



ESCAMBIA PLANT
INTEROFFICE MEMORANDUM

To: A. K. McMillan Date: May 14, 1974
From: J. P. Hesler Copies: R. E. Jones
Re: Vinyl Chloride Info from Federal Register

The federal Register, Thursday, May 9, 1974, carried an article on vinyl chloride titled "Vinyl Chloride - Containing Self Pressurized Products."

"The purpose of this publication is to give notice that the Consumer Production Safety Commission has determined that self-pressurized consumer products containing vinyl chloride as a propellant or ingredient are products with a defect which could create a substantial product hazard. Therefore, anyone who is manufacturing, or has manufactured, such products is required to submit certain information to this commission."

Also,

"The Commission has determined that notification must be made for vinyl chloride - containing products irrespective of the fact that such products are subject to regulation under the Federal Hazardous Substances Act"

and,

"the Commission intends to regulate vinyl chloride containing products under provisions of the Federal Hazardous Substances Act."

1. "Human data showing production of angiosarcomas in certain individuals who have worked in plants manufacturing polyvinyl chloride polymer and/or vinyl chloride monomer; and
2. Animal data showing production of various tumors, including angiosarcoma, in rats exposed to inhalation of vinyl chloride monomer (Professor Cesare Maltoni, Istituto di Oncologica, Bologna, Italy.)"

Jack H. ...
Jack

A. K. McMILLAN

JPH/jc

Attachment

AP00034971

A.K. McMillan

NOTICES

16511

Category	Twelve-month level of restraint
224	\$589,744 pounds (of which not more than 200,000 pounds shall be in T.S.U.S.A. Nos. 380.0420 and 380.1143, and not more than 600,000 pounds shall be in T.S.U.S.A. Nos. 380.0408 and 380.8103)

The amended submittals have not been adjusted to reflect any entries made on or after October 1, 1973.

The actions taken with respect to the Government of the Republic of China and with respect to imports of man-made fiber textile products from the Republic of China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the *Federal Register*.

Sincerely,

STAN M. BOWEN,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

[FR Doc. 74-10794 Filed 5-8-74; 8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

CYANOACRYLATE-BASED ADHESIVES

Commission Decision Regarding Cyanoacrylate-Based Adhesives

The purpose of this notice is to announce the Commission's decision in regard to the action it will take concerning cyanoacrylate based adhesives used in or around the household. In response to a letter dated September 19, 1973, from Consumers Union, the Consumer Product Safety Commission began an investigation into the safety aspects of cyanoacrylate based adhesives.

Staff information based on testing indicated that cyanoacrylate glues are "hazardous substances" within the meaning of that term under the Federal Hazardous Substances Act because they are eye irritants. As such, these glues are deemed "misbranded" under the Act unless properly labeled. As a result of the Commission's investigation, the Commission staff discovered that several cyanoacrylate adhesive products were "misbranded" under the Federal Hazardous Substances Act because they were not properly labeled in regard to eye irritancy. The Commission has taken appropriate measures pursuant to the Federal Hazardous Substances Act to ensure compliance with the Federal Hazardous Substances Act in this regard.

On February 27, 1974, the Commission held a hearing to obtain information and views on other safety aspects of cyanoacrylate adhesives, particularly the characteristic of this product to almost

instantaneously bond skin to skin. As a result of these hearings, investigation by the Commission staff, laboratory data, and literature relating to the safety and use of cyanoacrylate adhesives, the Commission concludes that, at this time, the consumer is not subject to an unreasonable risk of injury from the fast-bonding characteristic of cyanoacrylate adhesives.

In the event that a consumer accidentally (or intentionally) bonds skin to skin, simple procedures such as peeling (rolling) apart the bonded parts rather than pulling apart with a direct opposing action will provide relief. Accordingly, other than insuring compliance with the labeling provision of the Federal Hazardous Substances Act, the Commission does not intend to take further action with regard to cyanoacrylate adhesives at this time.

This decision does not, however, preclude the Commission from reconsidering its position if the receipt of additional data or information should so warrant.

Dated: May 6, 1974.

SAUL E. DUNK,
Secretary, Consumer Product Safety Commission.

[FR Doc. 74-10746 Filed 5-8-74; 8:45 am]

VINYL CHLORIDE-CONTAINING SELF-PRESSURIZED PRODUCTS

Requirement for Notification as a Potential Substantial Product Hazard

The purpose of this publication is to give notice that the Consumer Product Safety Commission has determined that self-pressurized consumer products containing vinyl chloride as a propellant or ingredient are products with a defect which could create a substantial product hazard. Therefore, anyone who is manufacturing, or has manufactured, such products is required to submit certain information (specified below) to this Commission.

