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UNION CARBIDE

INTERNAL CORRESPONDENCE

UNION CARBIDE CORPORATION Old Ridgebury Road, Danbury, CT 06817
METALS DIVISION

To (Name): Mr. W. C. Thurber
Division: Metals
Location: J1398
Area:

Date: December 4, 1981
Originating Dept: R W Rebholz
Area:

Copy to: Mr. J. Myers - King City

Subject: Carcinogen Labeling Policy

Attached are draft policies covering:

- o Chronic Health Hazard Labeling - Carcinogens
- o Distributor Policy (Re:Product Safety)

These drafts will be reviewed on December 9th at a Product Safety Communications Committee meeting here in Danbury. I will attend the meeting and would appreciate your comments regarding the attached.

Copies of the drafts have been sent to John Myers via the telecopier machine and he has agreed to call here December 7th with his comments.

RWR:sf
Attachment

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UNION CARBIDE **CORPORATE PRODUCT SAFETY MANUAL** DRAFT

SUBJECT	SECTION	
CHRONIC HEALTH HAZARD LABELING CARCINOGENS	Policies/Communications	
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	APPLIES TO ☒ UNITED STATES ☐ INTERNATIONAL	

PURPOSE/BACKGROUND

One element of an effective precautionary labeling program is inclusion of warnings for chronic health hazards that potentially might arise from improper use and/or exposure to the involved hazardous chemical substance. This policy concerns the hazard warnings that should be used for those hazardous chemical substances that have demonstrated carcinogenic potential.

Some state governments and the Federal Government have exercised authority in mandating hazard warnings for hazardous chemical substances demonstrating carcinogenic activity. This policy will supplement and not supplant such authority.

Precautionary labeling is a part of our product safety program furnishing customers with information about the potential hazard and the safe handling of our products and this policy is merely an extension of our Precautionary Labeling Policy.

The labeling of carcinogens are treated as a special class for several important reasons; they have a long latency period before the adverse effects are observable and the determination of material possessing carcinogen potential is complex and requires the judgement of trained professional toxicologists and/or doctors. Proper product labeling is essential for the safe use of hazardous chemical substances including carcinogens and products demonstrating potential to cause other chronic health hazards.

The purpose of this policy is to provide a basis for management programs to identify potential carcinogen materials and provide for their uniform labeling.

The Corporate Product Safety Policy states:

"Union Carbide will:

"Regularly review product safety information and in the light of new experience of Union Carbide and others,- - - and, if appropriate, - - - - , modify the product safety communications."

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It further states:

"Comply with all applicable governmental laws and regulations relating to product safety."

DRAFT

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CHRONIC HEALTH HAZARD LABELING CARCINOGENS	Policies/Communications
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POLICY

1. The component Product Safety Director in conjunction with his component Medical Director and Industrial Hygienist, shall be responsible for submitting candidate chemical substances and mixtures to the Medical Departments Toxicology Assessments and Advisory Committee (TAAC) for review of their carcinogenic potential.

2. Such candidate lists shall also be forwarded to the Product Safety Communications Committee to ensure that all components are aware of the pending TAAC review.

3. Recommendations as to the classification of a particular chemical substance or mixture developed by the TAAC shall be communicated to the HS&EA Health Effects Review Branch (HERB) for their consideration and action.

4. HERB shall develop action plans to implement decisions regarding a particular chemical substance or mixture including classification for precautionary labeling and/or exemption from labeling for a particular mixture if a carcinogenic substance is present as an ingredient or impurity at such low concentrations that it does not present a significant chronic hazard.

5. The action plans by the Health Effects Review Board shall be communicated to all interested Union Carbide Corporation groups including the affected component Product Safety Managers and the Product Safety Communications Committee.

6. All government mandated carcinogen labeling requirements will be compiled with and in the event that the Union Carbide Corporation labeling requirements is different, the affected operating component may meet either requirement at its option.

7. Products which have been evaluated by TAAC and HERB and found to have a carcinogenic potential shall be placed in one of the following categories and the precautionary labeling shall contain the appropriate hazard warning statement:

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CATEGORY	WARNING STATEMENTS
Known Human Carcinogen	Human Cancer Agent
Suspect Human Carcinogen	Suspect Cancer Agent
Animal Carcinogen	Has caused cancer in laboratory animals

8. The elements of the precautionary label of carcinogens shall be placed as follows:

(a) Signal Word: Label will have Signal Word appropriate to most significant hazard. If cancer is the major risk WARNING is the appropriate Signal Word.

