

Manufacturing Chemists' Association, Inc.

(FOUNDED 1872)

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

PLAINTIFF'S
EXHIBIT
CMA-237

Minutes of Meeting Labels and Precautionary Information Committee

SHERATON-BROCK HOTEL - NIAGARA FALLS, CANADA
September 28-29, 1955

The meeting was called to order at 10:00 a.m. on September 28, 1955.

MEMBERS PRESENT

- * J. S. Walker (Chairman) Hooker Electrochemical Co., Niagara Falls, N.Y.
- J. B. Williamson (Vice Chairman) American Cyanamid Co., 30 Rockefeller Plaza, New York 20, N.Y.
- G. E. Brewer, Shell Chemical Corp., 50 W. 50th St., New York 20, N.Y.
- A. G. Cranch, M.D., Union Carbide and Carbon Corp., 30 E. 42nd St., New York 17, N.Y.
- J. H. Foulger, M.D., E. I. du Pont de Nemours & Co., Inc., Wilmington 98, Del.
- 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., Wilmington 98, Del.
- E. J. Hogan, Barrett Division, Allied Chemical & Dye Corp., 40 Rector St., New York 6, New York.
- F. S. Low, Chemical Division, Food Machinery and Chemical Corp., 161 E. 42nd St., New York 17, N.Y.
- R. D. Minter, Monsanto Chemical Co., St. Louis 4, Mo.
- W. W. Sunderland, The Dow Chemical Co., Midland, Mich.
- R. G. Troup, J. T. Baker Chemical Co., Phillipsburg, N.J.
- J. B. Tuttle, Esso Standard Oil Company, 15 W. 51st St., New York 19, N.Y.
- N. M. Walker, Pennsylvania Salt Manufacturing Co., Three Penn Center Plaza, Philadelphia 2, Pa.
- J. D. Kittelton (Secretary) Manufacturing Chemists' Association Inc., 1625 Eye St., N.W. Washington 6, D.C.

GUESTS

- R. H. Dewey, Commercial Solvents Corp., South 1st St., Terra Haute, Ind.
- P. L. Fairbanks, Solvay Process Division, Allied Chemical & Dye Corp., Syracuse, N.Y.
- J. E. Flanagan, Robert A. Taft Sanitary Engineering Center, 4676 Columbia Parkway, Cincinnati 26, Ohio.
- T. W. Nale, M.D., Union Carbide & Carbon Corp., 30 E. 42nd St., New York 17, N.Y.
- M. V. Snow, Legal Department, Celanese Corporation of America, 170 Madison Ave., New York 16, N.Y.
- E. L. Weinberg, Metal & Thermit Corp., P. O. Box 471, Rahway, N.J.

MEMBERS ABSENT

- G. L. French, Mallinckrodt Chemical Works, St. Louis 7, Mo.

In the absence of the Chairman, Mr. J. S. Walker, the Vice Chairman, Mr. Williamson took over the chair and welcomed several visitors who were present.

* Present afternoon of September 28 and Morning of September 29.

MINUTES

It was moved, seconded and adopted

THAT, the minutes of the meeting of April 20 , 21 & 22 be approved.

1. COMMITTEE MEMBERSHIP CHANGES

1.2 Replacement of Committee Personnel

The Secretary reported that as a result of a letter ballot which he conducted, Mr. Tuttle of Esso Standard Oil Co. had been elected a member of the LAPI Committee to replace the Merck representative.

Mr. Edward Hogan's nomination by Allied Chemical & Dye Co., was discussed by the Committee and,

It was moved, seconded and adopted

THAT, the Secretary cast a unanimous ballot for Mr. Hogan as a replacement for Mr. Fisk.

1.3 Allied Committee Activities

1.3.1 CSMA - Mr. Nicholas Walker said that an attempt will be made to secure reprints of the CSMA publication on the principles of labeling for the members of the LAPI Committee. This publication contains a list of labeling laws at the end of the article.

Mr. Walker said that the CSMA Committee has now broadened its scope and is actively cooperating with other committees.

