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Frank X. Werber, Vice President
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5/11

May 3, 1981

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Gentlemen:

I have been remiss in not sending you copies of the enclosed letter from Mr. Richard Gross, Executive Director of the Consumer Product Safety Commission, which reached me over three weeks ago. Mr. Gross' letter was a follow up to a previous meeting which I held with Mr. Gross and his assistant, Mr. Andrew Zaikis, on February 17. The purpose of the latter meeting was to explore whether a useful purpose might be served by organizing meetings between top technical people of Industrial Research Institute members and appropriate Consumer Product Safety Commission staff, to deal with industry's efforts in the areas of CPSC concern. Messrs. Gross and Zaikis felt that industry had been generally involved in adversary discussions with CPSC, and technical information exchange was very rare.

With his budget cut 30%, with the future of the Commission under discussion in Congress and without a permanent Chairman, Mr. Gross was anxious for such specific discussions, and proposed to send us the attached letter, detailing the Commission's current concerns.

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I look forward to discussing with you, at Scottsdale and over the phone, your reaction to the proposed exchanges of information. In my view, I think a follow-up with CPSC personnel may be fruitful in those areas where industry has a cogent body of facts to present. To my knowledge, this includes asbestos, benzidine congener dyes and plastics flammability. On the other hand, certain of these topics have been discussed in the greatest detail with the CPSC staff, and additional repeat may be a waste of time.

Sincerely,

F. X. Werber

FXW:df

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U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

Frank X. Werber, Vice President
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Technical Center
141 Lanza Avenue
Garfield, New Jersey 07026

Dear Mr. Werber:

Thank you for taking the time to meet with me and my staff to discuss the nature and purpose of the Industrial Research Institute. The staff of the Consumer Product Safety Commission is very interested in the possibility of working with the Institute to coordinate our efforts in the area of technical research concerning consumer products. Given our shared concern in providing consumers with the safest possible products, I am confident that cooperation between us will prove to be most beneficial to all including, especially, consumers.

As requested at our meeting in February, I am providing you a brief summary of some of our long-term research areas involving consumer products that may be of interest to the Institute members. I would point out that most of these topics involve areas where the Commission staff have a general concern regarding safety and do not necessarily represent areas in which the Commission will be regulating in the future. Since the Commission's mandate is to reduce unreasonable risks of injury associated with consumer products, a substantial amount of research and effort is initially required in some of these areas to determine the exact nature and degree of a perceived risk within a particular consumer product. In the course of such assessments, we have always attempted to work closely with the segments of industry that might be affected and in many cases have been able to promote and assist industry efforts to address the issue on a voluntary basis, thus precluding any need for regulatory action by the Commission. We expect to be working together with industry in the areas that are listed below and would welcome any additional cooperation that may be provided by the Institute or its members.

Some of the major areas of Commission activity for the upcoming year include the following:

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Asbestos - Inhalable asbestos fibers associated with a risk of cancer in humans may be found in a number of consumer products. The Commission has issued a general order to gather information on asbestos in certain consumer products. Selected products will also be tested for asbestos release. Exposure and risk will be determined and appropriate regulatory actions recommended to the Commission.

Benzidine Congener Dyes - Consumers may face a risk of cancer from exposure to consumer dye products and arts/crafts dyes utilizing benzidine, o-tolidine and o-dianisidine dyes (referred to as benzidine congener dyes). The Commission has granted a petition requesting that a ban be proposed for these products and has directed the staff to develop a draft proposed banning regulation for Commission consideration. The Commission will also examine the use of these dyes in clothing and other textiles and will consider whether action is necessary to reduce any hazard identified with this use.

Chain Saws - The Commission estimates that there were over 100,000 chain saw injuries requiring medical attention in 1979. About 23% of the injuries associated with chain saws result from a phenomenon known as "kickback" - the rearward and upward travel of the chain saw when the saw bucks, kicks or otherwise unexpectedly jumps toward the operator. The Commission will begin development of a mandatory consumer product safety standard for chain saws, their components, and replacement parts to address chain saw "kickback" hazards.

Electrical Hazards - Residential fires continue to take a significant toll in deaths and injuries each year, and many of these fires are electrical in nature. Some of the projects that the Commission is involved in include efforts to assess and determine the reliability and performance of circuit breakers, investigation of the effects of thermal insulation upon wiring and electrical systems and evaluation of design changes in electric blankets and quartz heaters to reduce possible fire hazards.

Formaldehyde - Formaldehyde has been found to be a carcinogen in test animals, and an independent federal panel of scientists believe it should be presumed to pose a cancer risk to humans. Formaldehyde gas released from consumer products is also associated with irritation effects such as human respiratory problems, headaches, and eye and skin irritation. The Commission will examine the extent of consumer exposure to formaldehyde from such products as plywood, particle board, and textiles, as well as formaldehyde use in school laboratories.

Indoor Air Pollution - Various harmful pollutants - including radon, formaldehyde, carbon monoxide, and nitrogen dioxide - have been found in the air of homes. This problem may be made worse by current efforts to conserve energy by insulating or sealing air leaks and thereby creating a tighter thermal envelope. Indoor air pollution may pose a more serious

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human health problem than outdoor pollution since Americans spend 70 to 80 percent of their time indoors. The Commission is working with the Environmental Protection Agency, the Department of Energy, and other federal agencies to determine the health effects and environmental implications of major sources of home pollution and begin to develop data to determine acceptable levels of major pollutants.

Methylene Chloride - Animal studies indicate that methylene chloride may be carcinogenic and the Commission is concerned about its potential hazard in situations where consumers are exposed to the chemical. The Commission will be investigating and evaluating the use of this chemical in aerosol propellants.

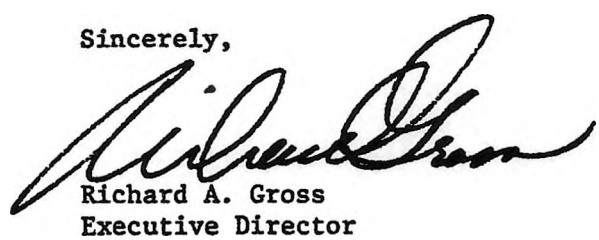
Phthalate Esters - Tests by the National Cancer Institute indicate that di(ethylhexyl)phthalate is carcinogenic in rats and mice. Phthalate esters are used in significant quantities in the synthesis of many plastics. The Commission is concerned about reports which indicate that there is off-gassing of plastic products that may expose the general population to phthalate esters.

Plastics Flammability - With widespread use of many different types of plastics in consumer products, certain such products containing plastics appear to be unusually flammable or produce very toxic gases when they burn. The Commission plans to develop small-scale methods to evaluate the hazards of plastics in consumer products.

Upholstered Furniture - Every year upholstered furniture fires caused by smoldering cigarettes are estimated to kill at least 1,300 people and seriously injure another 3,700. The industry, in an attempt to produce upholstered furniture that is more resistant to ignition from burning cigarettes, has initiated a voluntary program that includes modifications of the materials used in the furniture and changes in the methods of furniture construction. The Commission will complete its assessment of the effectiveness of the industry program and consider appropriate options, both voluntary and mandatory.

Commission staff members are available to discuss in more detail each of the above areas as well as our existing and planned research efforts. We also are willing and anxious to explore areas of cooperation and coordination in our mutual research efforts. It is my sincere hope that this letter will serve as the first step of a promising and rewarding effort towards increased consumer product safety. I look forward to hearing from you and the Institute in the near future.

Sincerely,



Richard A. Gross
Executive Director

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