

## MANUFACTURING CHEMISTS' ASSOCIATION, INC.

Minutes of Meeting  
Labels and Precautionary Information CommitteeTERRACE PLAZA HOTEL - CINCINNATI, OHIO  
January 11, 12 & 13, 1955PLAINTIFF'S  
EXHIBIT  
CMA-235

The meeting was called to order at 9:30 A.M. on January 11, 1955.

MEMBERS PRESENT

|                                 |           |                                                                  |
|---------------------------------|-----------|------------------------------------------------------------------|
| J. S. Walker (Chairman)         | - - - - - | -Hooker Electrochemical Company                                  |
| E. L. Barkley (for T. R. Aalto) | - - - - - | -Heyden Chemical Corporation                                     |
| A. G. Cranch, M.D.              | - - - - - | -Union Carbide & Carbon Corporation                              |
| J. H. Foulger, M.D.             | - - - - - | -E. I. duPont de Nemours & Company, Inc.                         |
| C. L. French (for A. Q. Butler) | - - - - - | -Mallinckrodt Chemical Works                                     |
| W. A. Knapp                     | - - - - - | -General Chemical Division,<br>Allied Chemical & Dye Corporation |
| F. S. Low                       | - - - - - | -Chemical Divisions,<br>Food Machinery & Chemical Corporation    |
| R. D. Minter                    | - - - - - | -Monsanto Chemical Company                                       |
| D. F. Sparre (for S. J. Hill)   | - - - - - | -E. I. duPont de Nemours & Company, Inc.                         |
| W. W. Sunderland                | - - - - - | -The Dow Chemical Company                                        |
| G. L. Wilkes (for G. E. Brewer) | - - - - - | -Shell Chemical Corporation                                      |
| J. B. Williamson                | - - - - - | -American Cyanamid Company                                       |
| J. D. Kittelton (Secretary)     | - - - - - | -Manufacturing Chemists' Association, Inc.                       |

GUESTS

|                |           |                                            |
|----------------|-----------|--------------------------------------------|
| James Bruce    | - - - - - | -Celanese Corporation of America           |
| Fred Rich      | - - - - - | -U. S. Industrial Chemicals Company        |
| Ralphel Troup  | - - - - - | -J. T. Baker Chemical Company              |
| John B. Tuttle | - - - - - | -Esso Standard Oil Company                 |
| G. M. Worden   | - - - - - | -Manufacturing Chemists' Association, Inc. |

MEMBERS ABSENT

|              |           |                                                                       |
|--------------|-----------|-----------------------------------------------------------------------|
| J. T. Fuess  | - - - - - | -Eastman Organic Chemicals Dept.,<br>Distillation Products Industries |
| W. J. Quinn  | - - - - - | -Merck & Company, Inc.                                                |
| N. M. Walker | - - - - - | -Pennsylvania Salt Manufacturing Co.                                  |

MINUTES

It was moved, seconded and adopted

THAT, the minutes of the meeting of  
October 11 and 12 be approved.1.3 ALLIED ACTIVITIES1.3.1 CSMA

The CSMA Committee has not, as yet, begun work on Part 2 of their labeling manual entitled "Labeling of Household Products". The whole problem of mixtures is jeopardizing the work of this committee.

L-96

The next meeting of the CSMA Committee will take place on January 26.

### 1.3.2 API

Mr. Tuttle reviewed for the members of the Committee the developments since the last meeting regarding the establishment of an API Committee on Labeling. He has been given the job of organizing the committee, and it is planned to have this committee along the lines of LAPI, including doctors, lawyers, chemists, etc.

Two of the major problems which will be taken up by the API Committee are concerned with the necessary labels for possible carcinogenic materials and also the basis for labeling materials flashing between 80° and 150°F. Dr. Foulger suggested that the API go very slowly in regard to the labeling of carcinogenic materials.

