

REUSABLE PACKAGING TODAY

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Did you know.....?

Effective December 1, 2016, the "salaried exemption" from overtime pay changes from \$455 per week to \$913 per week? Which means overtime applies to anyone making up to \$47,476 annually (with conditions). However, a last-minute court decision could delay the new overtime rule past December 1st. See story on page 6.

UPCOMING EVENTS

Chemical Packaging Committee
February 8-10, 2017
Sarasota, FL

IPANA Technical Conference
May 1-3, 2017
Greensboro, NC

RIPA Technical Conference
Late April 2017
TBA

TEXAS-SIZE FUN AT THE 75TH RIPA ANNIVERSARY IN AUSTIN !!

The capital of Texas, Austin, was the site of RIPA's 75th birthday celebration last month and the event exceeded all expectations!

Over 180 members, their family, friends and guests convened to look back at the industry's progress and plans for all the challenges that lay ahead.

The conference kicked-off with a festive reception that featured prominently the Suppliers Exposition. Fifteen supplier exhibits were on display as attendees enjoyed food, drink and some special entertainment. Afterwards, attendees were treated further to an off-site party hosted by BASCO, Inc. at a charming venue in the center of town.

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DOT REVIEWING "M" AND "R" NUMBERS

DOT is reviewing its program of registering "M" and "R" numbers to "weed out" defunct businesses and update any addresses or changes of ownership. In the future, "R" numbers may be phased out to just "M" numbers, and "M" numbers may be "tied" to a 5-year renewal process.

RIPA recently met with key DOT personnel on this matter and urged them to retain "R" numbers for businesses that are still operational. There seems no reason to end an identification system that works effectively and is recognized throughout North America..

RIPA members will be kept fully informed of all developments. Currently, all "M" and "R" numbers remain valid and in effect.

CALVIN LEE HONORED WITH HERSHSON AWARD

Mr. Calvin Lee, former CEO and President, Industrial Container Services, LLC was selected by his industry peers to receive the *2016 Morris Hershson Award of Merit*. Calvin was awarded the honor October 27, 2016 in Austin, TX at the 75th Anniversary RIPA Annual Conference. RIPA presents the prestigious award to an individual for "distinguished and longstanding service" to the reusable industrial packaging industry.

.....continued p. 4

Chair's Message

By Dan Burek, RIPA Chair

RIPA's 75th Anniversary celebration was the theme of our extraordinary Annual Conference, which took place last month in Austin, Texas. My only regret is that not every member of the association could attend and take part in this memorable event.

The cover story and event photographs that appear elsewhere in this newsletter provide an excellent overview of the meeting and show a lot of happy faces. Some of my own great memories include two events on opening night. Our Suppliers turned out in force for the Joint RIPA/IPANA Welcome Reception and Exposition featuring 15 table-top exhibits offering a range of goods and services. Later that night BASCO hosted an after-hours reception at Cedar Street club in downtown Austin. An '80s cover band rocked the place and everyone had a ball. My thanks to Richard Rudy, Jack Cooke and all the BASCO staff that made this event such a success.

Like some others in the association, I was not around to witness many of the historic events that shaped RIPA's early days. Luckily, we have a book - "Fifty-Five Gallons" - that provides a comprehensive overview of the group's formative years and offers insights into the lives of many of the men and women who founded the group and contributed to its success. We also have a group of treasured retired members and staff - Hershsen Award winners all - several of whom were kind enough to make powerful presentations to the group about our history. Elliot Bank talked about some of the great characters who helped found RIPA and introduce groundbreaking technology that made drum production more efficient. Mike Murphy spoke about two critical moments in the history of the group. The first was RIPA's federal legislative victory that prevented a massive increase in direct-to-scrap activity that would have resulted from proposals championed by the scrap industry. The second was the hiring of a seasoned professional full-time staff leader and the installation of a reconitioner as Chairman of the Board.

Larry Bierlein spoke eloquently about the group's successful efforts to create a federal regulatory structure - including the empty drum rule - that enabled reconitioners to survive and thrive. He also talked about the importance of the group's work at the UN, and how a few individuals with vision literally convinced that group to accept and eventually support the use of reconitioned containers for the transport of dangerous goods.

All in all the 75th Annual Conference was everything I hoped it would be: Historic; fun; and, thought-provoking.

* * * * *

I would be remiss if I did not take this opportunity to offer some comments on the state of our association. RIPA is currently in very good financial health, but the Board recognizes that we are in a period of significant change. Consolidation on a scale never seen before is taking place, and RIPA must prepare itself for the future.

