

UNITED SIERRA

BOX 1201

TRENTON, NEW JERSEY 08606

DIVISION CYPRUS MINES CORPORATION

TELEPHONE 609-883-5111 TWX 510-685-9585

September 13, 1972

PLAINTIFF'S EXHIBIT

THAN-602

Gentlemen:

Re: Asbestos-Form Talc

Many of our customers are inquiring as to our talcs. They are interested in knowing if our talcs are true talcs and are not contaminated with tremolite, a form of asbestos. Attached is a form letter outlining our position and how such inquiries should be handled.

There are two separate types of inquiries received; one from the Occupational Safety And Health Administration (OSHA) pertaining to Federal Regulations, Volume 37, No. 110, which became law on July 7, 1972, and which concerns the allowable amounts of asbestos dust in the air of a manufacturing plant. The other inquiry is as a result of the Federal Drug Administration's proposed regulations regarding asbestos-form talc. Attached you will find copies of both the OSHA law and the FDA proposal.

Please be aware that under the proposal of the FDA, there aren't any test methods suggested for determining if talc contains asbestos-form. In addition, it is not stated what asbestos-form is. For example, a lint of pulp fiber from a bag can, if looked at through a microscope, be classified as fibrous in nature in having just one particle present. Under the proposed regulations, the product would be classified as asbestos-form. We have written to the FDA suggesting that they identify asbestos-form mineralogically as the OSHA Regulation does, and also that they suggest a form of identification by X-Ray Diffraction techniques. We also suggested limits be stated: example, 99% fiber-free.

Our form letter states what asbestos is; how we measure and what our experimental limitations are. X-Ray Diffraction techniques can detect tremolite at the 1% level. This is the limitation of the equipment and what we are saying is that our products are at least 99% fiber free. This is not to say that some of our products are not 100% fiber free but we know of no commercial method of determining this accurately and quickly.

Subj. to Stipulation of Confidentiality &
Order, Soule, et al. v. A.P. Green
Refractories, et al., Jackson County, MO,
Case No. #00-CV-207056

LDN:lmn
encls.

Very truly yours,

THAN 010462

UNITED SIERRA DIVISION
Cyprus Mines Corporation

Louis D. Murino
Louis D. Murino
Marketing Manager