Mr. Wilkes pointed out that the establishment of an API Committee might, to some extent, duplicate the work of the Petroleum Packaging Institute's Labeling Subcommittee.

Mr. Tuttle will keep the Committee advised of the activities which the API Labeling Committee undertakes.

### 1.3.3 NPV&L

This association has become quite active in the labeling field and has recommended to its members a standard layout for labeling of paints. The next suggestion which the NPV&L Committee will consider is the adoption of the current New York City requirements regarding the size of type on warning labels; Dr. Foulger and Mr. Sparre will attempt to discourage this proposal. It was suggested that the Secretary of MCA write NPV&L pointing out LAPI's position regarding size of type. This letter should be addressed to Col. Battley, with a copy to Mr. Boland.

It was pointed out that at the last NPV&L Annual Meeting, a labeling program was accepted enthusiastically. It appears that this association will work closely with MCA on labeling problems.

It was noted that in the suggested paint labels, the term "combustible" had been used.

## 2.0 INTERNATIONAL

### 2.0.1 ILO

The Secretary stated that Mr. Grass would represent the chemical industry at a forthcoming ILO meeting in Geneva. This meeting will be concerned with a number of matters, including the ILO proposal for symbolic labeling of hazardous chemicals.

It was pointed out that a recent United Nations report had been issued by the Committee of Experts on the Transport of Dangerous Goods. It was suggested that it would be desirable for a LAPI Committee member to attend any debate at the United Nations regarding this report. Mr. Knapp will attend for his company and will keep the Committee posted.

### 2.0.3 BRITISH LABELING

The Chairman reminded Committee members that at the last meeting a motion was passed accepting the invitation of the British to visit Britain and had left it up to the Chairman to select those who would represent LAPI in the trip. He did not feel in good conscience that he could make such selection and believed that it should be left up to the Board of Directors.

The Committee instructed the Chairman to consult the Secretary of the Association, Mr. Crass, and suggested they discuss the matter with Mr. Foster regarding further action.

The Committee felt very strongly that this visit was important from an international labeling standpoint.

First and foremost, it is imperative that we secure the support of other nations, such as Britain, and present a united front in any appearances before the ILO or other international groups. It was pointed out that international conventions can become the law of the land without congressional approval.

Second, there are a number of basic differences between the British Manual and Manual L-1. It is most important that these differences be ironed out and that we make an attempt to be drawn closer together before a possible adoption by law in Britain of the British Manual.

Third, many member companies are engaged in export trade. It is important that labels used domestically be acceptable in foreign countries.

It was also believed that a much more franker discussion of basic differences could be secured by face-to-face conversations than by written correspondence.

It was the consensus of the Committee that such a trip could lead to a greater exchange of information between the two countries, such as information regarding toxicology, etc.

It is possible that in the very near future the Canadian Chemical Industry will begin developing a labeling program and that they will be guided either by LAPI or by ABCM. In case they follow ABCM recommendations, it would be to our interest to see that they are as close to LAPI principles as they can be.

## 2.2 STATE REGULATIONS

### 2.2.1 CALIFORNIA

The Secretary informed the Committee that he had called on Dr. Taylor of the National Bureau of Standards as instructed at the last Committee meeting. Dr. Taylor was presented with copies of the LAPI manual together with copies of state labeling regulations.

Mr. Minter reported that as a result of his investigations, it was his recommendation that the whole problem of labeling radioactive materials was too complex for the Committee to handle and that it should be dropped. There is really a physical hazard involved, and those who are concerned with the labeling of radioactive substances should be referred to the National Bureau of Standards.

It was decided that the Secretary of the Committee should write Dr. Taylor and Mr. Sherman relaying the decision of the Committee. The Chairman suggested that Dr. Foulger draft this letter.

