



ESTABLISHED 1802

E. I. DU PONT DE NEMOURS & COMPANY

INCORPORATED

WILMINGTON, DELAWARE 19898

cc K. E. Mulford - Atlas
~~W. A. Kna - Allied Chemical~~ MAR 6 1970
 J. P. Frawley - Hercules
 R. Miller - Hercules
 J. A. Zapp, Jr. - Du Pont
 W. E. McCormick - B. F. Goodrich

LEGAL DEPARTMENT

March 5, 1970

Mr. Morgan M. Hoover
 Manufacturing Chemists Association
 1325 Connecticut Avenue, N. W.
 Washington, D. C. 20009

Dear Mr. Hoover:

Your February 24, 1970 transmittal to the full committee has certainly struck a responsive cord. Carrol Weil of the Mellon Institute had certain reservations as to the first page and a half of our draft statement and discussions with Weil and Jack Frawley lead Jack to prepare a new version (copy attached) which in my opinion seems much better than the previous draft circulated by your February 24 letter. John Zapp is now in Europe so I speak only for myself in this regard.

The new version seems to go a long way in resolving Ken Mulford's and Carrol Weil's objections. If both Mr. Mulford and Mr. Weil can find the new version acceptable, there only remains the resolution of the technical drafting question to make sure that our suggested proviso applies to both parts of the Delaney Amendment.

As you may know, Delaney Amendment language also appears in the Animal Drug Amendment (Section 512 of the F D & C Act) and the Color Additives Amendment (Section 706 of the F D & C Act). We will have to add a sentence making it clear that the MCA comments apply equally to these other sections of the Act as well as to the Food Additives Amendment.

I think Merck's reaction as well as in part Carrol Weil's and even to some extent Ken Mulford's is due to the fact that they were not advised in your transmittal letter of the three Finch questions which the draft statement was intended to answer. Nonetheless, the substance of their comments suggests to me that we would probably be making a mistake in attempting to answer Finch's questions as posed.

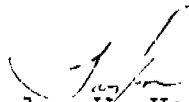
512 (d)(1)(H) seems already to have been reviewed, at least in part
 706 (a)(5)(B) cc H 320E

if the Security Agency would not address itself to the...
 and the... etc.

March 5, 1970

As Mr. Weil has been supplied a copy of the revised draft by Jack Frawley and Mr. Mulford by copy of this letter, I assume we can expect to hear further if the revised draft is not satisfactory. I think it would be in order if you would supply a copy of the revised draft to Mr. Mennis at Merck to determine if this revision lessens in any way Merck's concern.

Very truly yours,



Taylor W. Hanavan

TWH:bjd

Att.