

Manufacturing Chemists' Association, Inc.

(FOUNDED 1872)

1625 EYE STREET, N. W.
WASHINGTON 6, D. C.

PLAINTIFF'S
EXHIBIT
CMA-243

Minutes of Meeting
LABELS AND PRECAUTIONARY INFORMATION COMMITTEE
Park Sheraton Hotel - New York City
Thursday and Friday, October 10 and 11, 1957

The meeting was called to order at 9:30 a. m. on Thursday, October 10, 1957.

MEMBERS PRESENT

J. B. Williamson (Chairman), American Cyanamid Company, 30 Rockefeller Plaza, New York 20, N. Y.
N. M. Walker (Vice Chairman) Pennsalt Chemicals Corporation, Three Penn Center Plaza, Philadelphia 2, Pa.
G. E. Brewer, Shell Chemical Corporation, 50 W. 50th St., New York 20, N. Y.
J. H. Foulger, M.D., E. I. du Pont de Nemours & Co., Inc., Employee Relations Department, Wilmington 98, Del.
C. L. French, Mallinckrodt Chemical Works, St. Louis 7, Mo.
J. T. Fuess, Eastman Organic Chemicals Dept., Distillation Products Industries, Rochester 3, N. Y.
S. J. Hill, E. I. du Pont de Nemours & Co., Inc., Legal Department, Wilmington 98, Del.
E. J. Hogan, Barrett Division, Allied Chemical & Dye Corporation, 40 Rector St., New York 6, N. Y.
F. S. Low, Chemical Divisions, Food Machinery and Chemical Corporation, 161 E. 42nd St., New York 17, N. Y.
H. H. McIntyre, The Dow Chemical Company, Midland, Mich.
T. W. Male, M.D., Union Carbide Corporation, 30 E. 42nd St., New York 17, N. Y.
R. G. Troup, J. T. Baker Chemical Co., Phillipsburg, N. J.
J. B. Tuttle, Esso Standard Oil Company, 15 W. 51st Street, New York 19, N. Y.
J. S. Walker, Hooker Electrochemical Company, Niagara Falls, N. Y.
J. D. Kittelton (Secretary), Manufacturing Chemists' Association, Inc.

GUESTS

R. E. Bradshaw, Olin Mathieson Chemical Corporation, 460 Park Avenue, New York 22, N. Y.
A. G. Cranch, M.D., Celanese Corporation of America, 180 Madison Ave., New York 16, N. Y.
R. H. Dewey, Technical Service Department, Commercial Solvents Corporation, Terre Haute, Indiana
F. E. Fallon, General Aniline & Film Corporation, 230 Park Avenue, New York 17, N. Y.
J. E. Flanagan, Jr., Robert A. Taft Sanitary Engineering Center, 4676 Columbia Parkway, Cincinnati 26, Ohio
W. J. Force, Commercial Solvents Corporation, 260 Madison Avenue, New York 16, N. Y.
H. M. Goodman, The Firestone Tire & Rubber Company, Firestone Boulevard, Pottstown, Pennsylvania

T. G. Hughes, Barrett Division, Allied Chemical & Dye Corporation, 40 Rector St., New York 6, N. Y.
H. Moras, Stauffer Chemical Company, 824 Wilshire Boulevard, Los Angeles 14, California
F. E. Ouellette, The Dow Chemical Company, Midland, Michigan
F. D. Sparre, E. I. du Pont de Nemours & Co., Wilmington 98, Delaware
R. M. Strockey, Mallinckrodt Chemical Works, Second & Mallinckrodt Streets, St. Louis 7, Missouri
A. H. Taylor, Air Reduction Company, Incorporated, 150 East 42nd Street, New York 17, N. Y.
L. J. Waldbaur, M.D., General Aniline & Film Corporation, Rensselaer, New York
E. L. Weinburg, General Aniline & Film Corporation, 230 Park Avenue, New York 17, N. Y.
J. A. Wilhelm, Celanese Corporation of America, 180 Madison Avenue, New York 16, N. Y.
J. M. Young, Hooker Electrochemical Company, Niagara Falls, N. Y.

