

 Johns-Manville

Internal Correspondence

To: F.J. Solun, Jr. Denver GHQ

Date: 11 February 1975 (660)

From: W.K. Jones J-1 London

Copies: D. Poutiatine Englewood Cliffs

Subject: ENVIRONMENTAL LEGISLATION U.K.

I would refer to the enclosed copy of the recent Governmental Act entitled -

Health and Safety at Work etc. Act 1974
(effective 1 April 1975)

Your particular attention is drawn to Paragraph 6 (Pages 5, 6 & 7) Paragraph 15(2) Page 13 and Schedule 3 Paragraph 1(4) Page 95.

I would suggest that as this Act could affect a number of J-M products and materials imported into the U.K. that this should be urgently drawn to the attention of all divisions.

Preliminary interpretation of part of Paragraph 6 indicates that all substances or products of/or containing hazardous materials must be so indicated by the importer/seller to the ultimate purchaser/user, to enable the latter to take such action as may be necessary to protect their personnel.

Suggestions here from U.K. manufacturers of asbestos-containing materials are that all their literature and/or invoices will carry indications that their use may under certain conditions have to conform to the Asbestos Regulations 1969.

I also attach for information a copy of an internal memo by the legal adviser to T & N sent to all their subsidiaries in the U.K. It is understood that T & N have not as yet settled any precise wording or format.

Also attached is similar memo as sent out by Cape to their subsidiaries.

Encs: Health & Safety at Work etc Act 1974
T & N Memo
Cape Memo



TURNER & NEWALL LIMITED
MANCHESTER

FROM

J. H. ALKINSON

TO

JHH/DEB/DEB/DEB/
DEB/AN/JGS/LRF

COPY TO RE/DEB/DEB/DEB/

16th January 1975

Health and Safety at Work etc. Act 1974

Among the additional duties imposed by the Health and Safety at Work etc. Act with effect from 1st April 1975 is that contained in Section 6 whereby manufacturers and suppliers are required to make available to customers adequate information to ensure that products will be safe and without risk to health when properly used. Early action is called for in this connection in view of the need to prepare and possibly print the warnings and information required coupled with the fact that it is our intention to seek, through the relevant trade associations, the adoption of standard practices wherever possible.

I know that in some cases individual Unit Companies have already given consideration to the action required under Section 6 and the purpose of this note is to bring you up-to-date with the way in which those most closely concerned at T&N believe the problem should be tackled. At the same time, thought has been given to the possible need to label certain products, the use of which might give rise to health risks.

Generally, these questions have been considered in relation to asbestos and asbestos based products and in the case of Unit Companies whose products give rise to different hazards this circular is accompanied by a separate note.

Section 6

It is proposed to recommend to the Asbestos Information Committee (AIC), who are already considering the whole question, that the asbestos industry should be advised to adopt a paragraph along the following lines (modified as appropriate to take account of the particular materials concerned in each case) for inclusion in sales literature and as a postscript to Conditions of Sale. However, before the proposal is put forward formally I should be grateful for your comments so that T&N's representatives on the AIC can be certain that Unit Company views are adequately taken into account:-

"Health and Safety at Work etc. Act 1974WARNING

FERROESTIC products are asbestos reinforced plastic and in common with all asbestos based materials are

Certain operations with such materials require precautions to be taken to ensure that they will be safe and without risks to health when properly used.

The publications of the Asbestosis Research Council which describe the precautions can be obtained either from the Environmental Control Committee of the Council, 114 Park Street, London W.1. or from TAC Construction Materials Ltd/."

Section 15 (2); Schedule 3, Part 1 (4)

These provisions enable the Secretary of State to make regulations requiring the labelling of any substance. While it is unlikely that this power will be exercised on the 1st April 1975, it is known that asbestos is high on the list of substances regarded as dangerous in the workplace by the Factory Inspectorate and accordingly asbestos products are thought likely to be the subject of a labelling obligation at a fairly early date.

The AIC believes that it would be wise for the asbestos industry to anticipate the likely legal requirement by the introduction of a label at this stage in a form with which it is itself satisfied in the belief that this will reduce significantly the risk of the imposition of a label by legislative action.

It is suggested that the label should take the following form:-

<u>WARNING</u> Avoid creating dust. Contains asbestos fibres Breathing asbestos dust may cause serious disease	
T A K E C A R E W I T H A S B E S T O S	

Similar wording already appears on labels in use by asbestos fibre producers both within T&N and elsewhere throughout the world.

Will you please let me know your views with regard to the form of the proposed label and to the recommendation

labelling, be introduced in the case of asbestos products
in early 1970 notwithstanding the absence of a legal
requirement.

J. M. A. R.

J. M. A. R.

NA/SRE
PC.