To this end, the Board voted to revise its dues structure to ensure we have adequate funds to operate throughout the year and respond to emergencies when or if they arise. The changes are not extensive, but they are fair and do effect a number of large and small members.

The Board also approved funds for an important new communications strategy that will inform decision-makers about the important role reusable packaging plays in promoting a clean and sustainable environment. The Committee overseeing this effort will also develop an educational program designed to slow or stop companies from sending reusable drums and other packagings directly to scrap yards. Lastly, I have asked the Committee to find ways to improve our web page and expand the reach of the association using social media. I strongly believe in the long-term benefits of these efforts and am convinced they will help each and every member of RIPA grow and thrive.

Have a wonderful Thanksgiving!

The next day, RIPA sponsored jointly with IPANA the Main Speakers Program. As in recent years, IPANA conducted its own annual conference in conjunction with RIPA and shared in this and certain other sessions.

Attendees heard from key personnel at U.S. DOT / PHMSA about matters ranging from agency priorities to risk analysis, research goals, incident investigations, and the processes for enforcement. Other speakers covered issues ranging from an outlook on U.S. economic fortunes, a review of today's industrial packaging industry, considerations of cybersecurity in business, and legal liabilities in transporting goods.

The luncheon speaker – a professor from the nearby University of Texas – offered a fascinating outlook on the evolving use of robotics in peoples' daily lives.



Attendees enjoy a particularly humorous part of the proceedings.

work plans were formulated and discussed.

The Steel Drum Product Group received reports on EPA and potential drum furnace regulations, periodic testing of certain steel drum design types, RIPA's petition on cleaning to "base material of construction", and the pending petition to incorporate leakproofness testing using ultrasonic sensing.



IPANA's Sue Nauman and speaker Dr. Robert Genetski

Copies of the various presentations are available at the RIPA website [HERE](#).

Following lunch, RIPA conducted its Annual Business Meeting and then convened a panel of industry legends to offer an historical account of the industry in honor of the association's 75th anniversary.

RIPA's Product Group Sessions then commenced and featured several reports on regulatory, technical and business developments. Also, several



The extended Lee family at the ceremony.



Elliot Pearlman, Calvin Lee, Jerry Butler, Paul Rankin

On the ultrasonic issue, members were advised of recent efforts to generate new data on the performance capability of the method. Also, members were advised EPA was just ordered by a Court of Appeals to "re-visit" the issue of regulating emissions from drum reclamation furnaces. However, any proposed set of standards for hazardous air pollutants could still be years away. Nevertheless, RIPA must be in a position to coordinate an industry response, especially when EPA begins collecting emissions data from the field. It was precisely their lack of actual data from the field that helped RIPA fend off proposed emissions standards in 2010.

The IBC Product Group covered a lot of territory including: *Special, Permit 16323* regarding brand new bottles, qualification testing for certain cross-bottle designs, IBC date marks on bottles and cages, IBC transport placarding, new rules in Canada on placarding, and fire code issues in relation to warehouse storage. There also was discussion of a potential *IBC Compliance Seminar*, similar to those which RIPA has hosted in the past.

.....continued p. 4



RIPA's Supplier Members then gathered to review the Exposition just held and ways to improve the event in the future. Discussions also centered on additional opportunities to promote Supplier Members such as new platforms for advertising and sponsorships.

The evening featured the *Morris Hershson Award of Merit* ceremony honoring Mr. Calvin Lee of Industrial Container Services, LLC. Several of Calvin's friends were on hand to speak on his many accomplishments

and contributions to the industry. A gallery of photos from the ceremony can be seen [HERE](#) (enter password: congrats! - include exclamation point).

The next and final day of the conference featured the RIPA Board of Directors meeting. The open meeting was attended by several member observers as is customary for Board meetings. A number of vital issues were covered including membership, finances, conferences, regulatory policies and public relations.

The evening event featured the Chair's Reception at an indoor/outdoor, multi-level bar and entertainment club located in the heart of downtown. A good time was had by all, deep in the heart of Texas!



"Hershson" continued from p. 1

Calvin is a founding partner of Industrial Container Services, LLC and has been a driving force behind its emergence as the largest industrial container reconditioning company in the world. The company initially focused on steel drum reconditioning services, but gradually expanded their business model to include the reconditioning of plastic drums and intermediate bulk containers. Recently, the company again extended its packaging portfolio to include companies operating in Canada, as well as the manufacture of new steel and plastic drums.