MEMBERS ABSENT

R. D. Minter, Monsanto Chemical Company, Lindbergh and Olive Street Road, St. Louis 24, Missouri

The Chairman, Mr. John B. Williamson, welcomed the guests who were present. He stated he was pleased with their attendance, both at the Committee meeting and at the Conference the previous day.

It was moved, seconded, and voted

THAT, the minutes of the meeting of May 16-17, 1957 be approved.

1.3 ALLIED COMMITTEE ACTIVITIES

1.3.1 CSMA

Mr. N. Walker reported that CSMA had begun distribution of a Model State Hazardous Substances Act. This Model Act conforms to agreements which were reached at two Philadelphia meetings. MCA, in addition to other Associations, was represented at both of these meetings.

CSMA will undertake a widespread distribution of this Model Act. They will send it to the officials in various states who would be concerned with its enforcement.

Mr. Hogan said that he had received 250 copies of the Model State Labeling Bill from CSMA. They requested that MCA distribute the bill at the time of the Conference. However, the copies were received only a few days before the Conference and there was not enough time to secure the approval of the LAPI Committee for this distribution. Committee members considered this matter and were of the opinion that the bill should be distributed with proceedings of the Conference.

Mr. N. Walker said that he no longer is an official member of the CSMA Precautionary Labeling Committee, but remains as an alternate. Mr. Sanford Hill and Mr. J. S. Walker remain on the CSMA Labeling Committee.

1.3.2 API

Mr. Tuttle reported that the API Labeling Manual is about ready for publication. Final approval will take place before the November Annual Meeting of API. The Manual should be ready for distribution in January of 1958.

Mr. Tuttle said that the next API Labeling Committee meeting will take place on November 9, 1957 and at that time, the Committee will consider three new labels. The Committee will also consider a recommendation that the statement "Keep Out of Reach of Children" be put on the Kerosene Label.

1.3.3 NPV&L

One of the principal activities of this Association is an attempt to secure amendments of the New York City Fire Code to bring the labeling requirements into line with MCA's uniform principles of labeling. Results thus far have been disappointing.

1.3.4 ACGIH

MCA representatives met on the afternoon of October 8th with ACGIH representatives to discuss the ACGIH Model Labeling Regulations. Dr. Elkins, Stokinger and Moskowitz represented ACGIH, while Messrs. Brewer, Fuess, Hill, and Tuttle represented MCA.

Our representatives believe that considerable progress was made in bringing to the ACGIH men, a better understanding of the LAPI position. Although ACGIH did not agree to any specific changes in their draft, MCA representatives were of the opinion that the next revision of the ACGIH regulations will bring them more into line with MCA's uniform principles of precautionary labeling.

At the end of the discussion, Dr. Elkins summarized the LAPI position as he understood it. Mr. Fuess reported that Dr. Elkins' remarks were substantially as follows:

"MCA is adamant in opposition to sec. 7(i) (Instructions on label for disposal of containers). MCA does not like ACGIH's definition of poison, but admits MCA's definition is not perfect. Sensitizers is too complicated a subject for inclusion in regulations. The Advisory Board and enforcement should be decided by the mechanics of the Board. On the treatment of mixtures, there was no progress, there still being wide disagreement between MCA and ACGIH."

The task of the MCA-ACGIH Subcommittee, consisting of Messrs. Brewer, Fuess, Hill and Tuttle, having been completed, it was discharged by the Chairman.

1.3.5 CGA

Mr. Kittelton reported that the revised Acetylene Label had been approved by a letter ballot vote of six to one. This label is as follows:

ACETYLENE

DANGER! EXTREMELY FLAMMABLE

Keep away from heat, sparks and open flame.

Committee members discussed CGA's proposed omission of signal words from labels. Committee members feel that this departure from LAPI principles is undesirable and should not be encouraged.

