MINUTES of the one hundred second meeting of the Directors of the Manufacturing Chemists' Association, Inc., held at the Union Club, New York City, on October 11, 1960, at 11:00 a.m. (EDT).

There were present:

Messrs.

L. G. Bliss
Howard S. Bunn
R. F. Coppedge, Jr.
R. L. Cunningham
Leland I. Doan
J. Robert Fisher
Joseph Fistere
A. E. Forster
William B. Graham
R. W. KixMiller

R. C. McCurdy
W. Kenneth Menke
Charles S. Munson
S. de J. Osborne
Robert B. Semple
Charles H. Sommer
C. Y. Thomas
Harry B. Warner
M. F. Crass, Jr.

Alternates:

A. E. Albright (for Hans Stauffer)
C. W. Baldwin (for Bennett S. Chapple, Jr.)
David H. Dawson (for George E. Holbrook)
K. H. Klipstein (for W. G. Malcolm)
Fred Powell (for George L. Ferkhurst)
W. T. D. Ross (for Peter C. Allen)
Harold E. Thayer (for Joseph Fistere)

General Counsel:

Marx Leva - Fowler, Leva, Hawes & Symington

Present by Invitation:

Richard T. Kropf - Belding Corticelli Industries, Inc.
Thomas E. Moffitt - Hooker Chemical Corporation
K. E. Mulford - Atlas Powder Company
O. C. Thompson - Union Carbide Corporation
Robert I. Wishnick - Witco Chemical Company, Inc.

Chairman McCurdy called the meeting to order at 11:00 a.m. He welcomed the guests and invited them to participate actively in the discussion.

I. MINUTES OF SEPTEMBER 13, 1960, MEETING.

The Minutes of this meeting were duly approved as submitted to the members.

II. REPORT OF THE EXECUTIVE COMMITTEE.

The Chairman stated that a meeting of the Executive Committee had been held earlier that day, and he called on Mr. Bunn for the Committee's report. Mr. Bunn stated that the items discussed would be taken up in their respective places on the Board agenda, with the exception of the following item:
Food Additives. At the September 13, 1960, meeting of the Directors, General Hull reported on the tentative recommendations of the Food Additives Committee, with respect to possible Association action in the public relations and legislative relations fields, with particular reference to the so-called Delaney Cancer Clause Amendment. As set out in the Minutes of the above meeting, the proposal of the Food Additives Committee was to be formalized and circulated to the Board of Directors in advance of the October 11 meeting. In accordance with this procedure, General Hull, in a letter dated October 4, transmitted the formalized recommendations of the Food Additives Committee to the Directors (copy of this letter is attached to these Minutes). Mr. Bunn then read the proposed Resolution as follows:

"THAT, In the light of the 1958 enactment of the Delaney Clause in the Food Additives Amendment, in the light of the 1960 report to President Eisenhower by the Kistiakowsky Committee, in the light of the 1960 discussion of a Delaney-type clause in the Color Additive Amendment on the Senate Floor, and in the light of subsequent enactment by the Congress of the Delaney-type clause in the Color Additive Amendment, it is the recommendation of the Food Additives Committee that MCA adopt, as its position on this subject, the following: That the Food Additives Amendment should be brought into conformity with the explanation given by Senator Hill on the Senate Floor of the proper role of scientific advisory panels under the Delaney Clause of the Color Additive Amendment."

Mr. Bunn then invited Mr. Mulford, Chairman of the Food Additives Committee, to briefly discuss the background of the proposal and to answer any questions that might be raised.

Following discussion,

ON MOTION duly made and seconded, it was

VOTED: That the foregoing Resolution be approved.

III. REPORT OF THE TREASURER.

(a) Financial Report, June - September 1960. The financial report for the four months ending September 30, 1960, was summarized by the Treasurer.

ON MOTION duly made and seconded, it was

VOTED: That the report be accepted and placed on file.

