FLETCHER HOLDINGS LTD. — JAMES HARDIE & COY. PTY. LTD.

C/- James Hardie & Coy. Pty. Ltd.
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PENROSE, AUCKLAND 5

23th March, 1972

The Chief Safety Engineer,
Department of Labour,
WELLINGTON.

Dear Sir,

We thank you for the opportunity to submit for your consideration recommended Codes of Practice for

1. The handling, working and fixing of

2. Disposal of wastes of

products containing asbestos in the building and construction industry.

When considering these Codes of Practice it is essential to fully appreciate that the types of products and their uses vary dramatically.

We believe it is unreasonable to embrace all products which incorporate asbestos under the loose terms "asbestos products and important to identify the difference between an "asbestos-cement building board" and an "asbestos board".

A clear, concise line of demarcation can be drawn between these two types of products, viz. an "asbestos-cement building board should be recognised as a high density product in which asbestos is used as a reinforcing medium.

An "asbestos board" should be recognised as a low density product in which asbestos is used primarily for purposes other than a reinforcing medium.

The reason for the desirability to differentiate between these products is that as the percentage of asbestos in the asbestos-cement building board is considerably less than in an asbestos board so the risk factor is considerably less.

This reasoning is supported by Dr. Irving J. Selikoff, Director of the Division of Environmental Medicine at Mt. Sinai Hospital, New York City and draw your attention to Labour and Employment Gazette Vol XXII no. 1 February 1972; page 26, which inter alia states Dr. Selikoff says that products in which asbestos has been bonded into the material, such as floor and ceiling tiles, roofing, siding and pipe, are not considered a cause of cancer.

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PLAINTIFF'S EXHIBIT WV-04409

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It is also supported by an advisory leaflet no. 30 "Health Risks in Construction" issued by the Department of the Environment, United Kingdom which states inter alia "asbestos products such as asbestos cement sheets and tiles, and moulded products such as pipes are safe to handle as supplied. When a small amount of hand cutting is done in the open air, or in a well ventilated room, the health risk is very small."

The article then gives precautions to be taken if mechanical means are employed to cut the material. These are very similar to those set out in our recommended Codes of Practice.

We contend that to subject high density asbestos cement building boards to the same conditions as for low density asbestos boards is unwarranted and adds an unnecessarily difficult burden to the duties and responsibilities of supervisors, workers and employers in the building and construction industry.

It is of interest to note that Asbestosis was recognised by the medical profession to be an occupational disease in the 1920s and received statutory recognition in the British Asbestos Regulations of 1933. Interest in the biological effects of asbestos has continued since then unabated, except for the period of World War II, and has been particularly lively over the last 15 years. There have been two international conferences wholly devoted to the subject, in New York in 1964 and in Dresden in 1965 and, apart from these, the scientific papers published on the subject in the last decade run into thousands.

It is thus almost certain that, if any group of workers were suffering from the adverse effects of asbestos exposure as a result of working with asbestos cement building boards in the building and construction industry, the matter would have been documented and reported in the learned journals.

There is no evidence to show that groups of workers in the building and construction industry using high density asbestos cement building boards have been affected.

We have therefore prepared recommended Codes of Practice which we submit for your consideration on the basis that there should be demarcation between asbestos cement building boards and asbestos boards.

Our Companies would welcome any further discussion with Officers of the Department if it is deemed warranted by the Department.

For FLETCHER HOLDINGS LTD. JAMES HARDIE & COY. PTY. LTD.

Chief Safety Officer Managing Director

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Attn.