Carrie and Calvin Lee He

Calvin began attending RIPA meetings more than 20 years ago, and has always been active in the group. He has served as association Treasurer, Technical Committee Chairman, Finance Committee Chairman, International Committee Chairman and in other leadership roles. In 2008, he was elected RIPA Chair, during which time he successfully guided the association through a period of change and growth.

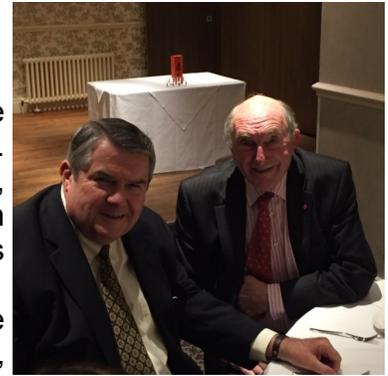
Throughout his career, Calvin has made significant contributions to his community. He and his wife Carrie are active members of the Church of Jesus Christ of Latter Day Saints having served in various local leadership positions. Recently they spent 5 years helping to shape the spiritual lives of young single adults, age 18 to 30, in the Corona California area.

Calvin recognizes that his professional and community achievements have been made possible by the constant support of his family, most notably his wife Carrie, and his daughters Jacqueline and Jennifer. Calvin is also a proud grandfather, with 4 grandchildren: Olivia, Charlie, William and Winston. Calvin and Carrie now make their home in Gilbert, Arizona.

CHESWORTH STEPS DOWN AS ICCR CHAIR

For the past 16 years, Brian Chesworth served as Chair of the International Confederation of Container Reconditioners (ICCR). At the close of the most recent ICCR Board of Directors meeting, held in his home town of Manchester, England, Mr. Chesworth gaveled to a close both the meeting and his term as the group's longest serving Chair.

At a dinner held in his honor that evening, which included more than 40 long-time friends and colleagues from around the world, Chesworth spoke proudly of his years in service to ICCR and his experiences as part of a global industry that he cares for deeply.



Mike Murphy and Brian Chesworth

Following dinner, several of Chesworth's colleagues spoke glowingly about his exceptional leadership skills and his efforts over the years to expand the influence of ICCR in international forums, including the UN Subcommittee of Experts. JDRA Executive Director Isao Hiramatsu told Chesworth that all JDRA members hold Chesworth in high esteem. He then poured a ceremonial drink of *sake* and toasted to Chesworth's continued good health.

RIPA President Paul Rankin thanked Chesworth for his many contributions to the global reconditioning industry and expressed his deep respect for a man who embodies all the characteristics of a "an honorable man – learning, honesty and an abiding respect for others."

Frits Janus, who has been a colleague of Chesworth's for more than 50 years, told several funny stories about their time together and then presented him with a one-of-a-kind silver globe which, when open, reveals artistic renderings of drums and IBCs.

"I recall speaking with the estimable Morris Hershson many years ago at an International Conference and taking to heart his suggestion that I get more fully involved in ICCR; I am forever grateful that I took his advice," said Chesworth. "But most of all, I will remember and hold dearly all the men and women who, over the years, have become more than colleagues – they have become my friends."

All your colleagues and all your friends salute you, Brian, and thank you for a job well done.

RANKIN ELECTED ICCR CHAIR

In a related matter, RIPA President Paul Rankin was elected by the ICCR Board of Directors to serve as the group's Chair for the next two-year period.

"I am grateful that my colleagues in ICCR are confident in my ability to lead this important organization," said Rankin. "In addition to the normal responsibilities of the position, I pledge to the Board to live up the high standards set by Brian Chesworth and all the other individuals who have served as Chair over the years."



LABOR DEPARTMENT RAISES SALARY THRESHOLD FOR OVERTIME EXEMPTION

In just a couple weeks, a rule issued by the Department of Labor will require employers to pay overtime to a significantly greater number of workers than is the case today.

Effective December 1, 2016, the “salary threshold” for many executive, administrative and professional employees will increase to from its current level of \$455 to \$913 per week, or \$47,476 annually. In other words, employees paid at or below this salary level will be eligible for “*time-and-a-half*” for any hours worked beyond 40-hours per week.

In addition, the final rule provides an upwards adjustment to the salary threshold for inflation every three years beginning January 1, 2020.