Section 15(b) of the Consumer Product Safety Act (15 U.S.C. 2064(b)) requires every manufacturer of a consumer product distributed in commerce, and every distributor and retailer of such product, who obtains information which reasonably supports the conclusion that such product contains a defect which could create a substantial product hazard, to immediately inform the Commission of such defect, unless such manufacturer, distributor, or retailer has actual knowledge that the Commission has been adequately informed of such defect. Failure to furnish information required by section 15(b) is unlawful under section 19(a) (4) of the act (15 U.S.C. 2068(a) (4)) and may subject a person who so fails to civil and/or criminal penalties.

To implement section 15(b) of the act, the Commission, on February 19, 1974, published regulations (18 CFR Part 1115) in the *Federal Register* (39 FR 6061), effective March 21, 1974, setting forth the time, manner, and content of noti-

fications necessary to adequately inform the Commission of consumer product defects which could create a substantial risk of injury. The preamble of this Part 1115 indicates that the notification requirements under section 15(b) of the act are applicable to products subject to regulation under authority of the acts transferred to the Commission by section 30 of the Consumer Product Safety Act (15 U.S.C. 2079). These transferred acts include the Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.), the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.), the Flammable Fabrics Act (15 U.S.C. 1191 et seq.), and the Refrigerator Safety Act (15 U.S.C. 1211 et seq.). The aforementioned transferred acts have been brought under the notification requirements of section 15(b) of the Consumer Product Safety Act because, as stated in the preamble to Part 1115: "Upon considering the numerous possibilities of risk to the consuming public by products falling within the authority of these acts, the Commission finds under section 30(d) of the [Consumer Product Safety] Act that such risks can neither be eliminated nor reduced to a sufficient extent in a timely fashion unless the Commission is notified under section 15(b) of the act. This finding by the Commission is based on the fact that none of the provisions of the transferred acts require notification to be made to the Commission upon the obtaining of information which reasonably supports the existence of a substantial product hazard. The Commission has determined this type of notification to be essential for the purpose of protecting the consuming public against unreasonable risks of injury associated with consumer products."

Therefore, the Commission has determined that notifications must be made for vinyl chloride-containing products irrespective of the fact that such products are subject to regulation under the Federal Hazardous Substances Act. This determination, however, does not mean that such products will necessarily be regulated under the Consumer Product Safety Act. Since a notification under section 15(b) does not signify automatic regulation of the product under the Consumer Product Safety Act, the Commission intends to regulate vinyl chloride-containing products under provisions of the Federal Hazardous Substances Act.

Additionally, the Commission notes that manufacturers of vinyl chloride-containing consumer products in aerosol form must provide the information specified below even though the particular product may not have been distributed in commerce after May 14, 1973 (the date of establishment of the Consumer Product Safety Commission). As stated in the preamble to 18 CFR Part 1115, manufacturers who obtain information after May 14, 1973, that one of their products contains a defect which could create a substantial product hazard, are required to comply with the notification requirements of section 15(b) of the act even though the product was distributed in commerce prior to May 14, 1973.

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The determination that self-pressurized consumer products containing vinyl chloride contain a defect which could create a substantial product hazard is based on recent information on the possible toxicity of vinyl chloride monomer as a propellant or ingredient in the propellant-solvent system of self-pressurized consumer products. The grounds for this determination are as follows:

(1) Human data showing production of angiosarcomas in certain individuals who have worked in plants manufacturing polyvinyl chloride polymers and/or vinyl chloride monomer; and

(2) Animal data showing production of various tumors, including angiosarcomas, in rats exposed to inhalation of vinyl chloride monomer (Professor Cesare Maltoni, Istituto di Oncologia, Bologna, Italy).

These data are contained in the transcript of an "Informal Fact Finding Hearing on Possible Hazards of Vinyl Chloride, Manufacture and Use", U.S. Department of Labor, Occupational Safety and Health Administration, February 15, 1974. A copy of this document is available for public inspection at the Office of the Secretary, Consumer Product Safety Commission, 1750 K Street NW., Washington, D.C. 20207.

The Commission has received a petition from the Health Research Group to immediately prohibit the continued use of vinyl chloride as a propellant for aerosolized consumer products, and to remove all products containing vinyl chloride as a propellant from the market because there is substantial evidence that vinyl chloride is carcinogenic. A notice proposing a ban under the Federal Hazardous Substances Act will be published in the near future and will include a copy of the petition.

Accordingly, the Consumer Product Safety Commission, pursuant to section 8(c) of the Consumer Product Safety Act (15 U.S.C. 2058(c)), hereby informs manufacturers of self-pressurized consumer products containing vinyl chloride monomer as a propellant or ingredient in their propellant-solvent system that the Commission considers such products to contain a defect which could create a substantial product hazard.