### 2.2.3 HAWAII

The Chairman read a letter received from Mr. L. R. Gardner of the California-Spray Chemical Corporation pointing out that Cal. Spray was being greatly handicapped because the Hawaiian authorities required a "poison" label for a number of substances. The Committee was surprised at this letter and were not aware of the situation. It was suggested that Mr. Gardner be written asking for the names of the products which require poison labels.

### 2.2.5 MASSACHUSETTS

The Secretary distributed copies of the recently introduced H.B. 1192 and H.B. 1951 and pointed out that S-450 was a bill introduced by the Associated Industries of Massachusetts and was identical to the bill drafted by Mr. Sparre. This was included as an appendix to the minutes of June 21-22, 1954. However, since the Committee did not have copies of the existing Massachusetts law and also copies of S-450,

It was moved, seconded and adopted

THAT, the Secretary prepare for the Committee copies of the existing law and S-450 to aid in the discussion.

Following this motion, the Secretary had reproduced a number of copies of the present Massachusetts labeling law, together with S-450.

The Committee was of the opinion that we should back S-450 but that as a last resort we could support H.B. 1951. The only drawback to this latter bill is that it points a finger at benzol and carbon tetrachloride. The Committee is definitely opposed to H.B. 1192.

The Committee suggested that when the ACGIH Subcommittee visits Dr. Elkins, the bills be discussed with him and other interested individuals. It was also believed desirable for the subcommittee to secure the aid of Associated Industries of Massachusetts in this matter.

### 2.2.7 NEW JERSEY

The Chairman related the problem which had been presented by Mr. A. S. Eichorn of the Harshaw Chemical Company regarding the New Jersey labeling regulations. This problem was whether reagent chemicals in the analytical laboratory would require warning labels.

The Committee thoroughly discussed this problem and were inclined to think that it would be desirable for the company to label reagent chemicals. However, the Committee unanimously agreed that they should not attempt to interpret the New Jersey regulations and that any interpretation should be left to Mr. Kreuger.

### 2.2.8 NEW YORK

A Labor Inspector recently called on General Aniline in Rensselaer, New York, and suggested that they not develop labels until the receipt of standard forms.

Dr. Cranch investigated this situation, and there appears to be some confusion in regard to it. Mr. Barker, of the State Department of Health, did not have any knowledge of it; but it appears that there is a possibility that the Division of Industrial Safety Service is interested in developing a labeling code. The Committee voiced the opinion that the Labor Department in New York may not be acquainted with the recently enacted New York State Labeling Regulations. Dr. Cranch will follow this situation.

## 2.3 CITY REGULATIONS

### 2.3.1 NEW YORK CITY - PROPOSED REVISION OF FIRE CODE

Dr. Foulger gave a brief review of the developments leading up to the National Paint, Varnish and Lacquer Association's attempt to secure revision of the Code. He explained that Mr. Boland had been visiting the City authorities on another matter and thought it was an appropriate time to bring up the subject of labeling.

The Committee discussed the proposed memorandum to the New York City Fire Department which the NPV&L had prepared. A number of suggestions were made, and these were transmitted to NPV&L in the form of a memorandum.

## 3.0 MISCELLANEOUS LABELING

### 3.38 SPECIAL DRUM COLORING FOR ORGANIC PHOSPHATE INSECTICIDES

Mr. Minter reviewed for the Committee the use of a purple stripe on drums to indicate that the drum had contained 2-4-D. The use of the purple stripe has been rather successful, and this has led to a suggestion that there be a special color developed for drums containing organic phosphate insecticides.

This matter was thoroughly discussed by the Committee and in general felt that a color code of this sort could get out of hand and is certainly not a substitute for safe and adequate handling of hazardous chemicals. In concluding their discussion, it was the consensus of the Committee that the idea was impractical and would serve no useful purpose.

It was moved, seconded and adopted

THAT, the LAPI Committee go on record as opposing a special stripe and coloring for drums containing Organic Phosphate Insecticides.