1.3.6 NFPA

Mr. Harry H. McIntyre, submitted a written report to the Chairman and the Secretary on the progress the NFPA Committee on Classification of Materials is making.

Some difficulty has been encountered in determining the scope of the Committee's activities. Messrs. McIntyre and Duggan will meet with MCA staff representatives to discuss the progress of the work of this Committee.

1.3.10 Public Health Service Labeling Committee

Mr. Williamson reported that an ad hoc committee had been appointed by the Department of Health, Education and Welfare to consider the Department's future participation in precautionary labeling programs. A memo submitted by Mr. Flanagan was referred to this ad hoc committee.

Mr. Flanagan stated that he did not feel that there would be anything forthcoming from this group for a while. He promised to keep the LAPI Committee advised.

1.3.11 ASA

Mr. Cyril Ainsworth of ASA, attended the Thursday afternoon session of the Committee meeting and addressed it. He explained the history of the American Standards Association and emphasized that ASA, itself, does not formulate standards. It merely coordinates the work of other groups.

Mr. Ainsworth emphasized that if it were not for ASA, which is an independent organization, this activity would be handled by the Federal Government.

Mr. Ainsworth thoroughly explained to LAPI Committee members the three ASA methods. These are:

- (1) Existing Standards Method -- To use this method, evidence must be supplied that the standard is supported by the consensus of the groups concerned.
- (2) Sectional Committee Method -- Under this method ASA is requested to initiate a project by a group which acts as the sponsor. A Sectional Committee is formed which has as members those directly concerned with the standard to be adopted.
- (3) General Acceptance Method -- Under this method a conference of interested groups would be held. All substantially concerned groups would be invited to be present.

Committee members discussed the three methods with Mr. Ainsworth. He pointed out that the MCA Manual, "Warning Labels," would not be "a standard" but would be considered "a practice." Mr. Ainsworth said that under the Existing Standards Method a group may act as sponsor and also at the same time request that it be recognized as sponsor for any revision.

Mr. Ainsworth said that before a standard or practice is accepted, the record has to be examined to ascertain if a consensus exists.

The Committee gave its heartfelt thanks to Mr. Ainsworth for taking his time to explain ASA procedures.

After the departure of Mr. Ainsworth, Committee members thoroughly discussed the future position which MCA should adopt concerning the making of the LAPI Manual an ASA practice.

It was then moved, seconded and voted

THAT, the LAPI Committee not take the initiative in proceeding with any of the three ASA methods, but that the Committee is willing at any time to consider participation in a program sponsored by others for standardizing of precautionary labeling under the ASA program.

2.0 INTERNATIONAL

2.0.3 ABCM

ABCM representatives were invited to meet with the LAPI Committee at the time of the New York Conference. However, Mr. Stevens wrote Mr. Kittelton that it would not be possible to make arrangements for a meeting on such short notice. Rather, he suggested a meeting sometime in the Spring of 1958.

Mr. Williamson discharged the Subcommittee consisting of Mr. Minter and Mr. J. S. Walker, which had been appointed to draft a letter to the British, and which had completed its work.

Committee members discussed the ABCM labeling scheme with special emphasis on their requirements for a label with a white background, printed in

black with a border. J. S. Walker showed examples, prepared by Hooker, of how the ABCM scheme might be adapted to MCA labels.

Committee members discussed the advisability of continuing a specific study of ABCM labels such as prepared by Hooker.

It was then moved, and seconded

THAT, MCA continue a study of the ABCM plan for warning labels to be printed on a white background in black print with a border.

(This motion was defeated by a motion six to five)

Committee members then discussed the possibility of giving greater prominence to the LAPI labels.

It was then moved, seconded and voted

THAT, the Chairman appoint a subcommittee to consider the whole matter of prominence of LAPI warning labels.

