

MAY 14 1973

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May 10, 1973

Dr. Karl A. Hochschwender
American Hoechst Corporation
Route 202-206 North Bridgewater
Post Office Box 2500
Somerville, New Jersey 08876

Dear Karl:

Things are happening so fast in so many directions these days that I hope it will not be too surprising to the other members of the Food, Drug and Cosmetic Packaging Materials Committee when I now inform you and them that Peter Hutt's office called me yesterday to tell me that, due to the unexpected scheduling of Congressional hearings by Mr. Fountain on May 30, 31, and June 1, Mr. Hutt will now be unable to be with us at 11:00 a.m. on May 31 either.

At first it was thought that we would simply have to forego his appearance altogether but he was kind enough to call me back today and advise that he will make a special effort and attend our session if arrangements can be made so that it can be a breakfast meeting beginning at 8:00 a.m. Mr. Hutt will now have to leave by 9:15 or 9:30 but I thought it would be important enough to our membership to hear him so that I have tentatively advised that the 8:00 a.m. session will be satisfactory. I know that Charlie Condit is out of his office this week so I have been unable to contact him yet but I imagine Charlie can make the necessary arrangements. In the meantime, I thought I would move as quickly as possible to let those on the Committee know about the tentative arrangements so that they can all plan to be on hand promptly at 8:00 a.m. on May 31.

If it turns out that Charlie cannot set up the breakfast affair with the hotel, we will have to let everyone know about this as soon as this can be done.

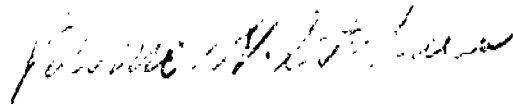
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Dr. Karl A. Hochschwender
May 10, 1973
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I suspect that Charlie will be able to make the arrangements, however, so I am hereby requesting that, if he can, he arrange to send out a supplementary meeting notice sometime within the next week or so to either confirm the change in meeting time and urge prompt attendance at 8:00 a.m., or advise all of you that the plans cannot be changed and Mr. Hutt will not be with us at this session. I hope it will not be necessary for Charlie to move in the second direction.

We do feel that Mr. Hutt is doing everything he can to accommodate us in light of his rather atrocious schedule so we are appreciative of his consideration and hope that everyone on the Committee will understand the problems that do arise in these respects.

Cordially yours,



cc: SPI FDCPMC

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May 10, 1973

Mr. Thomas J. McGrath
The Society of the Plastics
Industry, Inc.
250 Park Avenue
New York, New York 10017

Re: SPI-BATF-PVC Liquor
Bottles Matter

Dear Tom:

Following up on our letter of yesterday, and in this case somewhat to our surprise, we are enclosing herewith a Bureau of Alcohol, Tobacco and Firearms Press Release which, in essence, orders liquor distillers to stop the experimental use of plastic bottles effective midnight on May 11. Mr. Carlson of BATF called me this morning to tell me about the decision made in this respect and made a copy of the Press Release immediately available.

A point which will undoubtedly be of interest to the recipients hercof is the fact that BATF still has no plans to order recalls of stocks now in the stream of commerce. Mr. Carlson advised me that this would only be done if the Food and Drug Administration so ordered and we have been advised by FDA that it does not plan this type of action.

In light of the fact that stories about the Treasury Department Release are already appearing in the lay press, we decided it would not be worthwhile to advise everyone of this new development by wire since this involves an inordinate expense for SPI. We do believe that the Distilled Spirits Institute, and perhaps others are wiring those who most need to know about the development anyway.

While I hesitate to bring up what is now a rather moot question, I thought it might be advisable

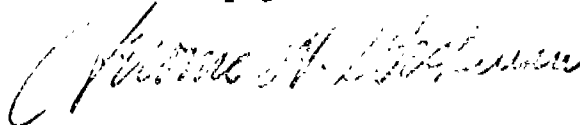
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to take this opportunity to send all of those receiving copies of this letter a copy of a letter that Mr. Russell E. Train, the Chairman of the Council on Environmental Quality directed to Treasury Secretary Shultz on April 26. As you will recognize, the Train letter rather strongly expresses CEQ's opposition to PVC, and almost more broadly to all plastics, on environmental grounds. As indicated, the letter is moot as far as the alcoholic beverage situation is concerned, but there certainly is no reason to be pleased with Mr. Train's posture otherwise. As far as I am concerned, what he has said bears out the fears at the recent SPI Annual Meeting to the effect that the plastics industry now faces a new kind of uphill battle in getting its products cleared for packaging applications even where safety and general suitability for use can be easily demonstrated.