The above proposals have been prepared in conjunction
with:-

- B. Lincoln, Group Environmental Co-ordinator
- M.F. Howe, Deputy Chairman, AIC
- W.P. Howard, Secretary, AIC
- Dr. H.C. Lewinsohn, Group Medical Officer

Television and the 2 Fibre Asbestos Standard

A recent Granada "World in Action" programme challenged the validity of the "2 fibre" standard associated with the British Asbestos Regulations, which govern conditions in TBA asbestos factories, and indeed all work of any kind with asbestos products in the United Kingdom. The general drift of the programme was extremely misleading, and it is well to know the reasons why.

The Standard recommended for use by H.M. Factory Inspectorate in applying the 1969 Asbestos Regulations is largely based on a report of the British Occupational Hygiene Society on Hygiene Standards for chrysotile asbestos dust. The BOHS based their findings on the health of a group of 290 male asbestos textile workers at TBA in Rochdale on 30th June 1966, all of whom had been employed in "scheduled areas" at TBA for over 10 years since 1st January 1953. The cumulative asbestos dust levels at various processes were then related to the medical history of the groups of workers who had been employed in them.

The TV programme gave the impression that the BOHS sub-committee based their findings on a study of the x-rays of these workers. In fact they discarded the x-rays and based their findings on the earliest clinical symptoms of disease. If x-rays had been used to determine the standard, it would have been less stringent.

What is relevant is the fact that in those areas of the TBA factory where we know the asbestos dust concentrations to have been about 2 fibres/ml (i.e. about the level of the standard), for many years, there has been no abnormal medical history.

Actually the BOHS did not produce a "2 fibre" standard at all. What they did was to produce a 100 fibre year standard. This can be expressed in various ways, e.g. to run a 1% risk of incurring the earliest clinical signs of asbestosis,

at a concentration of 2 f/ml a man has to work for 50 years

= $2 \times 50 = 100$ fibre years/ml

at a concentration of 4 f/ml a man has to work for 25 years

= $4 \times 25 = 100$ fibre years/ml

at a concentration of 10 f/ml a man has to work for 10 years

= $10 \times 10 = 100$ fibre years/ml

exposure to exceed 25 years, because of the changing pattern of work, so that the 2 f/ml standard has for the vast majority of workers a large built-in margin of safety.

There were many other points which the programme did not bring out. For example, of the 290 men in the cohort only 52 had had cumulative exposures of less than 100 fibre years/ml, and some of the longer serving men had had cumulative exposures of nearly 500 fibre years/ml. It would not be unexpected for some of the men in the exposure categories which far exceeded what ultimately was accepted as the "standard", to develop asbestosis and its associated diseases. In those categories where the cumulative exposure has remained up to the standard, the health record remains good. Until 1968 when the BOHS Standard was published there was no recognised biological standard for asbestos. To criticise such a recently introduced attempt to improve working conditions throughout all of British industry is not possible because of the obvious lack of data which can be collected to verify or refute it since it came into general use in 1970.

The 7 lung cancer deaths in the cohort do not indicate an excess of observed deaths compared to the number which would have been expected in a sample of the general population having the same number of men in it with the same age distribution. It was not stated on the programme that all 7 men were cigarette smokers, and cigarette smoking is known to increase the incidence of lung cancer in heavily exposed asbestos workers.

Mortality studies published relating to T&N indicate that as dust control has improved since 1933 (when the Asbestos Industry Regulations, 1931, took effect), the incidence of asbestosis has rapidly declined and lung cancer now occurs at a rate no greater than is found in the general population. The risk of anyone working in T&N factories (where the BOHS Standard is adhered to) getting lung cancer, is probably no greater than that for the general population.

Three other points warrant comment. First, there is no danger whatever to the wives and families of T&N workers as a result of working to today's standards. The cases to which Dr Selikoff referred on television were in a factory where dust levels were probably in hundreds of fibres, not in the single figures to which we have been operating. So the dust on their clothing would have exposed relatives, when they got home, to dangerous levels of dust. This cannot happen in the U.K. today, because workers are not exposed to massive concentrations of dust at work.

The first place, and are not allowed to take contaminated overalls home - they have to be laundered under company arrangements.

The second point is that viewers may have formed the impression that 50% of the asbestos workers in the 290 cohort showed x-ray changes which, according to Dr Lewinsohn of TBA, connote asbestosis. ~~The actual incidence of changes~~ ~~was 47%~~ Dr Lewinsohn is at pains to point out that not all the changes which he has seen are those of asbestosis and that he has classified a wide range of changes of similar appearance under a broad descriptive heading. Many of the changes are only of slight degree and may have nothing to do with the effects of asbestos exposure. Dr Lewinsohn has always maintained that as no attempt has been made to relate these changes to cumulative dust exposure histories or to the clinical features of the population concerned, no conclusions can be drawn with regard to the BOHS Standard and these x-ray findings. It is unfortunate that Dr Selikoff has steadfastly refused to accept this explanation.

The diagram in the TV film which showed millions of fibres being breathed in during a normal 8 hour day did not make the point that most of what is breathed in is also breathed out.

Finally, the very dusty conditions shown at the beginning of the programme were not filmed at TBA at all. They were simulated conditions, using bags of flour mixed with cement dust, and bear no relation whatever to dust levels in the Rochdale factory.