1.3.2 API - Mr. Tuttle reported that an API Labeling Committee had been established and that members included representatives of major oil companies drawn from marketing, refining, transportation and medical staffs. This Committee had its first meeting on September 19, but due to organizational difficulties the committee was unable to approve a finished statement of policy. Mr. Tuttle said that he hopes the committee will adopt LAPI principles. He also pointed out that the committee would only cover standard petroleum products and would not attempt to prepare labels for petro-chemicals.

Mr. Tuttle said that the committee also briefly discussed legislative developments.

1.3.3 NPV & L - Dr. Foulger reviewed for the committee the activities of this association pointing out that NPV & L has already issued suggested labels and now it is simply a matter of educating the members of the association.

1.3.4 ACGIH - Mr. Hill reported that he had delivered a talk on labeling to this group at their recent meeting in Buffalo. It appears that the ACGIH is moving closer to LAPI principles.

2.0 INTERNATIONAL

2.0.3 Proposed ABCM Visit

The Chairman, Mr. Walker reviewed for the Committee the background leading up to the appointment of two members to represent the association in the visit to Europe.

The MCA Board of Directors felt that three individuals were too many and that two could handle the job. Since Mr. Minter was the last Chairman of the Committee and also the Chairman of the present Revision Committee, and Mr. Walker is the present Chairman of the LAPI Committee, these two individuals were felt to be the logical choices. Mr. Walker said that he and Mr. Minter would visit the ABCM representatives on October 17 and 18, and that on the following Monday they would see ILO representatives in Geneva including Mr. Marcel Robert.

The Chairman reviewed with the Committee the position which should be taken in the discussions with the British and with the ILO. It was realized that the British and Americans have certain language differences and that these should be taken into consideration when discussions take place with ABCM.

In general the Committee felt that the two members are well experienced in the work of the Committee and that they should use their own discretion in dealing with the British and with the ILO.

2.1 FEDERAL LEGISLATION

Federal Caustic Poison Act

Mr. Sanford Hill reported that the present Commissioner of Food and Drugs Mr. Larrick feels that the Caustic Poison Act is in need of revision and that some initiative along this line should come from industry.

Revision of the Act was discussed and it was the consensus that MCA should take the lead in such a revision.

After discussion,

It was moved, seconded and adopted

THAT, a subcommittee be formed to propose a new federal law based on LAPI principles to regulate the labeling of all hazardous chemicals and that such an act be substituted for the present Federal Caustic Poison Act.

The Chairman, Mr. J. S. Walker, subsequently appointed Dr. French Chairman with Messrs. Troup and Tuttle members of the subcommittee. Mr. S. J. Hill volunteered aid to the subcommittee.

2.2 STATE REGULATIONS

2.2.2 Minnesota

Mr. Minter reported that he adapted the IAGLO regulations to cover packages sold as household chemicals (to which the Minnesota law is restricted) and that these were then sent to Dr. Hoffman of the state of Minnesota. Nothing further has been heard from Dr. Hoffman about these regulations but it is very likely that a public hearing will be held in Minnesota and either Mr. Minter or Mr. Sunderland will attend.

The Secretary will contact Dr. Hoffman and will keep the Committee advised as to the date of hearings.

2.2.5 Massachusetts

The Massachusetts Labeling Law has been passed but the old regulations remain in effect until promulgation of new ones. It appears that the Massachusetts officials are now quite favorably disposed to the LAPI point of view.

Dr. Cranch and Mr. Williamson have been named as representatives of MCA on the Massachusetts Advisory Board which will present its recommendation regarding new regulations. Mr. John Tuttle has also been appointed to this board as representative of his company.

2.2.22 Connecticut

Dr. Cranch reported that at the present time the Connecticut Legislature is in recess. At the last session the Senate passed but the House rejected the proposed labeling bill. The matter of the Labeling Law has been referred to the Legislative Council for study. Dr. Cranch has had correspondence with Representative Turner who suggested to the Majority Leader that Dr. Cranch cooperate in the development of a Labeling Law.

Dr. Cranch will keep the Committee advised of any future developments.

2.3 CITY REGULATIONS

2.3.1 New York City Fire Code

Mr. Boland, Counsel for N P V & L, has prepared a revised ordinance which he submitted to New York City Authorities. He has made a number of contacts in New York City and this matter is progressing nicely. The New York City Department of Health appears to be backing the revision.