This subcommittee will consider statement Number (8) on page 11 of the LAPI Manual, and will suggest how it should be changed, if they find a change is desirable. Mr. James S. Fuess was appointed Chairman of this subcommittee and Messrs. N. M. Walker and J. S. Walker as members.

2.1 FEDERAL LEGISLATION - FEDERAL HAZARDOUS SUBSTANCES BILLS

(a) Results of Letter Ballot

Mr. Kittelton reported that as a result of a letter ballot which he conducted, ten LAPI Committee members approved of affirmative action being taken to secure the enactment of a hazardous substances bill of the type now pending before the Federal Congress. Three Committee members did not approve of such action, one was neutral, and one did not vote.

(b) Joint Industry Meeting in Philadelphia

Mr. Fuess reported briefly on this meeting at which agreement was reached on several minor amendments to the Federal Hazardous Substances Bills now pending before the Federal Congress. In addition, agreement was reached on the Model State Hazardous Substances Bill" which CSMA is now distributing.

Mr. Fuess submitted a copy of his report on this meeting which is included as Appendix A to these minutes. Mr. Fuess said that much of the discussion was devoted to the problems of the soap industry.

(c) Introduction of Bill by Representative Williams of Mississippi

Mr. Kittelton reported that Congressman Williams had introduced H. R. 9063 which bill is identical to one introduced by Congressman Curtis of Missouri.

(d) Future Committee Position

Committee members discussed this matter. It was their consensus that MCA has a position of leadership in this field, and that Federal Labeling Legislation of the type now pending should be supported by MCA.

It was moved, seconded, and voted

THAT, the LAPI Committee recommends to the MCA Board of Directors that the labeling legislation now pending before Congress be supported.

(The exact wording of this motion will be developed by a subcommittee consisting of Mr. James T. Fuess, Chairman, and Dr. Foulger and Mr. George Brewer as members. As soon as this is available, it will be sent to members as a supplement to these minutes.)

The Chairman discharged with thanks, the Federal Hazardous Substances Subcommittee consisting of Dr. French, and Messrs. Troup and Tuttle.

Mr. Tuttle said that his Company was definitely interested in knowing whether MCA's Counsel had reviewed either the MCA draft of a Federal Hazardous Substances Act or the three pending Federal bills. Mr. Kittelton will check into this and report at the next meeting.

2.2 STATE LEGISLATION

2.2.7 New Jersey

During the New York Conference, Richard J. Sullivan and S. C. Rothmann of New Jersey Department of Labor, indicated that they desired to revise their labeling regulations to make them consistent with the latest revision of Manual L-1.

Mr. Williamson said that after the first of November, he and Mr. Hill would go over the present New Jersey regulations and make the necessary changes to bring them into line with the 1956 revision of the Manual. This marked copy will then be submitted to New Jersey authorities.

2.2.14 Kansas

CSMA and NPV&L are working closely with Kansas authorities on the development of regulations under the new Kansas law.

If a hearing is held, MCA should have representation at it. The Chairman will appoint a LAPI member to attend any hearing. Mr. Minteer was appointed.

2.2.18 Washington

It was reported that there is considerable agitation in the State of Washington for passage of a labeling bill covering household chemicals.

2.2.22 Connecticut

Mr. Tuttle reported that on a number of occasions Mr. Plank had written

him voicing the opinion that the Connecticut statute was quite complete in itself, and for that reason needed little in the way of regulations.

Mr. Tuttle said that in spite of this, he believed that regulations would eventually be issued under the Connecticut law. Mr. Tuttle will continue his close liaison with this group.

2.2.25 Indiana

Mr. Williamson briefly reviewed a letter that he had sent to the LAPI Committee members in July pointing out certain criticisms of the proposed Indiana regulations, and asking for comments from LAPI Committee members, but he received only three replies.

Dr. Foulger said that he will schedule a meeting with Dr. Spolyar of the Indiana Department of Health in an attempt to straighten out some of these matters. He will report the results to the Chairman.

