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05/19/2000 02:32 PM

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cc:

Subject: The New York Times Article Today about the EPA's Version of Why We Abandoned Our FC's...

This appeared in today's New York Times and is the EPA's side of the story. Interesting reading. I'll just say this: I weigh about 97 kilograms. If I ate a third of a gram a day of PSOF, I might get sick, too. But it might also be because of the half-pound a day of FC-807A I'd have to eat and fully digest to PFOS to get that much into me. I'm not sure I could eat that many hamburgers AND the wrappers. --Tim

May 19, 2000

Exhibit
1704
State of Minnesota v. 3M Co.,
Court File No. 27-CV-10-28862

3MA01190648

E.P.A. Says It Pressed 3M for Action on Scotchgard Chemical

By DAVID BARBOZA

HICAGO, May 18 -- The Environmental Protection Agency said today that it had pressed **Minnesota Mining and Manufacturing** to come up with a solution after the company's own tests had shown that a chemical compound used in Scotchgard and an array of household products could pose a risk to human health and the environment.

The E.P.A. account differs from that of 3M, which said on Monday that it had voluntarily decided to stop making the chemical used in Scotchgard and many other products by the end of the year because the tests showed that the chemical compounds failed to decompose in the environment. Officials of 3M say they have no evidence that the chemicals pose a long-term threat to human health.

While the E.P.A. said it did not see an immediate safety risk for consumers using products now on the market, agency officials said that if 3M had not acted they would have taken steps to remove the product from the market. The officials said they grew concerned about potential long-term health risks to humans after a 3M study showed that the chemical, perfluorooctanyl sulfonate, lingered for years in human blood and animal tissue and that high doses were known to kill laboratory rats.

"The results raised a number of concerns," said Stephen Johnson, who works in the office of prevention, pesticides and toxic substances at the E.P.A. "What it suggests to us is that there are potentially long-term consequences. But we don't have evidence it is unsafe now."

Officials of 3M, however, say they are absolutely confident that their products are safe, and that there are no long-term consequences to human health.

"This isn't a health issue now, and it won't be a health issue," said Larry Zobel, the medical director at 3M., which is based in St. Paul.

"To the question of whether this builds up in humans, it would have to be a long

time, like hundreds of thousands of years, to be a threat," he said.

Many scientists have praised 3M's decision to stop production of perfluorooctanyl and related chemicals.

"The real issue is this stuff accumulates, and if it accumulates in the ecosystem, you have to be worried about that because it could be trouble," said John Doull, a retired professor of clinical toxicology at the University of Kansas Medical Center in Kansas City. "No chemical is totally innocuous, and it seems inconceivable that anything that accumulates would not eventually become toxic."

In addition to Scotchgard products, the chemical is used as stain repellant and protective coating on textiles, carpets and leather, and in paper packing, snack-food bags, pet- food bags, firefighting foam and pesticides.

The E.P.A. said its decision to press 3M rested on four concerns: the compound is persistent in the environment; it appears in wildlife and human tissue around the world; it appears in human blood samples taken from around the world; and, based on the study of laboratory rats, it has the potential to harm humans.

The E.P.A. said it was first alerted to the study of laboratory rats shortly after it was conducted in 1998. In that study, male and female rats were given doses of the chemical and then mated. When a pregnant rat continued to get regular doses of about 3.2 milligrams per kilogram of body weight, most of the offspring died within four days.

"With all that information, we finally talked to 3M and said that raises a number of concerns. What are you going to do?" said Mr. Johnson at the E.P.A.

There is still a difference of interpretation, however. Officials of 3M said the doses given to the rats were extremely high, but E.P.A. officials said that few other chemicals would have as severe an effect.

"This is fairly toxic stuff in rats," one E.P.A. official said. "There's clear evidence it presents a problem in rats."

But 3M said it had not yet determined the cause of death in the rats nor how humans or animals ingested the chemicals so that it appeared in tissue or blood samples.

"That's a very interesting question," Mr. Zobel said. "We can't say how it gets into anybody's blood."

As a result of that uncertainty, and the persistence of the compound in the environment, 3M said it would do away with the chemistry by the end of the year. The company said it negotiated with the E.P.A. but its decision was voluntary and

there was never a discussion of a recall of the products.

3M, which is the only company known to make perfluorooctanyl, has been searching for alternatives. But in recent weeks, after the E.P.A. asked 3M to come up with a solution, the company decided to discontinue using the chemistry behind most of its Scotchgard products, which account for about $300 million in sales, or less than 2 percent of the company's $16 billion in annual revenue.

Since the announcement on Monday, the company's shares have gained $1.125, closing at $87.0625 today.

3M, which also produces Post-it notes and Scotch tape, will stop supplying the chemical to other companies that use it for their products.