3.0 MISCELLANEOUS LABELING

3.5.8 and 3.5.9 Changes in Barium Chloride and Mercuric Chloride Labels

Mr. Minter read a letter which was received from Mr. Eichorn of Harshaw Chemical Co.

The labels for Barium Chloride were discussed and it was pointed out that although this chemical is a highly toxic compound there have been no known cases of Barium poisoning in this country. The Chairman appointed Mr. Frank Low to a subcommittee to make recommendations for changes in the Barium Chloride label and Mr. Low selected Sanford Hill as another member of this subcommittee. Barium Reduction will be consulted in the development of the proper labeling.

After the appointment of this subcommittee,

It was moved, seconded and adopted

THAT, the Barium Chloride label which will appear in the revised manual be the one approved by the Committee after a letter ballot.

Mr. Troup was then appointed Chairman of a subcommittee to prepare a label for Mercuric Chloride. Dr. French was also appointed a member of this committee.

It was moved, seconded and adopted

THAT, the Mercuric Chloride label which will appear in the revised manual be the one approved by the Committee after a letter ballot.

4 NEW LABELS

4.6 Labels for Tricresyl Phosphate

Mr. Minter reported that he has had considerable correspondence and discussions with Celanese Corp. regarding a label for Tricresyl Phosphate.

The label suggested was as follows:

TRICRESYL PHOSPHATE

CAUTION! HARMFUL IF SWALLOWED

Do not take internally.

There was considerable discussion regarding this label and Dr. Foulger recounted details of some cases of Tricresyl Phosphate poisoning with which he was acquainted. It was pointed out however, that the paralytic effects of Tricresyl Phosphate are due to the Ortho content of the product and not due to the Meta and Para forms of the product. It was stated that the Ortho content of the commercial product is below 1%. After this discussion,

It was moved, seconded and adopted

THAT, because of the incomplete data available on the amount of Tri-ortho-cresyl Phosphate present in the commercial Tricresyl Phosphate, and because of the known toxicity of Tri-ortho-cresyl Phosphate, it is felt that the information is not sufficient to permit approval of the proposed label.

4.9 Copper Sulphate

Dr. Cranch reported that a request had been received from the state of Oregon regarding the need for a warning label for Copper Sulphate. The Secretary relayed this request to Dr. Cranch and an answer was sent to the Oregon State Authorities.

5. REVISION OF MANUAL L-1Parts I & II

Mr. Minter, Chairman of the Revision Subcommittee reported that he and Dr. French spent one entire day going over Parts I & II and that the printer is now preparing galley proofs. Mr. Minter distributed the first four pages of the manual and the Committee considered the make-up of these pages.

It was decided that the comb should be retained and that a new color should be selected for the manual.

ACETIC ANHYDRIDE

The Committee discussed the present label for this chemical and,

It was moved, seconded and adopted

THAT, the following label appear in the revised manual:

ACETIC ANHYDRIDE

DANGER! CAUSES SEVERE BURNS
VAPOR HARMFUL

Do not get liquid or vapor in eyes, on skin,
on clothing.

Do not breathe vapor.

In case of contact, immediately flush skin or eyes
with plenty of water for at least 15 minutes;
for eyes, get medical attention.

CALCIUM ARSENATE

Dr. Foulger pointed out that in Part III of the manual under the heading Calcium Arsenate we state "Same labeling as lead Arsenate". Dr. Foulger feels that this leads to unnecessary confusion and that people will believe the hazards of the two chemicals are much the same.

It was moved, seconded and adopted

THAT, under Calcium Arsenate we insert
the following label:

CALCIUM ARSENATE**WARNING! POISONOUS IF SWALLOWED**

Avoid breathing dust or spray mist.
Avoid contact with skin and eyes.
Wash thoroughly after handling.

☞ POISON ☞
(Antidote)

CALCIUM CYANIDE

Mr. John Williamson will check the label for this chemical for inclusion in Part III of the manual.