We will continue to try to keep everyone informed as best we can. In this instance, incidentally, and primarily because of the Train letter, we are sending copies of this communication to all members of the SPI Food, Drug and Cosmetics Packaging Materials Committee, as well as the BATF list.

Cordially yours,



Enclosures

cc: SPI BATF Mailing List
SPI Food, Drug and Cosmetics
Packaging Materials Committee

ASI-PR 0001633

BUREAU OF ALCOHOL, TOBACCO & FIREARMS

Washington, D.C. 20224

202-964-6476

INL WVO



May 9, 1973

FOR IMMEDIATE RELEASE

**LIQUOR INDUSTRY NOTIFIED TO
DISCONTINUE USE OF PLASTIC CONTAINERS**

The distilled spirits industry was told today that the experimental period for the use of polyvinyl chloride (PVC) plastic bottles as containers for distilled spirits would terminate at midnight on May 11, 1973, (local time) according to Rex D. Davis, Director of Treasury's Bureau of Alcohol, Tobacco and Firearms. The experimental period was originally scheduled to end on June 30, 1973.

The decision came as the result of a letter from the Food and Drug Administration dated May 3, 1973, which advised the Bureau that FDA will soon issue a proposed regulation which will, if it becomes final, no longer allow the packaging of alcoholic beverages in PVC bottles. The letter further stated that FDA's action was based on recently received data which indicated that the vinyl chloride monomer could leak into the packaged distilled spirits at levels which may be of toxicological concern.

"We have always worked closely with FDA officials," said Davis, "and abided by their decisions on substances which may be present in alcoholic beverages. Even though the toxicity of distilled spirits in plastic containers has not been definitely established, our concern for consumer safety has dictated our immediate action."

(more)

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The recent study released by ATF which indicated that PVC bottles could be used as containers for distilled spirits had addressed itself to the environmental impact of the plastic containers rather than to the chemical stability of the containers which, Davis stated, "was the responsibility of FDA officials which they rightfully met. I have instructed our laboratory personnel to continue to work closely with them on this matter."

[Retyped from relatively illegible copy supplied by
Council on Environmental Quality]

April 26, 1973

Dear Mr. Secretary:

The Council has reviewed the final environmental impact statement related to the proposal of the Treasury Department to permit the use of the plastic polyvinyl chloride (PVC) for liquor bottles, filed in compliance with Section 102(2)(c) of the National Environmental Policy Act. I am bringing this to your attention because our evaluation of the environmental impacts and the extensive negative comments filed by other Federal agencies and the public on this proposed action lead us to conclude that it would be unwise to move ahead with the proposal at this time.

The environmental impact statement and the supportive analyses, while thorough in their evaluation of the effects of a shift to PVC for liquor bottles, do not take into account the full significance that a Federal "stamp of approval" for this limited application would have on future decisions by others to use plastics for packaging. What is clear from the supporting documentation is that this approval would be seen as an important precedent upon which could be built future more widespread applications of plastics. For example, we understand that there are already proposals before the Food and Drug Administration to use plastics for packaging soft drinks and malt beverages. There is little doubt that a Treasury approval of PVC for liquor bottles would be an influential factor on this and similar future decisions.

This points to the need to carefully evaluate the environmental impact of PVC in liquor bottles. On balance, we see minor detrimental effects from the limited application proposed, but potential major impacts from subsequent expansions of their use into other areas, a circumstance that might be encouraged by the proposed Treasury action.

Our particular concerns are the potential for damage to incinerators from overall increases in the PVC content of solid waste; the potential of hydrochloric acid damage from fires in locales where significant amounts of PVC bottles are on hand; and the more ready separation and recyclability of glass.

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In summary I do not believe that it would be an environmentally sound action for the Treasury Department to give final approval to the use of PVC for liquor bottles at this time. Until we understand more about the effects of PVC on the full range of our solid waste problems, and until we are sure that Federal approval of PVC uses will not encourage an undesirable increase in other applications, it would seem to make more sense from an environmental viewpoint to continue the use of glass containers for liquor.

Sincerely,

(sgd) Russell E. Train

Russell E. Train
Chairman

Honorable George P. Shultz
Secretary of the Treasury
Washington, D. C.