(b) Status of Membership. The Treasurer referred to Century Chemical Corporation, which was elected to membership in the Association late last spring. This company did not pay either its entrance fee or membership fee, although contacts were made and notices sent by the Secretary in accordance with the By-Laws. The firm was accordingly advised, in a letter dated September 30, that its name was being dropped from the membership roster of the Association.
All other members have paid their fees, and financing for the current fiscal year has been satisfactorily concluded.

IV. BOARD OF DIRECTORS.

(a) Appointment of Alternates. The Chairman advised that the following Board members have requested the appointment of Alternates:

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<thead>
<tr>
<th>Board Member</th>
<th>Alternate and Company</th>
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</thead>
<tbody>
<tr>
<td>R. F. Coppedge, Jr.</td>
<td>W. P. Marsh, Jr., National Distillers and Chemical Corporation</td>
</tr>
<tr>
<td>Stanley de J. Osborne</td>
<td>Thomas S. Nichols, Olin Mathieson Chemical Corporation</td>
</tr>
<tr>
<td>C. Y. Thomas</td>
<td>J. C. Denton, Spencer Chemical Company</td>
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</tbody>
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ON MOTION duly made and seconded, it was

VOTED: That all appointments be approved.

(b) Report of Nominating Committee. Mr. Fistere reported that the Nominating Committee unanimously recommended election of Mr. R. F. Huntley, President, Cowles Chemical Company, to fill the vacancy (for the current fiscal year) on the Board of Directors occasioned by the resignation of Carl F. Prutton.

ON MOTION duly made and seconded, it was

VOTED: That Mr. Huntley be elected to the Board of Directors for a term expiring May 31, 1961.

(c) Report of Membership Committee. In the absence of Mr. Stauffer, the Secretary reported that applications had been received from:

Allied Chemical Canada, Ltd.
Rexall Chemical Company

and that, in the opinion of the Membership Committee, the applicants were qualified for membership under the Association's By-Laws.

ON MOTION duly made and seconded, it was

VOTED: That the two applicants be approved, subject to the 30-day notification to members provided under Article III, Section 4, of the By-Laws.

(d) Program Committee -- November 22, 1960, Semi-Annual Meeting. Those present were handed copies of a printed brochure outlining complete program for the panel and general sessions of the 10th Semi-Annual Meeting of the Association to be held in New York City on November 22. Copies of this brochure, with registration forms, were sent to the entire membership on September 30.
January 9 - 10, 1961, Regional Directors Meeting at Houston. The Secretary reported that he had conferred with Mr. Harry Whitworth, of the Texas Chemical Council, concerning the Regional Directors meeting to be held at Houston on January 9 - 10, 1961. The Council plans to schedule a reception and cocktail party for the MCA group on the evening of January 9, this affair to be followed by an informal dinner at the Shamrock Hilton Hotel. The next day, the MCA Board of Directors will meet at 10:30 a.m. with members of the TCC Board present. This will be followed by cocktails and luncheon, with MCA acting as host.

It was the consensus of those present that the foregoing program should suffice and that, for the time being at least, no plans should be made for visitation trips to chemical operations in the vicinity.

V. TECHNICAL AND FUNCTIONAL COMMITTEE APPOINTMENTS.

The following committee appointments were approved:

(a) Food Additives Committee.
R. Price Howard, Phillips Petroleum Company
O. H. Peterson, Dr. Salsbury's Laboratories
J. T. Seawell, Corn Products Company, replacing R. G. Ruark

(b) Industrial Relations Advisory Committee.
John J. Radigan, Merck & Co., Inc.

(c) International Trade and Tariff Committee.
Robert L. Bateman, Union Carbide Corporation, replacing N. C. Babcock

(d) Labels and Precautionary Information Committee.
James W. Hammond, Enjay Chemical Company

(e) Washington Advisory Committee.
Martin P. Hottel, National Lead Company, as Chairman

VI. COMMITTEE REPORTS.

Mr. McCurdy stated that O. C. Thompson, Chairman of the Association's Water Pollution Abatement Committee, was present and would report on current activities of that group. Mr. Thompson then talked for approximately seven minutes. Copy of his report is attached to these Minutes.