DICHLOROETHYL ETHER

After discussion,

It was move, seconded and adopted

THAT, the label for this chemical in Part III be the same as the new label which will appear in Part II. This label is as follows:

DICHLOROETHYL ETHER

**DANGER! HAZARDOUS LIQUID AND VAPOR
MAY BE FATAL IF SWALLOWED OR
INHALED**

Do not breathe vapor.
Use with adequate ventilation.
Avoid prolonged or repeated contact of
liquid with skin.
Do not take internally.

HYDROGEN PEROXIDE

Mr. Sanford Hill suggested some changes in the Hydrogen Peroxide label and also a new label for Hydrogen Peroxide of a strength greater than 52%.

After discussion,

It was moved, seconded and adopted

THAT, the text as read by Mr. Hill be approved tentatively subject to further approval by the manufacturer of the product.

Mr. Hill was appointed Chairman of the Subcommittee to prepare labels and Mr. Franch Low was designated a member of the Committee.

LEAD ACETATE

After discussion,

It was moved, seconded and adopted

THAT, the present lead acetate label be amended to eliminate the sentence, "Wear dust mask approved by U. S. Bureau of Mines for this purpose, " so that the label now reads as follows:

LEAD ACETATE

WARNING! HARMFUL DUST

Avoid breathing dust.
Wash thoroughly before eating or smoking.
Keep away from feed or food products.

Part III

In the absence of Mr. Sparre, Mr. Sanford Hill read a statement which had been prepared by Mr. Sparre. This statement reviewed the discussion and decisions which were made at the last meeting of the Committee regarding Part III of the manual. Mr. Sparre also pointed out the considerations which led to the original inclusion of Part III in the manual.

It was emphasized that an expansion of Part III would aid the pesticide control officials who may later take over Part III as a part of their annual publication. In conclusion it was urged that Part III be expanded to include an additional number of pesticides.

After this discussion,

It was moved, seconded and adopted

THAT, the labels for the following list of chemicals be inserted in Part III of the revised manual:

Antimony Potassium Tartrate	Heptachlor
Aramite	Hypochlorites
Captan	Isodrin
Chloranil	IPC
Chloro IPC	Maleic Hydrazide
p-Chlorophenyl	MCP
p-Chlorobenzenesulfonate (over)	Methyl Mercury Dicyanidiamide
Demeton	Methyl Parathion
Dichlone	Phenyl Mercury Acetate
Dalapon	Potassium Cyanate
Dinitro-o-cresol	Sodium Trichloroacetate
Endrin	Thallium Sulfate
Ethyl Mercury Acetate	Warfarin
Glyodin	Zinc Phosphide

16 MISCELLANEOUS ACTIVITIESPoison Control Centers

The establishment of Poison Control Centers throughout the country was discussed by the Committee members, especially Dr. Foulger and Dr. Cranch, both of whom felt that the establishment of these centers was an excellent idea and that any member companies approached should supply what information is requested.

After discussion,

It was moved, seconded, and adopted

THAT, a set of MCA safety data sheets, a Manual L-1 and a covering letter be sent to each poison control center.

It was also felt that committee members near the centers should drop in whenever possible and acquaint the supervisors of the centers with the LAPI Program.

Hazard of Static Generation

Mr. Minter's subcommittee reported that there is a possible hazard involved in the use of Polyethylene bags or in using any plastic bags for that matter. However, the Committee did not feel that this was a matter properly within its jurisdiction nor should it prepare a label.

It was moved, seconded and adopted

THAT, the subject of hazards from the use of plastic bags and sheeting be dropped from the docket.

Statement for Lachrymators

A possible statement was discussed for Lachrymators and Dr. Foulger pointed out that Lachrymators are not primarily an irritant.

After discussion,

It was moved, seconded and adopted

THAT, the following statement be used for labeling Lachrymators:

Causes flow of tears which may blur vision.

HANDLING OF CHLORINATED HYDROCARBONS

Dr. Cranch and Mr. Sunderland reported on the question as to whether a warning statement should be prepared when chlorinated hydrocarbons are handled in aluminum or magnesium containers.

The Committee thoroughly discussed this matter and it was the consensus that the question of reactivity of containers is not a subject for LAPI consideration.

