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Extracts from
The Asbestos Industry Regulations, 1931
S.R. & O. 1931 No. 1140
(so far as particularly applicable
to Nevalls Insulation Co. Ltd.)

Definitions

Asbestos means any fibrous silicate mineral, and any admixture containing any such mineral, whether crude, crushed or opened.

Asbestos textiles means yarn or cloth composed of asbestos or asbestos mixed with any other material.

Preparing means crushing, disintegrating, and any other process in or incidental to the opening of asbestos.

Approved means approved for the time being in writing by the Chief Inspector of Factories.

Breathing Apparatus means (1) a helmet or face piece with necessary connections by means of which a person using it breathes air free from dust, or (2) any other approved apparatus.

3. (1) The making or repairing of insulating mattresses composed wholly or partly of asbestos shall not be carried on in any room in which any other work is done.

(11) In every room in which the making or repairing of insulating mattresses is carried on -

(a) adequate exhaust and inlet ventilation in accordance with arrangements to be approved in each case shall be provided and maintained;

(b) no person other than those engaged in filling, beating, or levelling shall be present whilst such processes are being carried on and work shall not be resumed in the room after filling, beating, or levelling, for at least ten minutes;

(c) the floors and benches shall be kept damped so as effectually to prevent dust arising therefrom; and

(d) the covers shall be effectually damped immediately after being cut out and in the case of fibre filled mattresses, shall be kept damp whilst filling, beating or levelling is being carried on.

7. (1) In every room in which any of the requirements of these Regulations apply -

(a) the floors, work benches and plant shall be kept in a cleanly state and free from asbestos debris and suitable

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MISCELLANEOUS POINTS

In conclusion there are a number of miscellaneous points - partly applicable to the question of asbestosis generally - which require to be mentioned, so that the picture will be complete and can be considered in the proper perspective:-

1. From a statistical point of view, considerable care is necessary when drawing general conclusions from very limited data. In N.I.Co.Ltd's case there were only six asbestosis cases amongst their employees during the 17 years to 1948 and during the further six years to 1954 there were only 14 cases; we are therefore dealing with very small numbers.

2. Arising from the above point, it is clear that we should not lose our sense of proportion as to the extent of the asbestosis risk. Throughout the country the number of asbestosis cases is insignificant in relation to the number of silicosis and other types of pneumoconiosis cases. As compared with other industrial diseases, the risk of contracting asbestosis in the asbestos industry is relatively slight. Even so, it is clearly essential that all appropriate precautions against the risk should be taken for the sake of our employees, and also that all statutory obligations should be complied with.

The annual report of the Chief Inspector of Factories for the year 1952 (Command Paper 9154 issued in June 1954) contains an interesting Table on page 171 recording the number of pneumoconiosis cases in England and Wales each year from 1941 to 1952 inclusive. During that period the number of asbestosis cases ranged from 8 to 18 in any one year, whereas silicosis cases ranged from 406 to 631, and pneumoconiosis cases (other than silicosis) in coal mining ranged during the last six years of the period from 230 to 590 cases. Taking the year 1952 alone, the grand total of pneumoconiosis cases was 1,905, of which only 12 were asbestosis cases, and for the whole period of twelve years

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the grand total of pneumoconiosis cases was 16,419 of which only 162 were asbestosis cases.

3. The fact that the Pneumoconiosis Medical Boards now function under the Ministry of Insurance and are concerned with all types of pneumoconiosis (whereas the Asbestosis Medical Board until its replacement in 1948 was concerned with asbestosis only) has caused certain disadvantages from the point of view of employers in the asbestos industry, including the following:-

- (a) There is no statutory obligation on the Pneumoconiosis Medical Board to inform the employer that any employee is suffering from asbestosis. Arrangements were however made by some of our Unit Companies in or shortly after 1948 with one or two of the Medical Boards whereby the latter agreed that when an employee has actually been suspended because of asbestosis the Medical Board would inform the Unit Company. But in any case where an employee who is over 45 years of age and has had 20 years' service in the employment concerned is found by the Medical Board to be suffering from asbestosis (not accompanied by tuberculosis) he cannot be suspended compulsorily and if he elects to continue at work and not to be suspended (see the Prescribed Diseases Regulations - No.40 - and the Third Schedule) then the Medical Board cannot (without his consent) tell the employer that he is suffering from asbestosis. It is possible therefore that for several years an employer may not know that one or two of his men are suffering from asbestosis, and it will be appreciated that in the case of the T. & N. Group if we were informed direct by the Medical Board in each such case, we could in appropriate circumstances, as is our normal practice, arrange for a change of occupation and where necessary an ex gratia payment towards the loss of wages involved.
- (b) The certificates issued by the Pneumoconiosis Medical Board merely state that the individual is suffering from

pneumoconiosis and the Board is not allowed either to state in the certificate or to advise the employer which type of pneumoconiosis is involved. From our point of view this is a most unsatisfactory state of affairs since we cannot be certain whether any suspended case is actually suffering from asbestosis or from some other form of pneumoconiosis. There has been a recent instance within the Group where an employee who had previously had over 20 years' occupation as a coal miner has been certified as suffering from pneumoconiosis, and his case has therefore been included in our list of asbestosis cases. It was thought very likely however that he was in fact suffering from silicosis and not from asbestosis at all, and this view has been unofficially and confidentially confirmed.

- (c) The fact that the certificate given by the Medical Board only uses the generic name of pneumoconiosis is a fact to be borne in mind if and whenever any Common Law claims are made against one of our Unit Companies on the score of negligence or breach of statutory duty. In the event of such a claim being made, early contact with the Medical Board is advisable, as there is always the possibility that the claimant is not suffering from asbestosis and it might become necessary for a member of the Medical Board to be called to give evidence as to the type of pneumoconiosis from which the claimant is suffering.

John Collier

December 1954.