Following the meeting with Dr. Spolyar, Mr. Williamson hopes that LAPI representatives, together with CSMA and NPV&L representatives will meet with Dr. Sullivan to talk the entire matter over. Mr. Williamson requested that Doctors Foulger and Nale and Chester L. French represent LAPI if such a meeting is arranged.

It was reported that Indiana had issued application forms which should be used in registering products under the new Indiana law. Mr. Kittelton will secure copies for Committee members.

3.0 LABELS - SAFETY DATA SHEET

3.61 Picric Acid Label

Committee members were still of the opinion that publication of this safety data sheet is unnecessary. Mr. Kittelton was asked to talk this matter over with Mr. Stephenson. Any decision on appointment of a subcommittee was deferred pending additional consideration whether this safety data sheet is necessary.

3.65 Vinyl Acetate

Dr. Nale drafted the following label for consideration by the LAPI Committee:

VINYL ACETATE

Inhibited with _____

DANGER! EXTREMELY FLAMMABLE

Keep away from heat, sparks and open flame.

Keep container closed.

Use adequate ventilation.

Avoid prolonged or repeated breathing of vapors.

Avoid prolonged or repeated contact of liquid with skin.

Ground drums and equipment before transferring to avoid static sparks.

The Committee decided that it would be better to take more time to consider the label and to vote on it at the next meeting of the Committee.

3.67 Furfural

The Committee, with Mr. James Fuess present, considered the Furfural Label and approve a label with the signal word, "CAUTION."

The next day this action was reconsidered with Mr. Fuess absent, and the Committee decided that the signal word should be "WARNING" in view of the twin hazard statements.

It was then moved, seconded, and voted

THAT, the following label is approved for the Furfural Label for use in the proposed safety data sheet:

FURFURAL

WARNING! HARMFUL LIQUID
MAY BE ABSORBED THROUGH SKIN

Avoid contact with skin, eyes, and clothing.
Use only with adequate ventilation.
In case of contact, immediately flush skin
or eyes with plenty of water for at least
15 minutes; for eyes get medical attention

Mr. Williamson discharged the Furfural subcommittee with thanks.

3.68 Toluene di-iso-cyanate

The Chairman appointed a subcommittee consisting of Mr. E. J. Hogan as Chairman and Messrs. Minter and Hill as members to draft a label for this safety data sheet.

As soon as copies of a draft of the sheet are available, the Secretary will send them to the members of the subcommittee for their consideration in drafting the label.

5.0 REVISION OF MANUAL L-1

(a) Suggestion of Dr. Foulger for Revision of LAPI Definition of "Irritant."

Dr. Foulger suggested that the term irritant be redefined as follows:

"The term 'irritant' means any material which, under the proposed conditions of use with respect to dilution, solvent, etc., when in contact with the intact skin of the average person in good health, for a period not exceeding

fifteen minutes, will cause reddening or blistering, or other injury to the skin, which will not disappear within forty-eight hours after careful removal of the test material."

There was a considerable amount of discussion concerning Dr. Foulger's proposed definition. The Secretary was directed to have the minutes show that the LAPI Committee believes the definition for irritant should contain a quantitative test.

Dr. Nale and the other members of the Medical Advisory Committee will be asked for their comments. Dr. Foulger stated that he would welcome the comments of the Committee members or their medical departments. LAPI members will consult their companies and submit to Dr. Foulger any suggestions they may have. Dr. Foulger will prepare a digest of the various ideas to be distributed to the members before the January meeting.

(b) Report of Manual Revision Subcommittee

Mr. H. H. McIntyre, Chairman of the Revision Subcommittee, said that the Subcommittee held a meeting early in September and discussed a number of matters of interest. The Committee will try to ascertain the inconsistencies in the Manual and will suggest changes to eliminate them.

Mr. Troup is continuing with an indexing of the old minutes.

(c) Status of Part 3 Subcommittee

Mr. Sparre reported that he is continuing work on this matter and will soon send out a letter to certain MCA Executive Contacts asking their permission for selected individuals in their companies to serve on the Pesticide Subcommittee.

