EPA begins TSCA new chemical review

EPA has begun the "premanufacture notification" review program mandated by the Toxic Substances Control Act (TSCA). Under the program chemical manufacturers must notify the agency at least 90 days before they manufacture "new" chemicals for introduction into commerce. A new chemical is defined by EPA as one not appearing in the inventory of existing chemicals which it has already collected under TSCA. Notes EPA deputy administrator Barbara Blum, "For the first time the government will be able to review these substances before their exposure to people or the environment." Based on its review of a chemical, EPA can restrict or even ban outright its production and use if the agency believes that it poses an unreasonable risk to health or the environment. If not, EPA will allow the chemical into commerce after the notification period expires.

PCB limits in food lowered

FDA has lowered the allowable levels of polychlorinated biphenyls (PCB's) in fish, poultry, and dairy products shipped in interstate commerce. The new tolerances, effective Aug. 1, reduce allowable PCB levels in fish and shellfish from 5 ppm to 2 ppm, in milk and dairy products from 2.5 ppm to 1.5 ppm, in poultry from 5 ppm to 3 ppm, and in eggs from 0.5 ppm to 0.3 ppm. FDA first set tolerances for PCB's in 1973. However, it says that new evidence linking PCB's to liver tumors and reproductive problems in test animals indicates that the chemicals are more toxic than previously thought. FDA estimates that the new tolerances could result in a loss of $6 million a year for the commercial fishing industry.

U.S. pesticides policy criticized by GAO

A General Accounting Office report is highly critical of the way federal agencies control export of pesticides and the way they monitor pesticide residues in imported food. GAO says that EPA allows pesticides that have never been registered or that have been banned in the U.S. because of safety questions to be routinely exported. Serious injuries have occurred abroad from use of these pesticides, the Congressional investigative unit charges, and EPA generally has failed to tell foreign governments the pesticides are not approved in this country. GAO also says that FDA allows food to be imported without testing for illegal pesticide residues. FDA responds that it could probably do better and EPA is reviewing the report.

Patent & Trademark Office chief resigns

Donald W. Banner, citing a new federal ethics law, resigned as Commissioner of Patents & Trademarks on June 30. Banner, 55, had held the position since 1978. He was previously general patent counsel for Borg-Warner, and he says that he hopes to return to practicing patent law. Such activity may be prohibited under the new ethics law. This law went into effect July 1 and prohibits certain types of contact between former government officials and the agencies that employed them for a period of two or three years. Banner's deputy, Lutrelle F. Parker, has been named acting commissioner, but no successor has been chosen.

Federal reservations for nuclear disposal?

The General Accounting Office suggests that before the Department of Energy selects any other repository site for nuclear wastes it should give first consideration to determining if any of the existing federal nuclear reservations are acceptable. Such reservations might be the best choice for a number of reasons, GAO says: Using them would avoid contaminating any more areas of the U.S. with radioactivity; disposal of DOE-generated wastes would be simplified; the sites already are federally owned, are in remote locations, and some are already so badly contaminated that they can never be returned to unrestricted use; and public and political acceptance at these locations is likely to be higher than in other parts of the country. GAO also says that Congress should enact legislation setting up a federal-state committee with responsibility for developing a national waste management plan, but giving the federal government the right to mandate a repository site if no decision can be reached.

Uniroyal gets off the hook—temporarily

A federal judge in Washington, D.C., has temporarily blocked the Labor Department's efforts to halt governments contracts with Uniroyal. The Labor Department alleges that Uniroyal practices discrimination against women at its Mishawaka, Ind., chemical plant. If successful, the Labor Department could deprive Uniroyal of about $36 million in government contracts. But U.S. district court judge Harold Greene last week ruled that Uniroyal's lawyer had raised sufficient questions about the Labor Department's authority to subpoena documents to substantiate the sex discrimination claim and issued a 10-day stay.

Color additive to be named on labels

FDA will require for the first time that the name of a color additive be declared on all food and drug product labels. The color in question, Yellow No. 5, also known as tartrazine, causes allergic reactions in a small group of sensitive people. The only exception to the rule will be topical drugs that contain the color. The rule goes into effect June 26, 1980.

Washington roundup

- The Justice Department is conducting an investigation on whether Dow Chemical, which has about 55% of the country's total annual production capacity for magnesium, has monopolized the marke..
- EPA and FDA have agreed on how they will share responsibility for regulating drinking water. EPA now has complete authority over drinking water from public water supplies, whereas FDA will continue to regulate the purity of bottled water.

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