Supplementing Mr. Thompson's remarks, the Secretary reported that Mr. Forster had been invited by the Secretary of Health, Education, and Welfare, to deliver a major address in behalf of industry on the occasion of the President's National Water Pollution Abatement Conference scheduled to be held in Washington during December. Two MCA representatives have also been appointed to the Conference Steering Committee.
VII. STAFF REPORT AND MISCELLANEOUS ITEMS.

(a) Technical Program. The Industrial Alcohol Technical Committee has cooperated with the Alcohol and Tobacco Tax Division of the Internal Revenue Service for the past several years in preparing for the general recodification of the Alcohol Tax Law which issued from the last Congress as Public Law 85 - 859, effective July 1, 1960. It appears that the services of this ad hoc committee will be required for an additional period in order to advise on interpretations and possible ambiguities under the new regulations. It was the consensus of those present that the tenure of this committee should be extended for another year.

(b) International Trade. Unofficial word has been received from the Department of Commerce that approximately six advisers to the U.S. GATT delegation, selected from industry on a WOC basis, will be announced shortly. Because of the ramification of the chemical schedules, it is expected that one of these advisers will represent the chemical industry.

A supplemental list of concessions to be offered by the U.S. at the GATT negotiations is expected soon. As matters now stand, it is unlikely that this supplemental list will include chemicals, reactive metals, or alloys. An industry delegation from the reactive metals industry will call on the Secretary of Commerce within the next week or so to acquaint him with the impact upon the domestic industry which has been caused by imports. Under preparation by MCA metals members is a "white paper" outlining basic facts concerning the domestic industry and documenting the effect which imports have had upon domestic industry over past years.

Two technical committees have scheduled workshops for member plant supervisory personnel next month. The General Safety Committee will hold its session at Charleston, West Virginia, on November 9. The Water Pollution Abatement Committee workshop will be held at St. Louis on November 3. Technical questions previously submitted by member plant supervisory personnel will be discussed at these sessions by panels of experts selected from the parent committees.

(c) Carnegie Tech Research Project. Carnegie Institute of Technology has advised the Association that it will not be in position to handle either the MCA or American Petroleum Institute research projects after May 31, 1961. This stems partly from the resignation of the project's director, Dr. Fred Rossini, who has accepted a position as Dean of the Graduate School at Notre Dame University. A Joint MCA-API Committee is now surveying other technical schools in order to locate and decide upon a satisfactory institution to continue the work. When tentative agreement has been reached, a report will be made to the Board of Directors.

Discussion indicated that before relocating this project and definitely committing ourselves with another institution, the Research Advisory Committee should be requested to re-evaluate the project and to include its recommendations in the foregoing report.
(d) Education. The Education Advisory Committee has appointed a sub-committee to prepare a report on the objectives, history, and accomplishments of the Association's educational program covering all five years of its operation. This should be ready for issuance early next spring. With respect to the awards program for 1961, announcement folders and nomination forms have been printed and covering letters to college presidents are being prepared. A brief report was made on the status of the films and publications programs.

(e) Public Relations. Initial work has been concluded on the basic food additives book in connection with the over-all Glick & Lorwin project. This is now being reviewed by the Public Relations Advisory Committee and staff and will be examined shortly by the Food Additives Committee.

November 1960 Directors Meeting. This will be held at 4:00 on the afternoon of Monday, November 21, in the Board Room of the American Iron and Steel Institute, located on the 38th floor of the Socony-Mobil Building, East 42nd Street and Lexington Avenue, New York City.

There being no further business to come before the meeting, it was unanimously resolved to adjourn.

