



INTERNAL CORRESPONDENCE

MINING AND METALS DIVISION

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To (Name) Mr. J. L. Myers
 Division Niagara Falls, NY
 Location

Date April 11, 1973
 Originating Dept. "Calidria" Asbestos
 Answering letter date

Copy to Mr. R. E. Byrne, Jr.
 File

Subject Asbestos-Containing Garments
 for General Use; Classification
 as Banned Hazardous Substances.

As you are aware, we have had from time to time an interest in the use of asbestos in textile and paper coatings. Most recently, this has come from Harwick Chemical in Atlanta who have considerable dealings with the textile and textile machinery industry.

As you are also aware, the following ban appeared in the Federal Register, Volume 37, No. 144 - Wednesday, July 26, 1972:

"(7) general use garments containing asbestos (other than garments having a bona fide application for personal protection against thermal injury and so constructed that the asbestos fibers will not become airborne under reasonably foreseeable conditions of use)."

The FDA refused to go along with the AIA suggested wording which contained the exception, "...or other purpose in which the special properties of asbestos make its use appropriate." They also ignored the UCC suggestion to define "containing asbestos" as unbound fibers. Hysteria has won again.

As I read the regulation, general use garments are prohibited unless they satisfy both criteria of bona fide fire protection and bound-in fiber. It is suggested that we get a verification and/or an interpretation of this from our law department so we can steer clear of problem areas. The remainder of the group should also be informed of the situation.

H. B. Rhodes

HBR:cjb

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