(d) Chemical Hazard Series of Association of Casualty and Surety Companies

This Association has replied to Mr. Williamson's letter in which he pointed out that the statements they were using regarding the MCA principles of precautionary labeling were not entirely accurate. Mr. Williamson's letter and their reply is included as Appendices B, and C to the minutes.

6. 0 PRECAUTIONARY LABELING CONFERENCE

(a) New York Conference

Committee members discussed the New York Conference and voiced their approval of it and the manner in which it had been conducted.

It was then moved, seconded, and voted

THAT, the MCA Secretary, Mr. Maurice F. Crass, Jr., write the Executive Contact of Mr. E. J. Hogan, Conference Chairman, and of the other LAPI members who participated in the Conference, thanking them for the fine job which was done.

The Chairman discharged with thanks the New York Labeling Conference Subcommittee.

(b) Future Conferences

This matter was thoroughly discussed and Committee members felt that for the next Conference there should be a budget and also increased public relations activities.

Members also discussed the location of the next Conference and concluded that the best location would be in Houston, Texas.

It was then, moved, seconded and voted

THAT, the next Precautionary Labeling Conference be held in Houston, Texas around the first of May, 1958, and follow the general pattern of the New York Conference.

(c) MCA Labeling Exhibit

Committee members discussed the condition of the labeling exhibit which was first used at the Industrial Health Conference in St. Louis. After its use in St. Louis, the labeling exhibit was removed from its supports and it now consists of a number of separate panels. After this discussion,

It was moved, seconded, and voted

THAT, the LAPI Committee recommends to the MCA Board of Directors, that a suitable permanent display be prepared setting out the efforts of MCA in precautionary labeling activities.

The action of the Board will be reported to the Committee by the Secretary.

31.0 PUBLIC RELATIONS ACTIVITIES

The Chairman directed that the Secretary place the following report in the minutes:

Mr. Low reported that the Committee would recall that this subcommittee originated with his suggestion that the MCA proceed with efforts to get one-minute broadcasts on the radio appealing to the public to "Read the Labels." The LAPI Committee endorsed this suggestion and it was referred to the Washington office for official approval.

The Washington MCA staff considered this proposal and it was carefully studied. It was felt that such an undertaking related more to household chemicals and therefore should be handled by one of the consumer trade associations.

32.0 POISON CONTROL CENTERS ACTIVITIES

Dr. Cranch reported that coordination activity has begun in the

Department of Health, Education and Welfare. HEW's group will compile information received from the various centers and will also distribute information concerning new chemical products to the centers.

MISCELLANEOUS

(a) Next Meeting of Committee

The Committee decided to hold the next meeting in Washington, D. C. at the Shoreham Hotel on Tuesday and Wednesday, January 28 and 29, 1958. The Secretary was directed to make the necessary arrangements.



James D. Kittelton
Secretary
Labels and Precautionary
Information Committee

JDK:jmb

Attachment

Addendum to LAPI Committee
Minutes of October 10-11, 1957

LAPI COMMITTEE MOTION ON LABELING LEGISLATION
PASSED AT MEETING OF OCTOBER 10-11, 1957
NEW YORK CITY, NEW YORK

In 1944, the MCA through its Labels and Precautionary Information Committee initiated a voluntary program within the chemical industry for the prevention of injury from hazardous chemicals by means of the application of warning labels to the containers of such products. Principles were developed and their application to representative compounds was illustrated. With the publication of these recommendations in Manual L-1 "Preparation of Warning Labels" the MCA and the chemical industry it represents took the lead in this safety program. These principles have been accepted by practically all members of MCA. In the intervening years, the Manual has been revised many times, but the principles originally established were so well founded that only minor changes in them have been found necessary or desirable.