Dr. Cranch said that this type of information belonged in the safety data sheets. It was emphasized that if you begin putting a statement regarding this on the container you open the door to statements regarding improper use and a label could not possibly cover all contingencies.

Mr. Minter stated that the Benson Manufacturing Company in Kansas City manufactures aluminum drums and has been suggesting that a certain list of chemicals be shipped in their drums. It was suggested that it may be desirable to check this list to ascertain if there are any chemicals in the list which might react with aluminum.

After the above discussion,

It was moved, seconded and adopted

THAT, the subject of the reactivity of containers be dropped from the docket.

Dissemination of Information

This item had been added to the agenda at the request of Mr. Nicholas Walker who felt that more effort should be made to distribute information to members of the LAPI Committee. It was suggested that members who notice important information, send it to the Secretary who could then reproduce it and transmit it to the Committee.

Symbolic Labeling of Dangerous Articles for Air Transportation.

Mr. Minter reported that labels are being considered by International Air Transport Association and that these varied in some respect from the ILO labels.

AMA Symposium On Health Hazards of Chemicals

Mr. John Tuttle agreed to represent MCA at this Symposium which will take place in Atlanta. Dr. Foulger pointed out that he is the liaison representative between AMA and MCA.

18. PROPOSED RULES OF ORGANIZATION AND PROCEDURE

The revised rules of organization and procedure which were sent out under date of June 17, 1955 were discussed by the Committee and it was agreed that point 1 under "(V) Meetings," should be amended to provide that there will be not less than two meetings in any fiscal year.

Membership provisions of the rules were discussed and,

It was moved, seconded and adopted

THAT, paragraph 4 of section 3 be stricken from the revised draft.

Under the "General" section the Committee voted to eliminate "any" from the statement "any harmful effects."

The members of the subcommittee will consider the rules again and report back to the full Committee with a new draft.

31. PUBLIC RELATIONS ACTIVITIES"Read The Label" Program

At the last meeting of the Committee several assignments were made of organizations which should be contacted regarding the MCA proposed "Read the Label" program. The organizations and their reactions were reported as follows:-

<u>ORGANIZATION</u>	<u>RESULTS</u>
1. NACA	1. Approved in principle. Suggested deletion of reference to insecticides.
2. AMA	2. Dr. Cranch has not as yet had a chance to contact this group.
3. American Academy of Pediatricians	3. Favored our program and will be glad to help in any possible way.
4. CSMA	4. Dr. Hamilton reviewed our material and made some rather strong comments. Approves program in principle but is not in a position to actively aid.
5. ADMA	5. Approves the program in principle.
6. President's Conference on Occupational Safety (Dept. of Labor)	6. Favorably impressed by program and approves.
7. APMA	7. Approves program but is itself not actively involved in "Read the Label" activities.
8. Proprietary Association	8. The Secretary and Mr. Troup distributed some material from the Proprietary Association explaining their campaign to raise \$30,000 for a "Read The Label" program. The Secretary said that the MCA Public Relations Department felt that this program would tie in nicely with our own "Read The Label" efforts and that we could supply material to the "National Safety Council" and the Advertising Counsel which would handle the Proprietary Association's program.
9. U. S. Public Health Service	9. Mr. Flanagan said that his committee approved the program but did not want to be involved in any specific approval of releases.

10. American Red Cross

10. The Secretary reported that as a result of his visit, the Red Cross approved the plan in principle and is itself involved in "Read The Label" instructions in the Red Cross First Aid booklet.

11. API

11. Favorably impressed by program but has no way of actively cooperating at this time.

12. N P V & L

12. Approves but with some reservations.

After the above reports it was the consensus of the Committee that considering all ramifications it thinks that the "Read The Label" program is still desirable but that the details of participation should be developed by the Public Relations Department of MCA.

The Committee also voiced its concern regarding the publicity which AMA distributes blaming a large number of deaths on chemicals. It was pointed out that some of the deaths are suicides and that many are due to improper use of drugs, kerosene etc. Dr. Foulger said a decreasing proportion of such deaths are due to chemicals.

NEXT MEETING

It was the consensus of the Committee that the next meeting be held in Washington, D. C.

James D. Kittelton

James D. Kittelton
Secretary
LAPI Committee

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