Under the Fair Labor Standards Act, employers already must pay overtime (at one and one-half times the regular pay rate) for each hour an employee who works beyond 40 hours per week. Certain employees are exempt from this overtime requirement, however. To be considered exempt, employees must meet certain minimum requirements related to their primary job duties and, in most instances, must be paid on a salary basis at not less than the minimum amounts specified in the regulations.

The standards for exempting Executive employees are shown below. Similar standards apply to both administrative and professional employees.

- The employee must be compensated on a salary basis (as defined in the regulations) at a rate not less than \$455 (soon, \$913) per week;
- The employee’s primary duty must be managing the enterprise or a department within the enterprise,
- The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and
- The employee must have the authority to hire or fire other employees.

Could a court delay the rule?

RIPA General Counsel Rick Schweitzer reports there are two lawsuits challenging the overtime rule, which have been consolidated and are being heard together. In addition, 21 states have requested that the implementation date of the rule be delayed.

Schweitzer believes the annual inflation adjustment will be struck down as it was not included in the proposed rule. “However,” he says, “it will be a more difficult task for the petitioners to win on the increased salary thresholds for the overtime exemption, as reviewing courts generally defer to the agency’s expertise.”

A decision by the courts is expected soon. RIPA members will be notified as soon as additional information is learned.



RIPA “CROSS-BOTTLE” IBC DESIGN TYPE TESTING PROGRAM

Each year, RIPA’s IBC Product Group sponsors a design type testing program to requalify certain commonly sold cross-bottle combinations (see below). Once again, the tests, which are performed for sponsoring members by Ten-E Packaging Services, Inc., were successful.

Bottle/Cage	Cage & Pallet	Capacity	Mark	Corner Protector
Schutz bottle/ Mauser Cage	Mauser SM13 Composite	330	Y/1.6/70	Yes
Mauser bottle/ Schutz Cage	Schutz Frame	Steel 330	Y/1.6/70	Yes

The tests were performed on composite IBCs with corner protectors, all with liquid capacities of 330-gallons. DOT rules allow tests performed on larger IBCs to also qualify similarly configured composite IBCs. Therefore, these tests also apply to IBCs with 275-gallon capacities.

Members that sell these units but who have not yet signed-up to obtain the test reports should do so as soon as possible. DOT requires every seller of cross-bottled IBCs to maintain current copies of all applicable test reports. A modest fee is associated with this program, which RIPA staff will be pleased to discuss with interested members.

Product Group Co-Chair, Brian Evoy, says RIPA is also considering arrangements for testing several other cross-bottle combinations, subject to member interest. “Members interested in cooperatively testing other common IBC cross-bottle combinations should contact staff or myself. If we find there is sufficient interest in a design, we’d be pleased to coordinate additional tests,” said Evoy.

WHAT’S IN A NAME ?

During a recent review of registered “R” numbers -- part of RIPA’s plan to advise DOT on its “R”- and “M”-number program – RIPA found these interesting names for registered entities:

The Drum Man, *Wartrace, TN*
Mr. Drum Inc., *Lakeland, FL*
Border Drum, *Brownsville, TX*
Superstition Reconditioning, *Apache Junction, AZ*
Snowflake Pig Farms, Inc. *Snowflake, AZ, and (for real) –*
ISIS Coatings (all cap’s), *Jefferson City, MO*

There is no record that any of these entities are still in operation.

CANADA LESSENS TRANSPORT REQUIREMENTS FOR EMPTY IBCS

Transport Canada recently issued an Equivalency Certificate (SU 11819) to Canadian members of the Reusable Industrial Packaging Association (RIPA) that authorizes them or their contractors to transport drums and IBCs containing small amounts of dangerous goods residue in vehicles bearing only a DANGER placard. In addition, the Certificate requires the consignor of the empty containers to give the carrier a document that lists the primary class of each residue and the number of containers. The Certificate applies to dangerous goods in Packing Groups II and III, and are not Hazard Class 1, 4.3, 6.2 or 7.

“Empty” drums must be emptied as fully as possible using normal emptying methods and, in no case, may be “more than 10% full.” IBCs must also be emptied as fully as possible and may not be more than 1% full. Additionally, the drums or IBCs must be transported in accordance with applicable standards (e.g. intact and with closures in place).

The Certificate corrects a regulatory error made by TDG in an earlier rulemaking, which removed similar empty drum and IBC transport requirements from the Road, Rail and Marine regulations.

