PLAINTIFF'S EXHIBIT

KM-441

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI,
EASTERN DIVISION.

HARRY SMITH, et al,	)	
Plaintiffs,	)	Civil Action No. 77-0144-C (A)
vs.	)	
JOHNS-MANVILLE SALES CORPORATION, a Corp.,	)	
Defendants.	)	

ANSWERS OF DEFENDANT
JOHNS-MANVILLE SALES CORPORATION
TO PLAINTIFFS' SUPPLEMENTAL INTERROGATORIES

TO ALL ATTORNEYS OF RECORD:

In accordance with the provisions of Rule 33, Federal Rules of Civil Procedure, Johns-Manville Sales Corporation, hereby answers the Interrogatories of Plaintiff served on Defendant's counsel.

Defendant reserves the right to amend or supplement its answers, if it finds that inadvertent omissions or errors have been made, or if additional or more accurate information becomes available that is required to be provided by the Federal Rules of Civil Procedure.

1. Please state whether or not this defendant supplied raw, asbestos products to GAF (Ruberoid) during the years 1940 to 1973.

If so, state the following:

(a) Describe the method of transporting such raw products to GAF (burlap bag, cloth bag, plastic bag?)

PLAINTIFF'S EXHIBIT

PI's EXHIBIT # 28

... deliver such product.

(c) State the mode of delivery, whether by truck, railroad car or the like.

(d) Please state whether or not any warnings of danger or hazard of asbestos were on any such bags and if so, state the exact language and when such warnings were placed on such bags.

ANSWER: Yes. See Exhibit A attached hereto for fiber sales from 1958-1973. Due to Defendant's record retention program, it does not have sales records available for the period of time preceding 1958.

(a) Defendant's fiber has been shipped over the years in bags of jute, valve paper, woven polyethylene, polyethylene film, jute and polyethylene, and pressure-packed multi-walled Kraft paper. It is not possible with existing records for Defendant to determine what type bag was utilized to ship fiber to GAF.

(b) 100 pounds.

(c) 50-ton railroad cars.

(d) Defendant placed warning notices on the packaging of its asbestos fiber. The warning labels and the dates of use are as follows:

CAUTION

THIS BAG CONTAINS ASBESTOS FIBER.

PERSONS EXPOSED TO THIS MATERIAL SHOULD USE ADEQUATE PROTECTIVE DEVICES AS INHALATION OF THIS MATERIAL OVER LONG PERIODS MAY BE HARMFUL.

(1969-1972)

CAUTION

CONTAINS ASBESTOS FIBER
AVOID CREATING DUST
BREATHING ASBESTOS DUST MAY CAUSE
SERIOUS BODILY HARM

(1972-PRESENT)

---

presently in use is prescribed by the United States Department of Labor, Occupational Safety and Health Administration (OSHA) pursuant to 29 C.F.R. Sec. 1910.1001, such regulation being promulgated by OSHA in 1972. Defendant also places this warning on all bags containing asbestos fiber in five additional languages; i.e., French, Dutch, German, Spanish and Japanese.

Dated this _____ day of May, 1978.

EVANS & DIXON

BY: _____
Attorneys for Defendant,
Johns-Manville Sales Corporation
314 N. Broadway
St. Louis, MO 63102
(314) 621-7755

CERTIFICATE OF SERVICE

Copy to the foregoing mailed this 24th day of May, 1978 to James F. Mullverson, 727 Chestnut St., St. Louis, Mo., attorney for plaintiffs.