### 3.55 PHTHALIC ANHYDRIDE

It was stated that the Barrett Division of Allied has been studying the health section of the Safety Data Sheet on Phthalic Anhydride and believes that some changes should be made to take into account the handling of molten Phthalic Anhydride. The author of the sheet was apparently only concerned with the flake form of the chemical.

and, The Committee discussed the label proposed by the subcommittee

It was moved, seconded and adopted

THAT, the following label be recommended to the General Safety Committee for inclusion in the Safety Data Sheet:

PHTHALIC ANHYDRIDE (SOLID)

CAUTION! MAY CAUSE SKIN IRRITATION

Avoid Prolonged or Repeated Contact with Skin  
Avoid Breathing Dust

4. NEW LABELS - GENERAL

- 4.7 Diethylenetriamine
- 4.8 Ethylenediamine

The Committee considered the labels which the subcommittee developed and were of the opinion that they departed somewhat from the form of labels used in Manual L-1.

It was moved, seconded and adopted

THAT, these labels are referred back to the subcommittee who will review them in line with suggestions made at the Committee meeting and will attempt to bring the terminology into line with accepted LAPI wording.

The subcommittee will submit the proposed labels to the Secretary who will conduct a letter ballot.

5. REVISION OF MANUAL L-1

Mr. Minter proposed a number of changes for the manual which were discussed by the Committee.

The Committee's discussion was noted by Mr. Minter, and the changes will be taken up more fully at the next meeting.

Among the changes discussed and agreed to were the following:

A vote was taken on a color for the manual.

It was moved and seconded

THAT, the color for the new edition of Manual L-1 be continued green.

This motion failed to carry. The Chairman directed that Mr. Minter select a color and report back to the Committee. It was also suggested that the name of the manual be put on the edge as it now appears.

On page 5, it was agreed that "Economic Poisons" be changed to "Pesticides". Also on page 5 in the last paragraph, the statement regarding the Surgeon General should be changed to read: "The Surgeon General of the United States Public Health Service has discontinued the labeling agreements . . . . ."

On page 6, it is proposed to add as a footnote a statement such as the following: "Specific regulations embodying LAPI principles and cover the labeling of hazardous chemicals are in existence in the States of Oregon, California, New Jersey, New York and Illinois and in the Territory of Hawaii."

On page 7, it was suggested that the mixture statement be strengthened. Mr. Nicholas Walker will be asked for suggestions on this section.

There was general discussion regarding the headings under Part I and a change in terminology will be considered.

#### ALUMINUM CHLORIDE - ANHYDROUS

It was moved, seconded and adopted

THAT, this label be included in the next revision.

#### ARSENIC TRIOXIDE

The Committee did not vote on whether a label for this chemical should be included, and Mr. Minter will make the decision.

#### BUTADIENE & CRESOL

The statement will be added: "MCA Chemical Safety Data Sheet Available."

ETHYL ACETATE) - Statement regarding MCA Safety Data Sheets should be  
ETHYL CHLORIDE) added.  
HYDROGEN PEROXIDE)

#### HYDROGEN FLUORIDE - ANHYDROUS

It was moved, seconded and adopted

THAT, the label on Page L-78 of the minutes be approved for inclusion in the revised manual.

#### MERCURY OXIDES

The Committee decided to leave out the labels for Mercury Oxides.

#### METHYLAMINES SOLUTION

This will be covered by reference to the Safety Data Sheet.

MORPHOLINE

There will be a new label for Morpholine after the report of the subcommittee preparing it.

PHTHALIC ANHYDRIDE

The label approved for Phthalic Anhydride will appear in the revised manual.

PROPYLENE

Propylene will go in and the statement will appear "Same Label as Ethyl Chloride."

TOLUENE

The statement under the Toluene label that an MCA Chemical Safety Data Sheet is available should be deleted since this Safety Data Sheet was never published.

VINYL CHLORIDE

A statement regarding the availability of a Safety Data Sheet should appear under Vinyl Chloride.

