

MINUTES of Meeting of the Legal Advisory Committee of the Manufacturing Chemists' Association, Inc., held at Mr. Roszel's Office, 30 East 42nd Street, New York City, Friday, December 2, 1949, at 10:00 a.m.

There were present:

Messrs. Carl Anderson
J. D. Gunther
W. G. Reynolds
W. C. Roszel
Richard F. Hansen

I. M.C.A. MODEL WATER POLLUTION CONTROL ACT

The committee reviewed the final draft of the MCA Water Pollution Act prepared by Mr. Reynolds and came to an agreement on the entire text except for comments to be submitted to Mr. Reynolds by the writer by telephone on morning of December 5th.

Mr. Reynolds stated that he could have the bill rewritten the early part of next week, at which time he would forward copies to other members of the committee. He also agreed, upon receipt of a written request, to personally deliver a copy of the bill to Mr. Kenneth Watson, Secretary, Ohio River Valley Water Pollution Control Board, and explain to him the general structure of the Act and the philosophy behind its provisions.

II. REVISION OF MCA MEMBERSHIP APPLICATION FORM

The committee unanimously approved draft of Membership Application Form, as submitted, with one amendment, namely, the inclusion of a blank for the date of execution to be inserted opposite the signature of the applicant.

The only controversial question was Item 4(b) of the application which would require the applicant to state the approximate portion of the chemicals produced by it in the United States which were sold to concerns not affiliated with the applicant. It was unanimously agreed that the applicant should state the approximate portion of its products so sold because -

- (a) in the absence of such a question an applicant might merely state that he did so sell a substantial portion of his products without giving real consideration to the question; and
- (b) every applicant would draw his own conclusion as to the meaning of the word "substantial".

The application, as approved, will now be submitted to the Board of Directors by a covering letter which explains the reasons for including Item 4(b).

III. FURTHER DISCUSSION OF FUTURE PROCEDURE ON LEGAL APPROVAL
OF MCA SAFETY DATA SHEETS

Due to lack of time, the matter of future procedure on legal approval of MCA Safety Data Sheets was not discussed. Matter will be carried over to the next meeting of the committee.

IV. CONSIDERATION OF ASSIGNMENT OF MEMBER OF LEGAL ADVISORY
COMMITTEE TO SERVE AS ADVISOR TO THE LAPI COMMITTEE

Mr. Reynolds agreed to act as the representative of the committee at meetings of the LAPI Committee so as to coordinate the work of the two committees. It was agreed that such liaison was advisable and other members of the committee may be called upon to perform similar services in the future.

V. LIABILITY FOR DAMAGE TO CROPS RESULTING FROM AIR CONTAMINANTS

The question of liability for damage to crops resulting from air contaminants was not discussed and will be carried over to the next meeting.

VI. PRECAUTIONARY LABELING OF TANK CARS

The question of precautionary labeling of tank cars was discussed briefly. It was the consensus of opinion that no immediate action is required and the matter will be carried over for consideration at future meeting.

Richard F. Hansen
Chairman