PLAINTIFF'S
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The safety of its products and of the people who make and use them always has been a major concern of the chemical industry.

This concern has intensified with reports that certain common and previously unsuspected industrial chemicals may be carcinogens or otherwise toxic.

This new development indicates that we must re-evaluate the effects of our products on the environment, on the health of our employees, and on the safety of our customers and the public.

Admittedly, product safety has always been complex and now involves an ever broader spectrum of problems. There are medical and technological aspects. There are laboratory, animal and human tests to interpret and correlate. There are legal and governmental considerations and cost factors. All these factors are important, but they should not be permitted to obscure the

one basic reality: the people who run industrial organizations have a tremendous responsibility in the whole area of product safety. They must make every effort to protect the health of people who produce, transport and use the products of their companies.

Management must take the lead in identifying and correcting safety problems. Where protection of the public health or safety is at stake, business should operate with candor and welcome opportunities to cooperate with responsible private or public groups that are concerned with safety so that combined efforts accelerate programs aimed at solving the problems.

Business in general, and the chemical industry in particular, is doing a better job than ever in building safety into its operations and products. There will always be some problems, however, and new ones occasionally arise to surprise even the most diligent and far-sighted companies.

The Du Pont Company has had a long record of strong safety performance and its experience may serve to illustrate the depth and nature of the chemical industry's commitment to safety.

Du Pont's general policy has been "to determine that each product can be made, used, handled and disposed of safely, consistent with environmental criteria." Leading chemical companies throughout the world have similar policies and programs.

As part of the company's commitment to this policy, the Haskell Laboratory for Toxicology and Industrial Medicine

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was established nearly 40 years ago. The first industrial laboratory of its kind, its responsibility is to study the toxic effects of new chemicals and processes so that the proper precautions can be taken to manufacture chemicals safely and to provide information to support directions for their safe use. Its work has had a profound effect on the protection of employees and consumers. Its activities are being increased, and we are expanding its staff and facilities to handle the forecast buildup of testing brought about by more new products and more comprehensive work required to examine carcinogenic and other toxic effects.

In an allied field, Du Pont's Medical Division has been conducting epidemiological studies since 1956, providing a data bank which is analyzed periodically by trained personnel to determine any suspicious trend in health indices.

In the overall policy area, the company has an Environmental Quality Committee which is concerned with all environmental aspects of developing, producing and marketing products. The organization was expanded recently to include representatives of Haskell Laboratory and the Occupational Safety and Health Committee.

Du Pont management also has added procedural safeguards and has specified that compliance with all aspects of safety be a part of all appropriation requests for new or expanded facilities.

These and other measures the company has taken are corporate-level programs. At the local level, all Du Pont

facilities have established programs which seek to anticipate and correct problems before they have an adverse effect on the environment.

Despite the scope of its own safety programs, Du Pont recognizes that governmental action is necessary in some areas for research or control of health and safety hazards and standardization when warranted. Actually the marketing of some products, such as agricultural chemicals and pharmaceuticals, is already regulated by the EPA and FDA. Du Pont supports reasonable legislation in these areas. An example is the company's support for a number of elements in the pending Toxic Substances Control Act.

While there is no fundamental quarrel with the idea of government action, Du Pont does not regard Federal requirements as the end-point. Many times Du Pont and other chemical companies have voluntarily imposed higher internal standards than the law requires. In the future we may well take issue, as we have in the past, in certain environmental areas where the standards are unreasonably restrictive.

It must be recognized that the process of determining the safety of a product to humans requires time-consuming and complex animal screening tests, the reliability of which cannot be absolute. While efforts to expedite and simplify product safety tests must be made, the significance of results must be carefully considered before premature and misleading alarms are sounded.

Few products or processes are inherently so safe that they cannot be made hazardous by human or mechanical failure. To state that no one will ever be harmed by a product of industry is to make a promise that no industry can keep. Continued improvement, however, is possible and must be diligently pursued. The chemical industry has the will and means to improve safety and increase protection of employees and consumers. The industry has accepted and will continue to accept its responsibility and the Manufacturing Chemists Association is dedicated to give priority attention to coordinating industry efforts in this important area.

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