Mr. Minter said that his subcommittee would hold a number of meetings before the full Committee meets at Skytop.

15. COMMENTS ON ACGIH REPORT

After the last meeting of the Committee in Chicago, Mr. Flanagan wrote to Dr. Elkins relating the discussion of the Committee on the ACGIH Interim Report.

Also, since the meeting Mr. Sanford Hill has been asked to give a paper on the LAPI labeling program at the next meeting of the ACGIH in Buffalo on April 25.

The ACGIH feels that the matter of mixtures needs to be clarified. Mr. Benjamin Feiner has also commented on the manual with six or seven suggestions which should be taken into consideration in the next revision.

Most of the LAPI Committee members have submitted comments on the ACGIH Report, and the next step will be for a subcommittee to call upon Dr. Elkins relaying the comments which the members made on the report. The Chairman appointed Mr. John Williamson, Dr. Cranch and the Secretary to call on Dr. Elkins. It was suggested that this visit also coincide with the hearings on the proposed Massachusetts Labeling Laws.

16. MISCELLANEOUSDr. Korn's Letter to Modern Medicine on Paradichlorobenzene

In the November 1954 issue of Modern Medicine, Dr. H. I. Korn wrote that he believed that there was a possibility that auricular fibrillation

was being caused by the use of paradichlorobenzene. The Secretary referred a copy of this letter to Dr. Cranch who wrote Dr. Korn. However, as yet, Dr. Cranch has not received a reply to his letter. He will follow this up and keep the Committee advised.

#### Statement for Lachrymators

Mr. Minter reported that as a result of his investigation, it appears that the statement "Vapor Irritating" would be best to use for lachrymators where there is a temporary irritation of the eyes. The possibility was discussed as to whether there would be a case where a vapor might not irritate the eyes; in this case, Mr. Minter thought the statement "Causes Watering of the Eyes" would be appropriate.

In conclusion, the subcommittee recommended the statement "Vapor Irritating" as a proper statement of hazard for lachrymators; however, no final action was taken on this matter, and it will be continued on the docket.

#### 18. RULES OF ORGANIZATION AND PROCEDURE

The Chairman reported that he had received a letter from Mr. Brewer who stated that a tentative draft would be ready later this month.

#### 31. "READ THE LABEL" PROGRAM

Copies of Mr. Worden's proposed plans for the "Read the Label" program were distributed to the members of the Committee.

Mr. Worden briefly outlined his plan, and the Committee was very enthusiastic about the possibilities. The Committee recognized the advisability of working closely with other associations on this plan.

Mr. Worden said that following LAPI's approval, the plan will be put on the agenda for an early Board meeting to secure its approval. Following this, at the suggestion of Dr. Foulger, the plan will be checked with medical groups, such as the American Medical Association and the American Academy of Pediatrics. Once we have received the opinions of these groups, we will consult with other interested groups, such as CSMA, NACA and NPV&L.

It was moved, seconded and adopted

THAT, the LAPI Committee go on record as approving plans for the "Read the Label" program as submitted by Mr. Worden,

and

THAT, the Committee recommends to the Board of Directors that the plan be approved,

and

THAT, the aid of other associations interested in this program be secured.

This motion was passed unanimously.

Mr. Low voiced the opinion that Mr. Worden and his staff had done a very fine job in developing plans for the program.

It was moved, seconded and adopted

THAT, the LAPI Committee approves and commends Mr. Worden and his Department for the fine work they have done in developing the "Read the Label" program.

This motion was passed unanimously.

NEXT MEETING OF COMMITTEE

The Chairman stated that a number of the technical committees were going to meet at Skytop, Pennsylvania, the week of April 18-22. It was the consensus of the Committee that LAPI meet during the same week at Skytop and preferably during the last three days of the week, April 20-22.



James D. Kittelton  
Secretary  
LAPI Committee

Minutes subject to approval

JDK/mb