This program which has been entirely voluntary has found such favor with legislative and regulatory bodies, that many such agencies, both Federal and State, have employed all or portions of this program in the establishment of laws or regulations. Notable in this group are the States of California, Connecticut, Oregon, Illinois, New York, New Jersey, Texas, Territory of Hawaii, City of New York, U. S. Department of Agriculture (Pesticide Act) and the Interstate Commerce Commission (definitions). Some features of the program have been adopted in Massachusetts.

Members of the LAPI Committee have worked closely with legislative and regulatory officials in these areas in the development of their programs. The watchfulness of members of the committee in determining the imminence of legislation and subsequently presenting its program, backed by the reputation of the MCA and its leadership in the field of warning labeling has, with few exceptions, resulted in programs which generally have been acceptable to the chemical industry, and which enable it to operate under uniform rules.

MCA and its LAPI Committee have worked closely with other organizations notably the CSMA, NPV&L, API and NACA which have accepted the MCA principles and urged their use. In these organizations the work has been carried on largely by paid staff members. The efforts of the LAPI Committee and the MCA in this work have fallen almost entirely on the shoulders of individual members of the LAPI Committee whose time from their regular duties has been donated by their respective companies. This has been in accordance with a policy expressed some time ago by the Board of Directors of MCA. It has also been a policy of MCA and of the LAPI Committee that action should be taken by the MCA only after legislation has been proposed by others, or MCA was specifically requested for help.

This procedure has been successful in the past due to the leadership and reputation of the MCA and its LAPI Committee in the field of warning labeling and to the time spent by individual members. It is doubtful, however, whether such a program will be equally successful in the future in view of changed conditions.

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There is now great activity by many organizations with special interests who have become interested in the problem of warning labeling. Model laws and regulations have been prepared or are in preparation by such groups for presentation to legislative and regulatory groups. Many of these proposals are contrary to MCA principles and their enactment in whole or in part would place the chemical industry in an impossible position, destroying its principle of uniformity. These organizations are well-known and carry great weight with the public and with legislative bodies. They are very active in obtaining publicity for their programs.

To compete successfully with these groups and obtain the type of program for which MCA and LAPI stand, requires specialized knowledge, training and experience. The amount of work which will be involved will be greater than can reasonably be expected from individual companies.

THEREFORE BE IT RESOLVED:

THAT, the LAPI Committee rescind its former motion of policy to the effect that no action on labeling legislation shall be taken by it unless and until such legislation has been proposed by others or request for assistance is made to the Association by authorized officials, and further be it resolved:

THAT, the LAPI Committee advise the Board of Directors of this action, and further be it resolved:

THAT, the LAPI Committee respectfully request and strongly recommend that the services of trained personnel from the staff of MCA be placed at the disposal of the committee for the purpose of preparation and review of legislation, dealing with warning labeling for hazardous chemicals, the presentation of approved legislation when such is considered appropriate and the prosecution of such before legislative and regulatory bodies and further be it resolved:

THAT, immediate such action be taken in connection with bills now before Congress, such as S. 1900, H. R. 7388, and H. R. 9063.

Unanimously approved

APPENDIX A

REPORT ON JOINT INDUSTRY MEETING CALLED TO
DISCUSS FEDERAL LABELING BILLS

July 4, 1957

Sheraton Hotel - Philadelphia, Pa.

Present were representatives of:

CSMA	Dr. H. W. Hamilton Robert Ackerly - Cummings, Sellers, Reeves & Conner Robert Morse - Boyle Midway Nicholas Walker - Pennsalt Chemicals Corporation
NPV&L	Charles E. Loucks Daniel Boland
Soap Association	George Hopper - The Procter & Gamble Company Adison Driggs - Lever Brothers Company Shelby Fitze - Davies, Richberg, Tydings, Landa and Duff
DCAT	Arthur DeVincentio
MCA	William Yeager - Shell Chemical Corporation Sanford Hill - E. I. du Pont de Nemours & Co., Inc. James Fuess - Distillation Products Industries

