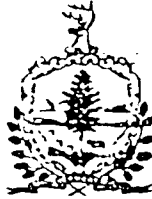


ROBERT D. AIKEN, M. D., M. P. H.
COMMISSIONER



STATE OF VERMONT
DEPARTMENT OF HEALTH
~~COMMISSIONER~~

PLAINTIFF'S
EXHIBIT

GF-759

IN REPLY PLEASE ADDRESS:

Industrial Hygiene Division
Barre City Hospital
Barre, Vt.
May 23, 1951

Mr. Michael J. Messel
General Superintendent
Vermont Asbestos Mines
Div. of the Ruberoid Co.
Hyde Park, Vt.

Dear Mr. Messel:

Dr. Aiken has referred to me your letter of May 15th regarding the new occupational disease law.

Any X-rays which we might take between now and July 12th would not come under Section 12 of the new law and such X-rays and reports would not be available to the Commissioner of Industrial Relations for the purpose of administering the act. Consequently, there isn't any reason for the continuance of our X-ray program until after the law becomes effective.

All X-rays which we will be required to make annually under Section 12 of the new law, as well as any X-rays you may require upon the termination of an employee's service with your company, are required to be filed in this office and such X-rays and records will be available to the Commissioner of Industrial Relations. I feel certain that your company doctor will be able to obtain any necessary information through the Department of Industrial Relations.

I don't quite understand the second paragraph of your letter. On the several occasions we have discussed your medical program and our possible participation in it you have assured me that through your own X-ray program you have failed to find any cases of asbestosis. On this basis, yours is the only industry within the state who has the enviable position of knowing exactly where you stand in regard to compensable occupational disease on the date the new law becomes effective.

I expect to visit your plant in the near future and will be very pleased to discuss the new law with you insofar as it concerns my division.

As I have stated on numerous past occasions we wish to cooperate with you in any possible manner and on any problems related to your industrial health program.

Very sincerely yours,

Harry B. Ashe
Harry B. Ashe