Companies that elect to abide by the new rules must:

- Maintain a copy of the Certificate at corporate headquarters in paper or electronic form. RIPA recommends that a paper copy be retained in your files and that an electronic copy be retained in your computer files. RIPA suggests that company drivers maintain a laminated copy of the Certificate in their vehicles at all times, even though this is not a regulatory mandate.
- Be able to provide proof of membership in RIPA. This could be done by providing drivers with a copy of the association’s Annual Membership Certificate, and also maintaining the certificate on file in the office.

RIPA President Paul Rankin said, “RIPA is pleased to have been able to secure this benefit for its Canadian member companies. It’s one more reason why membership in the association offers tangible value to member companies.”

DEWITT REPLACES BUTLER AS RIPA VICE CHAIR

Former RIPA Chair and *Morris Hershson Award* winner Peter DeWitt of DeWitt Barrels, Inc. was elected by the Board of Directors to serve as the association’s Vice Chair. DeWitt replaces Jerry Butler, ICS, who stepped down from the position voluntarily to ensure his company’s compliance with RIPA by-laws provisions that limit to three the number of individuals from one company that can serve on the Board.

DeWitt’s term of office will conclude on December 31, 2017.

“I am honored to be asked by the Board to step in for my friend, Jerry,” said DeWitt. “As I have always done, I will work hard to ensure the association represents all its members and, importantly, spends its money wisely.”

Butler promises to stay active in the association and has agreed to do all he can to help the group thrive. Butler is currently a member of both the Long Range Planning and Finance Committees.

MEMBERSHIP REPORT

RIPA is pleased to report the following as having been accepted recently as official RIPA Members following their applications and 30-day reviews (except as noted):

New Reconditioner

Advantage IBC
2000 Airport Blvd.
Terrell, TX 75160
972-563-8683
www.advantageibc.com
Mr. Sean Easton, Dir. Of Sales

Enterprize Container Corp.
671 Garrett Parkway
Lewisburg, TN 37091
931-270-0341
www.enterprizecontainer.com
Mr. Clint Cowley, President

New International Reconditioner

*This serves as official announcement of the application.
Members with any questions or concerns should contact
RIPA within the 30-day period of review.*

Carmocal
Av. Juana Manso 1750
Puerto Madero Sur, Buenos Aires, Argentina
Mr. Cristian Puebla
Tel: +54 11 5368-7400
www.carmocal.com

New Supplier / Associate

Corporate Billing, LLC
239 Johnston Street SE
Decatur, AL 35601
256-584-3613
www.corpbill.com
Mr. Whitt Roby, VP

Lehigh Spray Technology
298 Keystone Drive
Bethlehem, PA 18020
800-765-9581
www.lehighspray.com
Mr. Albert Andrews, Partner



ORIGINAL MEMBERSHIP LIST

NATIONAL BARREL & DRUM ASSOCIATION
PUBLISHED BY RIPA IN AUGUST 1943



CALIFORNIA

The Acme Cooperage Co.
McGuire & Company
H. Levine Cooperage Co.
Bauer Cooperage Co.

GEORGIA

Smith Co.

ILLINOIS

Vulcan Stamping and Mfg. Co.
Acme Barrel Co.
Able Barrel Co.
Alean Co.
Allied Barrel and Drum Service
Mr. C. Broska
Mr. George Busch
Mr. Peter DeWitt, Jr.
Green Bag and Barrel Co.
Hastings Drum and Barrel Co.
Higgins Brothers
John F. Kaenel Cooperage
Mr. Bernard Keide
Liberty Steel Drum Service
McArdle Co.
Midwest Barrels
Nelsen Brothers
Rosenbloom Barrel & Drum Co.
Mr. Joseph Schultz
Skolnik & Son
Trilla Cooperage Co.
J.H. Sharpe & Sons
Mr. J. Erlichman

INDIANA

I. Hassan Barrel Co.
Goldberg Cooperage Co.

KENTUCKY

Allied Drum Service
Louisville Barrel & Box Co.

MARYLAND

Maryland Cooperage & Steel Drum Co.
John M. Reiser & Sons

MASSACHUSETTS

Bancroft Barrel Co.
Chapper & Rosen
American Barrel Co.
Roche Bros. Co.
Conway Barrel Co.

Northeastern Malden Bbl. Co.
H.F. Clark & Son
Commercial Barrel & Drum Co.
Hubert Barrel & Drum Co.
Whitney Barrel Co.

MICHIGAN

Acme Service & Container Co.
American Barrel & Bag Co.
Atlas Barrel & Cooperage Co.
Auto City Cooperage Works, Inc.
Detroit Barrel & Bag Co.
Empire Barrel Co.
General Barrel Co.
Michigan Bag & Barrel Co.
Perry Barrel & Bag Co.
Teddy Hall

MINNESOTA

Dworsky Barrel Co.