Curtis 7388 and Bush 1900 (labeling bills)

The soap producers group wants soap exempt from the bills and feared that the definition of "irritant" would bring soap under regulation. They were hesitant to accept the interpretation, accepted by the others, that the bills cover "hazardous substance" (Curtis Sec. 201 (o)) which is defined in Sec. 201 (f) and that an irritant (Sec. 201 (j)) must meet all the requirements of a hazardous substance before it is covered. They hesitate to accept the interpretation that "normal living tissue" (Sec. 201 (j)) eliminates allergies. They desired an elimination of "irritant" and an exemption for soap. It was the consensus of the other groups present that pressure from others (AMA, ACGIH, Food and Drug, etc.) would make it impossible to have irritant deleted, that irritant is an important group and that for strategy reasons it would be unwise for us to request a change. Therefore, we would not request a change in this, nor an exemption for soap, but would not oppose such an exemption if they wished to initiate it.

Mr. Ackerly reported a possibility of hearings on the Curtis Bill but little likelihood of such on the Bush Bill. The groups reviewed the differences between the bills and agreed upon the wording which was preferred, and for which the associations represented (Principally MCA, CSMA, NPV&L) would plead in any discussions or hearings. Since the Curtis Bill was, in general preferred and since it is most likely to come up first, the notations are made on that.

/s/

James T. Fuess

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APPENDIX B

July 29, 1957

Mr. J. F. Van Namee, Director
Engineering & Research Division
Accident Prevention Department
Association of Casualty & Surety Companies
60 John Street
New York 38, New York

Dear Mr. Van Namee:

You will recall our conversation regarding the Chemical Hazards Information Series published by your association. Our committee fears that some readers may misinterpret the statements appearing in certain issues of this series where the statement is made that the Manufacturing Chemists' Association has no labeling requirements. Our Warning Labels Manual, from which a number of your specimen labels have been taken, does not pretend to include precautionary statements for all hazardous chemicals but only attempts to include illustrative examples to help the manufacturer who is preparing his own.

We also note statements in certain of your issues implying that the U. S. Public Health Service has certain precautionary labels it recommends. Some years ago, the Surgeon General of the USPHS entered into voluntary agreements with the manufacturers for a limited number of their chemicals. With the development and the widespread acceptance of MCA principles these agreements were discontinued. The USPHS approves the principles we have adopted for precautionary labeling but does not approve warning statements for specific products.

We suggest that you might find some statements similar to the following would meet your purposes for future issues of your series and would avoid the misunderstandings that have been possible with the language used on earlier occasions.

- (1) It is recommended that each container bear labels displaying precautionary statements based upon the principles described in the WARNING LABELS Manual of the Manufacturing Chemists' Association, and that due consideration also be given to the requirements of applicable statutes, ordinances, or regulations.

(Among the illustrative labels appearing in this manual is the following for (name of chemical))

(Insert here appropriate text)

alternative
statements

or

(One manufacturer uses the following label which he states conforms with these principles):

(Insert here appropriate text)

- (2) For transportation purposes the I.C.C. Regulations require
(no label)

alternative
statements

or

(the-----label designated for-----).

Very truly yours,

AMERICAN CYANAMID COMPANY

/s/

J. B. Williamson, Chairman,
Labels and Precautionary Information Committee
Manufacturing Chemists' Association, Inc.

APPENDIX C

August 14, 1957

Mr. J. B. Williamson, Chairman
Labels & Precautionary Information Committee
Manufacturing Chemists' Association, Inc.
1625 Eye Street, N. W.
Washington 6, D. C.

Re: Chemical Hazards Information Reports

Dear Mr. Williamson:

This will acknowledge your letter of July 29, 1957 regarding the labeling information furnished in our reports in the above series.

We certainly appreciate receiving your comments and suggestions. Please be advised that your suggestions will be incorporated into our future bulletins in the General Hazards series.

Very truly yours,

/s/
James F. Van Namee, Director
Engineering & Research Division