaire as submitted be utilized at least for a test period.

(b) Technical Information.

There was some discussion of the means of assembling various technical information which has been published by firms in the industry. Judging from the volume of this material, the work required in assembling such data would be beyond the facilities now at hand. Mr. Low, however, reviewed his method of assembling toxicological data from the literature, and he has agreed to send copies of his collection to the members and has asked that members reciprocate with like information.

4.5 Lead Napthenate.

This item was presented to the Committee by Mr. Minter as a request forwarded from Mr. Flanagan of the Public Health Service. The Committee discussed in some detail the various suggestions made for labeling of this product.

It was moved, seconded and voted:

THAT, the Chairman reply to the Public Health Service that the label appears to be adequate by the Committee considering the problem of skin absorption. Further, that the statements used do not necessarily fall within the type suggested by the labeling recommendations contained in Manual L-1.

5. REVISION OF MANUAL L-1.

Dr. Knapp reported that the page proofs for the Third Revision of Manual L-1 had been reviewed by the subcommittee and that the Manual would probably be printed and available for distribution within the next three or four weeks.

11. SURGEON GENERAL -- U. S. Public Health Service Committee.

Mr. Minter reported on the meeting held in Cincinnati by the Public Health Service Committee. He had circulated a preliminary report of this to the Committee. This group had indicated primary concern with household packages and they stressed the need for an educational program. Mr. Minter will send copies of the minutes of this Committee to the Washington office and to the LAPI Committee.

15. LABELING BY OTHER GROUPS.(a) Petroleum Packaging Labeling Subcommittee.

Mr. Wilkes reported to the Committee on behalf of the above-named subcommittee. His group has been working in accordance with LAPI principles and copies of their initial report will be sent to the Washington office for circulation to LAPI members.

(b) C.S.M.A. Labeling Committee.

Mr. Sparre reported on the meetings of this group, referring specifically to their efforts in the labeling of aerosols. Continued contact with this group will be maintained by Mr. Hill, Mr. Sparre, and Mr. N. M. Walker.

19. FEDERAL SPECIFICATIONS LABELING.

Laundry Sour, Federal Specifications P-L-137. Request of the General Services Administration for assistance in drafting a label to be included as a part of the revised specifications was considered by the Committee. It was pointed out that this would fall within the definition of fluorides appearing on Page 64 of the new Manual.

It was moved, seconded and voted:

THAT, the General Services Administration should be advised that their label should read:

"This product contains fluorides,* to be followed by the label for sodium fluosilicate.

The complete label would be:

LAUNDRY SOUR

This product contains fluorides.

WARNING! MAY BE FATAL IF SWALLOWED

Avoid breathing dust.
Wash thoroughly after handling.
Clean up spillage.

20. POST OFFICE REGULATIONS.

Secretary reported that the comments from the Committee had been assembled and submitted to the Post Office Department as noted in correspondence circulated at the Committee. It was indicated that there will be some delay in the consideration of this data by the Post Office due to the large volume received. Members of the Committee will be kept informed of any and all action taken.

The Secretary read a report from Mr. Mayhood of the Washington office that he had received a verbal report from the Post Office Department that they will hold in indefinite abeyance the surcharge of 20 cents for packages handled outside of mail pouches which was to become effective May 1st.

27. NATIONAL FIRE PROTECTION ASSOCIATION

Letter of February 4 circulated at the Committee. The Committee discussed at some length the questions raised in the letter of February 4, directed to Mr. Crass. It was the general consensus of the Committee that these problems might be submitted to the American Standards Association.

It was moved, seconded and voted:

THAT, the Committee in response to the submission of this letter respectfully advises the Secretary that the matter appears to refer to the methods of determination not in the province of the Committee.

28. SCIENTIFIC INSTITUTE.

The Committee discussed the proposed recommendation for a Scientific Institute, which had been submitted to the Chairman and members of the Committee by a letter of December 4 from the Chairman of the MCA Committee on Chemicals in Foods, Dr. H. C. Spencer. This letter expressed a desire for an opinion from each of the various other committees of the Association as to the application such a Scientific Institute might have in the sphere of interest of these other committees. The proposed recommendation, made to the Board of Directors, suggested that consideration be given "to the setting up of such an Institute and that a special committee be selected to investigate and to make recommendations on all aspects of its possible organization, financing and operation."

It was moved, seconded and voted:

THAT, the LAPI Committee agrees in principle with the value of the proposed Institute and believes, further, that such an Institute would be useful in the work of this Committee. The Committee suggests that one of the first items to be considered would be a survey of existing facilities.

MISCELLANEOUS ITEMS.

(a) Mr. Quinn submitted a letter received from Mr. Alfred B. Lorber of the Celanese Corporation, referring to provisions of the Federal Insecticide, Fungicide and Rodenticide Act. Committee reviewed this briefly. Mr. Sparre agreed to contact Mr. Lorber to clarify this matter.

(b) Food Protection Committee.

The proposed report of the Food Protection Committee was brought to the attention of the Committee by Mr. Minter, and copies of this report will be circulated when they are issued.

(c) A.E.P.C.O.

A copy of the official publication was circulated by Mr. Sparre. Copies of this publication have been sent to members of the Committee by the Washington office of the Association.

(d) Project Subcommittee.

The Committee discussed at some length the future activities of the group with relation to the work of the Association, and it was the decision that a Project

and Program Subcommittee should be established to consider future activities and outline the program and projects for at least five years in advance. The Chairman appointed Mr. Hill as chairman of this subcommittee, with Mr. Williamson. The Chairman, Vice Chairman and Secretary of the Committee are ex officio members.

NEXT MEETING OF THE COMMITTEE.

Next meeting of the Committee will be held in Washington on October 6 and 7, 1953. Notices of the meeting place and hotel arrangements will be circulated later.

Douglas E. Campbell
Secretary

Minutes subject to approval

DEC/swt

M. C. A.

LAPI
COMMITTEE
MINUTES

1953-1960

VOL. 2

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