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Steelworkers Union Alerts Commercial Users of DuPont Teflon(R)-Related Chemical about 'Duty to Warn' Customers of Possible Harm

Tuesday August 9, 2005

PITTSBURGH, -- Citing growing public health concerns, the United Steelworkers (USW) union has informed major carpet cleaning retailers and wholesalers, fast food chains, and major retail clothing companies that they may have "a legal duty to warn" their customers about potential harmful effects of products that may contain the chemical perfluorooctanoic acid, also known as PFOA or C8.

PFOA is used to manufacture DuPont's widely used Teflon non-stick cookware. PFOA is also created when fluorotelomers -- which are a family of stain and water resistant chemicals -- break down. Fluorotelomers are applied to carpets, clothing, pizza boxes, hamburger wrappers and french fry containers. A recent draft report by the Environmental Protection Agency's (EPA) Science Advisory Board identified PFOA as a "likely human carcinogen."

DuPont is the only known manufacturer of PFOA in the U.S.

The USW sent letters and information circulars to companies which may sell products containing PFOA or chemicals that break down into PFOA. The correspondence warns company officials that they may have a duty to inform customers of potential health risks associated with exposure to PFOA or they could face legal liability in the event that consumers sue and prove harm to their health.

Courts have found, according to the USW, "a duty to warn" exists where a manufacturer, distributor, or retailer had knowledge of the health or safety risks of a product, and consumers, due to a lack of warning, were harmed by a dangerous product.

The EPA has launched an investigation to determine if DuPont withheld important information concerning the health and environmental effects of PFOA. The Environmental Crimes Section of the U.S. Department of Justice has issued a subpoena to DuPont about PFOA, as part of a federal grand jury investigation.

"We sincerely hope that our efforts will encourage companies selling or distributing potentially carcinogenic products to provide warnings and thereby protect the public," said Ken Test, Chair of the USW DuPont Council.

Some recipients of the USW letters and information circulars include: Rug Doctor, Stanley Steemer, McDonalds, Taco Bell, Papa John's, Pizza Hut, KFC, California Pizza Kitchen, Levi Strauss, GAP, W.L. Gore, Eddie Bauer, J. Crew, Wal-Mart, Sears, Nordstrom, and Dillard's.

The USW represents over 1,800 workers at DuPont. The union has expressed repeated concerns over worker exposure to PFOA and how DuPont may be endangering jobs by not dealing with the PFOA issue "in an open and responsible fashion."

"DuPont has a special responsibility to its employees who produce PFOA and fluorotelomers, and who may have the highest exposure to possible carcinogens," said Test.

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According to a leading environmental organization, the Environmental Working Group, Zonyl may be a major source of how PFOA has entered the bloodstream of most Americans.

The USW is the largest industrial union in North American, and has 850,000 members in the U.S. and Canada. Over 150,000 USW members work in the paper industry.

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