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MANUFACTURING CHEMISTS ASSOCIATION

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April 18, 1973

To: FOOD, DRUG, AND COSMETIC CHEMICALS COMMITTEE

Subject: Mr. Ingle's Report to the MCA Board

Members:

Attached is a copy of the report made by your chairman to the April 9 meeting of the MCA Board of Directors.

Sincerely yours,

M. M. Hoover
M. M. Hoover, Secretary
Food, Drug, and Cosmetic
Chemicals Committee

MMH:gr

Attachment

Distribution "B"

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Report of the
Food, Drug, and Cosmetic Chemicals Committee
by George W. Ingle, Chairman
April 9, 1973

The objective of the Food, Drug, and Cosmetic Chemicals Committee, as stated in the latest MCA prospectus, is:

To develop and recommend policies and positions on legislation and regulations affecting chemicals in food, drugs, and cosmetics; to formulate principles and encourage technical developments pertinent to the use of such chemicals; and to cooperate with other organizations having parallel interests.

This Committee's membership comprises about twenty-five representatives of member companies professionally trained in the law, chemistry or toxicology, and experienced in dealing with those Federal agencies regulating foods, drugs, and cosmetics. These are primarily the Food and Drug Administration of HEW, and the Animal and Plant Health Inspection Service of USDA.

So far the distribution of interest across the FDC spectrum has been concentrated in the area of direct food additives. Drug aspects have received less attention. Interest in cosmetics has been essentially nil, but present consumer and legislator demands for stricter control may change this.

These differences in emphasis reflect not only the evident differences in existing regulatory controls under present Federal law, but also the extent of members' business interests. For example, of the 41 pharmaceutical companies listed by A. D. Little, nine are MCA members. In the cosmetic area, I count only five MCA members.

We recognize other important industry associations with greater concentration on these market sectors. In direct food additives, the Institute of Food Technologists, the Grocery Manufacturers of America, the Food Protection Group of NAS/NRC and the Flavor Extract Manufacturers exert major influence. In indirect food additives, the Society of the Plastics Industry's FDC Packaging Materials Committee takes leadership. In drugs, the Proprietary Association and the Pharmaceutical Manufacturers Association are dominant. The Cosmetics, Toiletries

and Fragrance Association speaks for the cosmetics industry. Liaison with these groups is provided informally through our Committee members, who also represent their companies in these other trade associations. It is likely that there will be opportunities for more direct coordination with these groups.

It follows that this Committee is highly sensitive to proposed changes in laws and in regulations which affect the FDC industries. In the 92nd Congress, for example, there were several important bills to which this Committee responded by submitting carefully drawn statements reflecting our best thinking. These bills included Senator Nelson's to amend the 1958 Food Additives Amendment in ways we opposed, as unjustified, unworkable and productive of chaos in the nation's food supply. This did not become law, but is before the present Congress, to which we will undoubtedly submit our views again. Similarly, we opposed FDA's proposal to require petitioners to include information permitting FDA to write environmental impact statements, as required by the New Environmental Policy Act of 1969.

A companion group, the Society of the Plastics Industry's FDC Packaging Materials Committee, joined us in opposing this proposal, but in vain. This was expected, in part, in view of Federal concerns for large volume development of new plastics containers. FDA has very recently asserted its authority to require such environmental information as a standard part of food additive petitions and new drug applications.

We viewed FDA's proposals on "Public Information Policy" and regulation of some prior-sanctioned food additives as inevitable, but did propose more explicit definitions and administrative safeguards to protect our industry's interests. These matters -- in addition to new questions, such as Senator Eagleton's bill on cosmetics -- will probably require further action by all concerned.

Our Committee is not entirely satisfied that such statements are well enough understood by MCA's membership, or prepared in time or in form to be most effective in impacting the thinking of concerned Congressional Committees. We are now considering the preparation of "Position Papers" on critical questions, as far in advance as possible, to inform more MCA members and to obtain their contributions to more dominant inputs to such legislation. There are two other sectors where this Committee aims to be more constructive:

- (1) The Consumer Information Subcommittee of your Public Relations Committee needs help in coping with the high tide of

media distortions of the safety of food additives. Members of our Committee are contributing their expertise in revising appropriate MCA publications and in speaking to consumer-oriented audiences selected by this Subcommittee.

(2) To encourage appropriate technical developments this Committee frequently invites representatives of Federal agencies to its meetings. These scientists and administrators outline their proposals, for our evaluation and determination of the form and substance of our support, if any. Last year, for example, we declined to support FDA's Dr. Marvin Legator's proposal to expand instruction in techniques to measure mutagenicity. We believed this to be premature; Dr. Legator's subsequent move from FDA to university research may yet create a better opportunity for MCA support in this field of toxicology. We will continue to examine developments in this and other fields which may justify MCA support.

Finally, we appreciate this opportunity to tell you about the Food, Drug, and Cosmetic Chemicals Committee. If your changing business interests will justify -- perhaps for the first time -- participation in this committee's activities, your representatives will be welcome.

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