M. F. Crass, Jr.
Secretary

APPROVED: R. C. McCurdy
Chairman

Attachments.
To: Members of the MCA Board of Directors 

Subject: MCA Legislative Position on Delaney Cancer Clause in Food Additives Amendment

Dear Sirs:

As you will probably recall during the past year, the Board gave considerable attention to the proposal to include a Delaney-type cancer clause in the proposed Color Additive Amendment to the Food, Drug and Cosmetic Act. The issue was extensively discussed before the House Interstate and Foreign Commerce Committee and the cancer clause was adopted in both the House and the Senate. The legislation with the cancer clause became law on July 12, 1960. However, provision was made in the law for the appointment of a scientific advisory committee to report and recommend on any matter arising under the cancer clause. Senator Hill, chairman of the Senate Subcommittee on Health, stated on the floor of the Senate that such a committee would assist the Secretary of Health, Education, and Welfare "in the evaluation of scientific evidence, on the basis of which decisions have to be made as to prohibiting or permitting the use of certain carcinogenic compounds."

At its September 7th meeting, the MCA Food Additives Committee discussed the advisory committee provision of the Color Additive Amendment and was of the opinion that, in the light of the existing state of the law, such a provision would be a desirable addition to the Food Additives Amendment of 1958. This law now contains the Delaney Cancer Clause but does not contain any provision for appointment of an advisory committee.

The Food Additives Committee on September 7 tentatively passed the following motion, which was made final by a letter ballot just completed:

"THAT, In the light of the 1958 enactment of the Delaney Clause in the Food Additives Amendment, in the light of the 1960 report to President Eisenhower by the Kistiakowsky Committee, in the light of the 1960 discussion of a Delaney-type clause in the Color Additive Amendment on the Senate Floor, and in the light of subsequent enactment by the Congress of the Delaney-type clause in the Color Additive Amendment, it is the recommendation of the Food Additives Committee that MCA adopt, as its position on this subject, the following: That the Food Additives Amendment should be brought into conformity with the explanation given by Senator Hill on the Senate Floor of the proper role of scientific advisory panels under the Delaney Clause of the Color Additive Amendment."
Adoption of the above resolution was not intended by the Food Additives Committee as a substantive change in the Association's previously expressed opposition to the Delaney Cancer Clause in the per se doctrine sense that the clause is being applied by the Department of Health, Education, and Welfare. Rather, the present resolution is proposed as a practical step designed to assure the use of scientific advice on questions involving the cancer clause, pending such time as more complete information and data are developed.

It is probable that it will take a considerable period of time for gathering the necessary data to make a complete case for modification of the cancer clauses or perhaps their total deletion from both the Food Additives and the Color Additive Amendments. The MCA Food Additives Committee believes that in the meantime it would be advisable to attempt to clear up some of the practical problems by using the scientific advisory committee approach.

Your advance consideration of formal adoption of this motion as current MCA policy will be appreciated. Mr. Kenneth E. Mulford, chairman of the MCA Food Additives Committee, plans on being present at the Board meeting next week, and will answer any questions which you may have.

Sincerely,

/s/
J. E. Hull

cc: Food Additives Committee
MCA WATER POLLUTION ABATEMENT COMMITTEE

A Progress Report

During the past year the Committee held four scheduled meetings. Two of these, one in January and one in March, were in Cincinnati. The others were held in Washington and New York City.

The Committee recognizes the importance of mutual respect and confidence between industry and pollution control agencies. Various means are now being used to foster such relations. When appropriate, a leading control official is invited to lunch for an informal talk at Committee meetings. A reception and dinner were arranged in conjunction with the last Committee meeting held in Washington. Washington-based officials of the Public Health Service were invited as special guests. Nine members of the PHS attended. These included the Deputy Surgeon General and the head of the Water Pollution Control Division.

A general conference, jointly sponsored with the Air Pollution Abatement Committee, was held in March. Cincinnati was chosen for this conference because of its dominant position in the Ohio River Basin. Located here are the Sanitary Engineering Center (SEC) of the Public Health Service, and the headquarters for the Ohio River Valley Water Sanitation Commission (ORSANCO).