MISSOURI

Brueckmann Cooperage Co.
North Western Cooperage Co.
George F. Schulenberg

NEW JERSEY

Kermis Steel Drum & Cooperage
American Cooperage Co., Inc.
Newark Steel Drum Co.
Acmer Steel Drum Co.
Bayonne Barrel & Drum Co.
Kingsland Cooperage Co.

NEW YORK

Ace Cooperage Co.
Acme Steel Drum & Barrel Co.
Chas. F. Adolph, Inc.
Brooklyn Barrel Co.
City Barrel Co.
Consolidated Steel Drum
Dependable Steel Drum
Eagle Barrel Service
Greenberg Cooperage Co.
Greenpoint Cooperage Co.
Meyer Handlor
Jackson Cooperage Co.
Maslow Brothers
R. Nelkin Cooperage
Quintan Steel Drum Co.
Seegal & Sons
United Cooperage Co.

Freg Wagner, Jr.
Thos. Davis Cooperage Co.
Negola Cooperage Co.

OHIO

Canton Barrel & Bag, Inc.
American Barrel & Cooperage Co.
Gottlieb Bros. Cooperage Co.
National Barrel Co.
Queen City Barrel Co.
Arnsen Barrel Co.
Buckeye Cooperage Co.
Max Desatnik Barrel Co.
Empire Blackman Barrel Co.
J. Frank Barrel Co.
J. Gottlieb Barrel Co.
General Steel Barrel Co.
A. & H. Klausner Co.
Reliable Steel Barrel
Star Barrel Co.
Ben Tuckner
City Barrel & Cooperage
Hamilton Barrel Co.
Horwitz & Pintis Co.

PENNSYLVANIA

Berenfield Barrel & Cooperage Co.
B. & F. Cooperage
Binder Cooperage Co.
Wm. H. Cooper's Sons
Daniels Cooperage Co.
General Cooperage Co.
Globe Steel Drum Co.
Mc Loughlin Brothers
Jos. A. Ries
Mr. Ed Shanlin
J. Sukonik & Sons.
Sukonik Barrel & Drum Co.
United Cooperage Co.
Calig Steel Barrel Co.
North Side Cooperage Co.
Pittsburgh Barrel & Drum Co.

TEXAS

Gaston Ave. Cooperage Co.

VIRGINIA

H. Metzger's Sons

WISCONSIN

Northwestern Barrel Co.