(b) Placement: Directly following Hazard Statement for the most immediate and serious risks (such as flammability, poisoning and serious burns); or directly under product name if no more serious product hazards are involved.

(c) Name: Known or Suspect Human Carcinogens or Animal Carcinogens must be designated by their common or usual chemical name which may be in addition to trade or code names.

(d) Precautionary Measures: Appropriate list of precautions depending on whether risk is from skin absorption, inhalation and/or ingestion.

SCOPE

This policy applies to all parts of UCC except to products and services of the Nuclear Division regulated by the Department of Defense, Department of Energy or Nuclear Regulatory Committee and to all affiliates worldwide in which UCC has a greater than fifty percent equity interest and is recommended for application in affiliates of fifty percent or less equity interest.

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UNION CARBIDE **CORPORATE PRODUCT SAFETY MANUAL** DRAFT

SUBJECT	SECTION	
DISTRIBUTORS POLICY	Category II Product Safety Policies	
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PURPOSE/BACKGROUND

Union Carbide Corporation, in the conduct of its business, utilizes distributors to aid in the marketing, sale and delivery of agricultural chemicals, industrial hazardous chemical substances or mixtures and equipment to customers. Distributors are customers who transfer and sell in their own name unaltered UCC products under their own or UCC labels either direct from UCC facilities or from their own stocks to their customers.

For the purposes of this policy distributors will be considered in the following categories:

1. Distributors who are wholly owned subsidiaries of UCC.

2. Independent distributors of UCC, i.e., contractors.

UCC distributor subsidiaries must comply with Corporate Product Safety Policies.

Independent distributors of UCC, such as prime distributor, contract distributor and specialty distributor represent the same potential product liability for UCC whether they are distributing UCC labeled products or UCC products with distributor labels. There are, of course, mitigating circumstances which could tend to modify this broad statement but the purpose of this policy is to foster product safety communications by distributors to their customers and not to precisely evaluate product liability. A customer of a UCC distributor is as entitled to the same product safety communications as a direct UCC customer.

UCC is obligated to provide independent distributors with UCC product safety communications outlining hazards arising from all foreseeable use or misuse of UCC products. UCC will also make every reasonable effort to insure that distributors in turn provide such product safety communications or equivalent to their customers.

This policy provides for furnishing UCC distributors of agricultural chemicals, industrial hazardous chemical substances or mixtures and equipment and through them their customers with UCC product safety communications or equivalent.

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PURPOSE/BACKGROUND (cont'd)

The Corporate Product Safety Policy states:

"Union Carbide will:

1. Furnish customers and users with reliable products that if used, stored, transported, packaged, disposed of or otherwise handled utilizing Union Carbide's product safety communications and common safety practices do not involve unreasonable risk of personal injury or damage to health, property or the environment.

2. Furnish customers and those users handling Union Carbide's products as originally packaged with appropriate product safety communications which have been carefully reviewed and include consideration of reasonably foreseeable misuse or mishandling."

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DISTRIBUTORS POLICY	Category II Product Safety Policies	
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POLICY

A. Distributors who are wholly owned subsidiaries of UCC and who distribute agricultural chemicals, industrial hazardous chemical substances or mixtures and equipment.

UCC distributor subsidiaries must comply with Corporate Product Safety Policies.

B. Independent distributors of agricultural chemicals, industrial hazardous chemical substances or mixtures and equipment for UCC.

1. UCC shall inform distributors of appropriate UCC Product Safety Policies and of the contents of appropriate UCC product safety communications.

2. UCC shall periodically provide distributors with adequate supplies of UCC product safety communications and encourage them to furnish these or equivalent communications to each of their customers for a UCC product.

3. UCC shall require distributors to have an adequate program to ensure that their customers for UCC products receive appropriate UCC product safety communications or equivalent.

4. UCC shall require distributors to report to UCC all customer communications and other information involving accidents, near misses, real or alleged health effects, misuse and unsafe handling of UCC products.

5. UCC shall evaluate and respond to all such distributor communications received in response to item four.

6. UCC shall require distributors to certify annually that their customers for UCC products have received the latest appropriate UCC product safety communications or equivalent for that year.

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POLICY (Cont'd)

7. Components using distributors shall have an HS&EA approved program for ensuring that such distributors have the facilities and technical knowledge to safely handle UCC products.

8. Components using distributors shall periodically review each distributor's performance under this policy and take timely action to correct any deficiencies.

