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NATIONAL ACADEMY OF SCIENCES

OFFICE OF THE PRESIDENT
2101 CONSTITUTION AVENUE
WASHINGTON, D. C. 20418

January 10, 1977

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Dear Josh:

In December you asked me what we were doing at the Academy to stay on top of the Toxic Substances Control Act. You correctly labeled it as one of the "most complex and ramifying pieces of legislation that the Congress has passed in many years." This complexity and the newness of the law, together with the transition in Administration now taking place, makes it difficult to pin down, even approximately, what the Environmental Protection Agency will do as it moves to implement the law. Consequently, the Academy finds itself aiming at a moving target. We are even now still trying to clarify our role in the administration of the Pesticide Act of 1972.

In reply to your specific concern that the law "will impact on the further conduct of chemical and indeed all scientific research," let me note that after strong protests from the research community, the drafters were sufficiently wise to except chemical substances
* manufactured in small quantities used solely for purposes of scientific experimentation or research. I suspect we should be wary of the definition of "small quantities" and be concerned lest a chemical needed by scientists in "large quantities" appear on a forbidden list, but in general the legislation seems to be responsive to the special problems of the research community. Hopefully, the Administrator of EPA can be persuaded to continue this flexibility in the rules that he promulgates in implementing this part of the Act.

** e.g. what about research
uses while there is
some hesitancy pending
on large scale marketing*

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In addition, there are specific areas in the new law that are of concern to us because of ongoing or planned NRC activities. Among these are the proposed toxicology information data collection system to be established by EPA, the legal mandate to prescribe methodologies for testing potentially toxic substances, and the required rules on polychlorinated biphenyls. In addition to these topics, we will keep our eyes open for opportunities to interact with the EPA.

We try as best we can to stay abreast of developments within EPA and will certainly look for opportunities to work with the agency in the developing of needed rules that govern provisions relevant to these topics. If you have any specific concerns that you would like to have examined in some depth, please let me know at your convenience.

Happy New Year.

Sincerely yours,



Philip Handler
President