SIDNEY BLATT
BOARD CHAIRMAN, NABADA, USA



MORRIS HERSHON
CONFERENCE CHAIR, PRESIDENT NABADA

A LOOK BACK: 1976

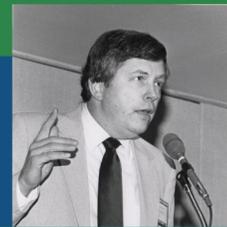
3RD ANNUAL INTERNATIONAL CONFERENCE ON STEEL DRUMS • LOS ANGELES, CA



JAQUES MERRITT
BELGIUM



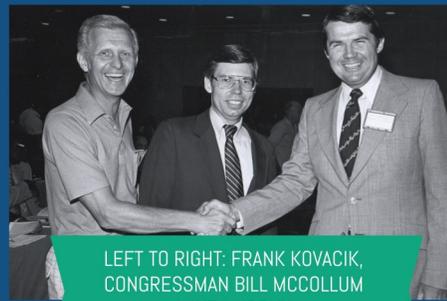
YUKIO KATSUTA
Japan



BRUCE AMBROSE
NATIONAL ECONOMIC RESEARCH ASSOCIATES, USA



VINCENT BUONANNO
USA



LEFT TO RIGHT: FRANK KOVACIK,
CONGRESSMAN BILL MCCOLLUM
MIKE MURPHY
USA



PATRICK OZIEH
POCO ENTERPRISES NIGERIA, LTD., NIGERIA



LEON MORRIS
SOUTH AFRICA



DANIEL BARBER
Plastic Drum Institute, USA



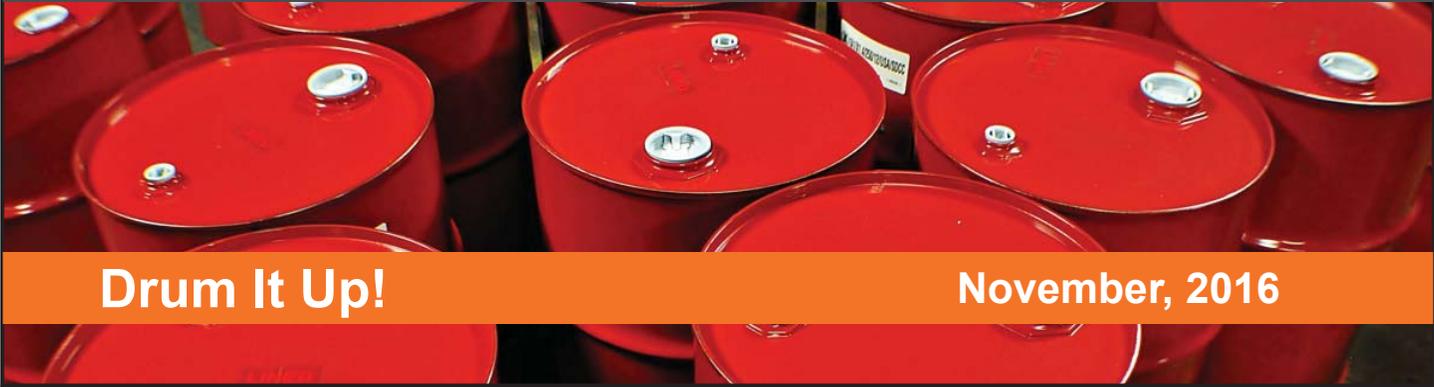
FRANZ SAUER
President VDF Germany

A LOOK BACK



PICTURED:

- 2: New Board of Directions, Year?;
- 4: Cincinnati, OH, 1944
- 5: Board of Directors, Atlantic City, NJ, 1946
- 6: Advisory Members and Wives, Cleveland, OH, 1945



Drum It Up!

November, 2016

PACKAGING NEWS

WINEMAKING NEWS

Bill of Lading Claims Toughen Up

For years, claims for in-transit damage were easily filed based on the expectation that a Bill of Lading satisfied a carrier's need to determine damage. Providing a B/L was all that was needed to demonstrate that goods were shipped as packaged, but then arrived damaged. However, as of August 13, 2016, the National Motor Freight Traffic Association (NMFTA) has introduced a new law in which shippers will now have to prove that the carrier was negligent. Proof will require more than a signed Bill of Lading and might include photographs, employee statements and tracking data. The shipper groups including the Transportation and Logistics Council, are disputing this change and claim changes to NMFTA's uniform bill of lading would affect millions of shipments and place an unfair onus on smaller businesses that ship goods without motor carrier agreements, relying on the bill of lading as the contract. The shipper has the burden of proof to show a shipment was tendered in good condition, delivered in damaged condition, and then the burden shifts to the carrier, to prove it was not negligent. If the trucking company does prove it wasn't negligent, citing exculpatory force majeure causes such as impassable highways or by offering evidence the shipper was responsible for the damage, then "the shipper then has the burden of proving the carrier was wrong."

The dispute contains echoes of shipper-carrier regulatory battles of past decades, before the Surface Transportation Board terminated antitrust immunity for motor carrier rate bureaus in 2007 and the Interstate Commerce Commission was closed in 1996. The current dispute, however, may not find a ready arbitrator in Washington. [Read the full story here.](#)

—Howard Skolnik

How Airlines Are Enforcing the Ban on the Samsung Galaxy Note 7

Last month, the DOT banned all Samsung Galaxy Note7 phones from airplanes. The U.S. Department of Transportation (DOT), with the Federal Aviation Administration (FAA) and the Pipeline and Hazardous Materials Safety Administration (PHMSA), announced an emergency order to ban all Samsung Galaxy Note7 smartphone devices from air transportation in the United States.

If you are in possession of a Galaxy Note 7, and are planning to travel by air as a passenger, this is what you need to know:

1. If passengers attempt to travel by air with their Samsung Galaxy Note7 devices, they will be denied boarding.
2. Passengers who attempt to evade the ban by packing their phone in checked luggage are increasing the risk of a catastrophic incident. Anyone violating the ban may be subject to criminal prosecution in addition to fines.
3. Passengers currently traveling with Samsung Galaxy Note7 phones should contact Samsung or their wireless carrier immediately to obtain information about how to return their phones and arrange for a refund or a replacement phone. Samsung has provided guidance for customers about refund and replacement options, as well as how to contact wireless carriers, at <http://www.samsung.com/us/note7recall>. Samsung is also answering customers' questions at 1-844-365-6197.
4. If an airline representative observes that a passenger is in possession of a Samsung Note7 device prior to boarding an aircraft, the air carrier must deny boarding to the passenger unless and until the passenger divests themselves and their carry-on and checked baggage of the Samsung Galaxy Note7 device. Passengers absolutely should not pack the phones in their checked luggage.
5. If a flight crew member identifies that a passenger is in possession of a Samsung Galaxy Note7 device while the aircraft is in flight, the crew member must instruct the passenger to power off the device, not use or charge the device while aboard the aircraft, protect the device from accidental activation, including disabling any features that may turn on the device, such as alarm clocks, and keep the device on their person and not in the overhead compartment, seat back pocket, nor in any carry-on baggage, for the duration of the flight.

Having recently flown, I have personally seen this ban enforced! [View the full story here.](#)

—Howard Skolnik

2017 Unified Wine & Grape Symposium to Open with NY Times Columnist Eric

Noted New York Times wine critic, columnist and book author Eric Asimov, will deliver the keynote luncheon speech on the opening day of the 2017 Unified Wine & Grape Symposium, Tuesday, January 24, at the Sheraton Grand Hotel. Asimov promises to deliver a thoughtful and provocative appraisal of the current state of American winemaking and key trends shaping the future. Asimov's extraordinarily diverse experience with wine spans the globe and includes an intimate familiarity with numerous growers and winemakers and their stories. Before he started writing full-time about wine for The Times in 2004, Asimov wrote primarily about restaurants and food. In 1992, he created the '\$25 and Under' restaurant reviews, which he wrote for The Times through 2004. Asimov became The Times' chief wine critic, and since 1995, has authored a number of books on food and wine including, "How to Love Wine: A Memoir and Manifesto". The luncheon kicks off three days of symposia with two days of trade show. General sessions along with many break-out sessions offer a wide variety of subjects key to grape growing and winemaking. Created by ASEV and CAWG, and built with the joint input of growers, vintners, and allied industry members, the Unified Symposium serves as a clearinghouse of information important to wine and grape industry professionals. The Unified Symposium also hosts the industry's largest trade show of its kind, with over 650 suppliers displaying their products and services. For additional information, please call (888) 559-9530 or visit www.unifiedsymposium.org. Skolnik Industries will be exhibiting at the show displaying out complete line of [stainless steel wine barrels](#). You can find us at booth number 1205. For complimentary passes to the symposium contact Jason Snow at jason@skolnik.com.

—Dean Ricker

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News:

Effective December 3, 2012 Watson Standard acquired certain assets of Delta Coatings Corporation, a privately owned coatings company specializing in the development and manufacturing of coatings for the general industrial and packaging industries.

Acquiring Delta allows Watson to re-enter the general industrial coatings marketplace and add to its existing portfolio of coatings and adhesives. The acquired business will operate as Watson Standard Industrial Coatings.

“We are enthusiastic about this return to an industry that was a facet of our foundation and represents our continued investment in and dedication to the coatings industry,” remarked Jim Lore, President of Watson Standard.

This acquisition provides significant benefits to both companies’ customers, current and prospective. Watson Standard will expand upon Delta’s product offerings through its development capabilities and organizational synergies. Combined, Watson and Delta are able to supply additional general industrial market segments with solvent based, water based, Ultra Violet (UV), and Electron-Beam (EB) products. Watson Standard’s acquisition will also foster additional global growth opportunities.

Watson: Past . . . Present . . . Future

Founded in 1902, Watson Standard is a privately held specialty coatings and adhesives manufacturer, headquartered in Pittsburgh, Pennsylvania, serving the global marketplace.

Watson generates about one third of its business in international markets, which is supported by multi-lingual customer support, a global distribution network with partners in Australia, India and the U.K., toll-manufacturing in Spain and sales and distribution agents in Mexico, Central America and South America. [®]

Watson Standard is dedicated to developing the most innovative coatings, adhesives, and related products for the international general industrial, rigid and flexible packaging markets.

Delta: Strengths and Reputation

Delta Coatings Corporation, located in Melrose Park, IL., has been a vital and innovative member of the industrial coatings community since 1996. Delta is best known for its water-borne coatings for the container and drum industries (interior and exterior), OEM/general industrial and transportation industries.

Delta’s portfolio includes high solids, conventional solvent-based, HAP’s- free and solvent-free radiation curable coatings for spray, dip, roll-coat, coil, electrostatic and electro-coat applications.

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