

MANUFACTURING CHEMISTS ASSOCIATION
MINUTES OF MEETING
LEGAL ADVISORY COMMITTEE
Conference Room of Wilmer, Cutler & Pickering
1666 K Street, N.W., Washington, D. C.
December 4, 1975

PRESENT

Brian D. Forrow, Chairman

Allied Chemical Corporation

Albert A. Eustis

W. R. Grace & Co.

James H. Hanes

Dow Chemical U. S. A.

Robert A. Longman

Celanese Corporation

Frank R. Lyon, Jr.

Union Carbide Corporation

I. C. Macdougall

Stauffer Chemical Company

Charles S. Maddock

Hercules Incorporated

Bernard J. McNamee

Hooker Chemicals & Plastics Corp.

E. J. Mooney

Nalco Chemical Company

Russell J. Parsons

Borg-Warner Corporation

Donald P. Walsh

Shell Oil Company

Charles E. Welch

E. I. du Pont de Nemours & Company

Bruce M. Barackman, Secretary

Manufacturing Chemists Association

C. Boyden Gray, Outside Counsel
(for agenda item 6)

Wilmer, Cutler & Pickering

Daniel K. Mayers, Outside Counsel

Wilmer, Cutler & Pickering

John H. Pickering, Outside Counsel

Wilmer, Cutler & Pickering

ABSENT

Edwin J. Putzell, Jr., Vice Chairman

Monsanto Company

R. C. Burroughs

Olin Corporation

Arloe W. Mayne

Ashland Oil, Inc.

Neil R. Mitchell

Velsicol Chemical Corporation

James I. Wyer

American Cyanamid Company

GUESTS

Robert H. Bidwell

Exxon Chemical Company

William J. Driver

Manufacturing Chemists Association

Terence J. Gallagher

Pfizer Inc.

Taylor W. Hanavan

E. I. du Pont de Nemours & Company

Richard Millan

Conoco Chemicals

William M. Stover

Manufacturing Chemists Association

(for agenda item 2)

The meeting convened at 10:05 a.m. with Brian Forrow, chairman, presiding.

1. Minutes of the November 6, 1975 Meeting The minutes were approved as distributed with the understanding that the chairman would send a letter to the Executive Committee incorporating the recommendation contained in item 7 thereof.

2. Toxic Substances Control Legislation Mr. Stover reported on the present status of bills introduced and he, together with Mr. Mayers, commented on their prospects of enactment. Following extensive discussion, both the position established at the November 6 meeting and the recommendation to create an Ad Hoc group were reaffirmed.

It was noted that an industry bill, when drafted, will be circulated first to the Legal Advisory and Government Relations committees before being submitted to the Executive Committee for approval.

Mr. Forrow, in his presentation to the Executive Committee, December 9, will present Mr. Mayer's draft of a letter enclosing a comparison of the major provisions of the McCollister bill with the Eckhardt and Tunney bills.

3. Antitrust Compliance Program In the absence of Mr. Mayne, this item was carried forward to the next meeting.

4. Draft of MCA's Energy Policy Statement Mr. Forrow commented to the effect that the statement is soft on the matter of priorities. He also mentioned Mr. Wyer's observation on the importance of coal and the need to strengthen the statement in regard to strip mining.

Committee members were requested to submit their comments to Mr. Barackman for consideration in the preparation of the final draft.

5. SEC's Proposed Environmental Disclosure Requirements Mr. Barackman distributed copies of SEC's proposal to those present. Attention was invited to the deadline of December 12 for comment. It was agreed that this was a matter to which companies should speak individually.

6. S. 1284 (Hart - Scott) Antitrust Improvement Act In addition to the materials supplied by Mr. Forrow, Mr. Longman offered to supply to Mr. Barackman, for distribution to committee members, a copy of the statement of the Antitrust Section of the New York State Bar Association before the Senate Judiciary Subcommittee on Antitrust and Monopoly on S. 1284.

Mr. Gray, at the invitation of the committee, gave a comprehensive and enlightening run-down on S. 1284.

During the ensuing discussion it was noted that this issue could be even more important than toxic substances control. The importance of lawyers educating their chief executives as to the implications of the bill was emphasized.

7. Election of Chairman The re-election of Mr. Forrow was moved, seconded, and unanimously voted. Chairman Forrow and vice chairman Putzell were designated as a nominating committee for officers to be elected to serve for the year commencing June 1, 1976.

8. Report by Staff Counsel Mr. Barackman reported that in response to EPA's announced principles of carcinogenicity, MCA's Toxic Substances Control Group, at its September 8 meeting authorized the chairman to organize a Task Force of the group. A subcommittee composed of four toxicologists were appointed from companies which are members of both MCA and NACA. The members have links to CIIT and SOCMA. The Task Force, chaired by Dr. Dixon of Celanese, will meet December 16. They will make a technical evaluation of the EPA principles, and will also consider the just-released November 11, 1975 working draft of "Criteria for Establishing the Carcinogenicity of Chemicals" prepared by the National Cancer Institute's Advisory Board at the request of EPA. Opinions concerning this evaluation will be solicited from toxicologists of MCA, SOCMA, CIIT, and NACA, and will be reflected in the final work product. Appropriate action by MCA will then follow.

With the approval of the committee, chairman Forrow appointed Mr. Walsh and Mr. Mitchell as liaison to the Task Force.

Mr. Barackman further reported that Prof. Lustgarten's economic study for use in connection with S. 1167 (Hart), Industrialization Act, will be circulated soon to the Economic Policy Review Committee and the Legal Advisory Committee, following which it will be printed.

9. Next Meeting The next meeting will be at 10:00 a.m., January 8, 1976, in Washington, D. C. at the offices of Wilmer, Cutler & Pickering.

The meeting adjourned at 12:10 p.m.



Bruce M. Barackman
Secretary

Minutes subject to approval
December 12, 1975
BMB:jb

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