The SEC is the center for water and pollution research for the Public Health Service. ORSANCO, with eight signatory states, is by far the largest and most dynamic of the regional compacts for water pollution control. Staff members of both these organizations attended the sessions.

The 1960 Annual Report made reference to the MCA-sponsored five-year research project at the Academy of Natural Sciences. This is a study of the recovery of a stream to a healthy state after heavy pollution combined with a study of a man-made stream, both of which are unpredictable with respect to time. MCA's financial contribution has been completed. However, a fair amount of the money has not yet been spent and will only be spent as the condition of the stream warrants. A report of this study will be published after its completion.

The 1960 Annual Report also referred to the MCA-financed research project at The Franklin Institute. The Committee recommended that the MCA finance this project as the most pressing problem facing industry today in water pollution control. The public at large is applying more and more pressure on the regulatory agencies to provide more palatable water. The regulatory agencies are at a loss to establish equitable regulations for taste and odor control because so little is known in this field. Regulatory agencies are pointing the finger of blame at the chemical industry and expect satisfactory solutions to be developed by this industry. The first phase of this project (the collection and evaluation of all available data on this subject, both published and unpublished) has been completed and the summary report is being prepared.
The second phase, to be divided over the next two fiscal years, is required to subject this evaluation to laboratory experimentation. This work involves extensive testing by use of odor panels made up of selected members of the Institute Staff. This testing must be conducted in an odor-free laboratory for the exacting conditions required for accurate odor testing. This specially-equipped laboratory is to be used for several months exclusively for this project. Expressions of interest in this research have been received from many organizations and institutions working in the field of water research and control.

The Committee wishes to express appreciation for the support of the Board for these projects. It is confidently believed that they will result in highly significant benefits, technical and otherwise.

The Committee is continuing the Workshops. These are practical, down-to-earth sessions in which member companies are invited to send their representatives for an exchange of information. These one-day sessions, in which Committee members share their broader experience and knowledge, have been held in Newark, Boston, Albany, Chicago, Atlanta, Houston, New Orleans, Richmond and Cincinnati. The next Workshop is to be held in St. Louis November 3. Two West Coast workshops are in prospect.

A Compendium of Water Pollution Laws was prepared and published.

A new chapter is being prepared as an addition to the Water Pollution Abatement Manual. This will cover methods and equipment for the treatment of organic wastes. Ways to continue the Manual Program so as to amplify its scope and usefulness are under study.

The Committee maintains active representation in a number of organizations. Among these are the following:

American Institute of Chemical Engineers (AIChE)
Joint Committee on Uniform Methods of Water Examination (JCUMWE)
American Society for Testing Materials (ASTM)
National Technical Task Committee on Industrial Wastes (NTTCIW)
Ohio River Valley Water Sanitation Commission (ORSANCO)
Robert A. Taft Sanitary Engineering Center of the Public Health Service (SEC)
Water Pollution Control Federation (WPCF) - formerly known as Federation of Sewage and Industrial Wastes Associations (FSIWA)

The Committee is concerned with the long-range preservation of the Nation's water resources. It is the feeling of the Committee that the chemical industry must recognize the importance of these water resources by moving as rapidly as possible in the correction of major pollution problems.

The pollution control agencies acting in the public welfare are recognizing the importance of protecting the Nation's water resources by a continuing program of more restrictive requirements. In this connection the Federal Government is
becoming more and more vocal on the subject. In fact, since 1956, when Public Law 660 gave control powers over water pollution to the Public Health Service, this Federal agency has issued a veritable stream of statements which have been given wide publicity by newspapers and magazines.

The Committee is convinced that drastic measures to clean up industrial pollution of surface waters are inevitable. It appears to be merely a question of which of the several "layers" of control agencies now competing with each other will do the enforcing--and how much time industry is to be allowed for cleaning up the pollution.

Faced with this situation, the Committee is preparing a Statement of Principles for Water Pollution Control. When this has been completed and approved, it will be submitted to the Board.

O. C. Thompson
Chairman, MCA Water Pollution Abatement Committee

October 11, 1960