9. Distributor agreements and contracts negotiated by the components shall contain provisions to implement this policy.

10. Variances from this policy may be approved by the Corporate Product Safety Director.

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CRITICAL CONSIDERATIONS

A component program for independent distributors should have provisions for:

a. Evaluation of a distributor's facilities to determine if UCC products can be received, stored, handled, repackaged if appropriate and shipped safely.

b. Instruction of the distributor in UCC Product Safety Policies, UCC product safety communications and in the safe handling and use of the UCC products involved.

c. Periodic review by a responsible UCC operating component person of the distributor's compliance with this policy.

d. Conducting periodic product safety seminars with the distributor to update their knowledge of UCC product safety communications.

e. Provision for UCC evaluation and response to distributor reports of all customer communications and other information involving accidents, near misses, real or alleged health effects, misuse and unsafe handling of UCC products.

f. Distributor contracts and agreements should have provisions for:

    1. The periodic distribution of UCC product safety communications or equivalent by distributors to their customers for UCC products.

    2. If UCC provides labels, the labels shall be used only for UCC products.

    3. Distributor certification annually that purchasers of UCC products received the latest appropriate UCC product safety communications or equivalent in that year.

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CRITICAL CONSIDERATIONS (cont'd)

4. Reporting to UCC of all customer communications and other information involving accidents, near misses, real or alleged health effects, misuse and unsafe handling of UCC products.

5. Provision for reporting to affected distributors of UCC products the results of UCC's evaluation and response to their report of accidents, near misses, real or alleged health effects, misuse and unsafe handling of UCC products by their customers.

6. Periodic reviews by UCC to identify distributor product safety deficiencies and to determine compliance with this policy.

g. Records

Records related to independent distributors shall include but not be limited to:

1. Distributor contract.

2. Product safety communications between the distributor and UCC including signed dated memoranda of oral communications if they are not confirmed by letter. Written confirmation of oral communications is preferred.

3. Copies of UCC product safety communications with the date and the number of copies supplied.

4. Reports of periodic distributor product safety reviews, deficiencies noted and corrective action plans by the distributor and UCC.

5. Reports of product safety seminars conducted at the distributor's facility with lists of those attending.

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SCOPE

This policy applies to all parts of UCC, except to products and services of the Nuclear Division regulated by the Department of Defense, Department of Energy or Nuclear Regulatory Commission and to all affiliates worldwide in which UCC has a greater than fifty percent equity interest and is recommended for application in affiliates of fifty percent or less equity interest.

References

1. Corporate Policy Manual

   Product Safety Policy

   International Affiliates - Corporate Policy and Procedure Application

   Health, Safety and Environmental Laws and Regulations - Compliance and Enforcement

2. Definition Section

3. Record Retention Policy

   a. Corporate

   b. HS&EA REGENDIS

4. Advice and Service:

   Corporate Director
   Old Ridgebury Road, Danbury, CT 06817

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11/18/81

DISTRIBUTION

PRODUCT SAFETY COMMITTEE

J. H. Barrett	S&I Division	Texas City, TX
R. A. Butler	Law Department	New York - 47
T. W. Carmody	HS&EA	Danbury, CT
T. L. Collins	Engineering & Hydrocarbons Div.	Texas City, TX
S. R. Converse	Battery Products Division	New York - 9
L. A. Crisorio	HS&EA	Danbury, CT
T. D. Finnigan	Federal Government Relations	Wash., DC
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R. G. Jordan	Nuclear Division	Oak Ridge, TN
W. G. Kahler	Corporate Distribution	New York - 6
T. E. Lawrence	S&UI Division	Danbury, CT
J. C. Long	Carbon Products Division	Parma, OH
G. E. Merryman, Jr.	Agricultural Products Division	Research Triangle Pk,N
R. M. Milton	HS&EA	Danbury, CT
R. E. Plevan	Specialty C&P Division	Danbury, CT
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R. M. Thode	Insurance Department	New York - 22
W. R. Van Der Hoeven	Ethylene Oxide/Glycol Division	Danbury, CT
G. W. Wainwright	UC Europe, Inc.	Amersham, England
D. O. Westerberg	Films-Packaging Division	Chicago-Summit, IL
R. N. Wheeler, Jr.	HS&EA	S. Charleston, WV
W. G. Whitehead	Home & Automotive Division	Danbury, CT
R. C. Wise	Ethylene Oxide Derivatives Div.	Danbury, CT

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