Although 16 CFR 1115.7(a) sets forth 23 specific items of information to be submitted in writing to the Commission, this notice, pursuant to § 1115.7(d), requires that information submitted to the Commission in this instance include only the 7 items listed below. Additional information may, of course, also be submitted. Therefore, manufacturers of consumer products (as that term is defined in section 3(a)(1) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(1))) in self-pressurized form that contain vinyl chloride monomer as a propellant or ingredient in their propellant-solvent system are required, under section 15(b) of the Consumer Product Safety Act (15 U.S.C. 2064(b)) and regulations issued thereunder (16 CFR Part 1115), to provide the following information in writing to Dr. Alan Ehrlich, Of-

fice of Standards Coordination and Appraisal, Consumer Product Safety Commission, Washington, D.C. 20207 (301 498-7698) on or before May 20, 1974.

(1) Identification of specific self-pressurized products by type and brand, in which vinyl chloride monomer is now, or has been, used as a propellant or ingredient of the propellant-solvent system;

(2) Production and sales history, including inventory turnover rates through the entire chain of distribution of vinyl chloride monomer as a propellant or ingredient of the propellant-solvent system of self-pressurized products;

(3) Identifying features, such as use of package designs or production codes that will identify the self-pressurized products containing vinyl chloride monomer as a propellant or ingredient in the propellant-solvent system;

(4) Patterns of consumer usage for self-pressurized products containing vinyl chloride monomer as a propellant or ingredient in the propellant-solvent system, including frequency and duration of exposure, and place and purpose of use;

(5) If available, acute and chronic toxicity data relative to vinyl chloride and products containing vinyl chloride;

(6) If available, human experience data relative to vinyl chloride and products containing vinyl chloride, including adverse effects and associated disease entities believed to be relevant;

(7) If available, special studies, such as metabolic, mutagenic and teratologic studies involving vinyl chloride.

In accordance with 16 CFR 1115.9, information submitted to the Commission in response to this notice shall be signed either by the chief executive officer of the notifying company or by the person to whom the responsibility has been delegated in writing.

Dated: May 6, 1974.

SARTE E. DUNN,
Secretary, Consumer Product
Safety Commission
[FR Doc. 74-10732 Filed 5-8-74; 8:48 am]

ENVIRONMENTAL PROTECTION AGENCY

[OPP-32000/55]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION DATA TO BE CONSIDERED IN SUPPORT OF APPLICATIONS

On November 19, 1973, the Environmental Protection Agency published in the Federal Register (38 FR 31882) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (28 Stat. 979), and its procedures for implementation. This policy provides that EPA will, upon receipt of every application, publish in the Federal Register a notice containing the information shown below. The labeling furnished by the appli-

cant will be available for examination at the Environmental Protection Agency, Room 33-37, East Tower, 401 M Street, SW., Washington, D.C. 20460.

On or before July 8, 1974, any person who (a) is or has been an applicant, (b) desires to assert a claim for compensation under section 3(c)(1)(D) against another applicant proposing to use supportive data previously submitted and approved, and (c) wishes to preserve his opportunity for determination of reasonable compensation by the Administrator must notify the Administrator and the applicant named in the Federal Register of his claim by certified mail. Every such claimant must include, at a minimum, the information listed in this interim policy published on November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy in regard to usage of existing supportive data for registration will be processed in accordance with existing procedures. Applications submitted under 2(c) will be held for the 60-day period before commencing processing. If claims are not received, the application will be processed in normal procedure. However, if claims are received within 60 days, the applicants against whom the particular claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after this July 8, 1974.

APPLICATIONS RECEIVED

EPA File Symbol 33881-K. AGRI-future Company, 15708 Lop Road, Burnsville, Minnesota 55337. "Sourmator" 1 Seed Box Seed Protectant. Active Ingredients: Maneb (Manganese ethylenebisdithiocarbamate) 40.0%; HCH (Hexachlorobenzene) 10.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33881-R. AGRI-future Company, 15708 Lop Road, Burnsville, Minnesota 55337. "Sourmator" 11 Seed Box Seed Protectant. Active Ingredients: Captan N (trichloromethylthio)-4-cyclohexene-1,3-dicarboximide 30.0%; Maneb (Manganese ethylenebisdithiocarbamate) 20.0%; Lindane (Gamma isomer of Benzene Hexachloride) 10.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 264-287. Amchem Products, Inc., Brookside Avenue, Ambler, Pennsylvania 19002. Amchem Ethrel Plant Repellent. Active Ingredients: Ethephon [(2-chloroethyl) phosphonic acid] 21.5%. Method of Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 3376-RNO. Nats Entec, Inc., 4636 Somerton Road, Trenon, Pennsylvania 19047. Nats Entec 344. Active Ingredients: Sodium dimethyl dithiocarbamate 18.0%; Nabam (disodium ethylene bisdithiocarbamate) 18.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33880-R. Milm Rose Caputo, 229 Park Avenue South, New York, New York 10003. Authorized agent for I.P.I.C.L.-Industria Prodotti Chimici S.p.A. NOVATE MILANESE-ITALY. Atrazine Technical. Active Ingredients: 2-chloro-4-ethylamino-6-isopropylamino - s - triazine 96%. Method of Support: Application proceeds under 2(c) of interim policy.