

A F F I D A V I T

CITY OF PITTSBURGH
STATE OF PENNSYLVANIA

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BEFORE ME, a Notary Public in and for the State of Pennsylvania personally appeared James E. Bobick, who stated under due oath of law as follows:

I, James E. Bobick, am a librarian for the Carnegie Library in Pittsburgh, Pennsylvania. The Carnegie Library contains original volumes of the publications and proceedings of the Air Hygiene Foundation of America, Inc., the Industrial Hygiene Foundation of America, Inc., and the Industrial Health Foundation, Inc.

Attached hereto are 5 pages which are true and correct copies of the publications and proceedings of AIR HYGIENE FOUNDATION OF AMERICA, INC.

The attached pages are COVER PAGE, REPORT OF PROCEEDINGS OF FEBRUARY 11, 1936, AND REPORT OF THE MANAGING DIRECTOR.

These documents are in such condition as to raise no suspicion concerning their authenticity; these documents are presently in



the archives of the Science and Technology Section of the Carnegie Library, Pittsburgh, Pennsylvania; these documents have been in existence for twenty (20) or more years.

James E. Bobick, Affiant, being first duly sworn, deposes and says:

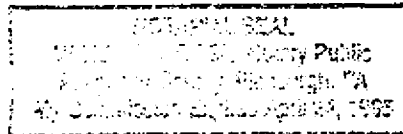
That the foregoing statements are true.

James E. Bobick

SUBSCRIBED AND SWORN TO BEFORE ME on this the 12 day of November, 1992.

William H. Rose
NOTARY PUBLIC

My Commission Expires:



**AIR HYGIENE FOUNDATION OF
AMERICA, Inc.**



9221

ANNUAL MEETING OF MEMBERS

(For the Confidential Information of Members. Not for re-
production, wholly or in part.)

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PITTSBURGH, PENNSYLVANIA

FEBRUARY 11, 1936

CONFIDENTIAL

PROCEEDINGS
OF THE FIRST ANNUAL MEETING
OF
AIR HYGIENE FOUNDATION OF AMERICA, INC.

Pursuant to the Code of Regulations and notice given to each member, the first annual meeting of the members of Air Hygiene Foundation of America, Inc., was held today, February 11, 1936, at Mellon Institute of Industrial Research, Pittsburgh, Pa., where the Foundation is operating a multiple Fellowship for the broad scientific investigation of the technologic, economic, and hygienic aspects of industrial dust problems.

Following the calling of the roll, and a short address of welcome by Dr. E. R. Weidlein, Director of Mellon Institute of Industrial Research, the minutes of the membership meeting of December 16, 1935, were read and approved.

The Chairman, the Secretary, and the Treasurer of the Board of Trustees made brief reports.

Reports were received from the Managing Director, from the Legal committee, from the committee on Preventive Engineering, and from the Medical committee. Copies of these reports are attached as supplements.

By agreement, discussion of committee reports was deferred until the afternoon session.

The Managing Director stated that Dr. Hamor, Assistant Director of Mellon Institute, recently talked with Dr. Colwell, President of the Pennsylvania State Medical Society. Dr. Colwell assured Dr. Hamor that the Society would cooperate with Air Hygiene Foundation to the fullest extent in giving factual information and proper advice to legislators and others who are or should be interested in the formulation and passage of fair laws. An ideal cooperative combination in the interest of employers and employees alike would seem to be the Air Hygiene Foundation, the U. S. Public Health Service, the U. S. Bureau of Mines, and the State Medical Societies.

Meeting adjourned at 12:30 P. M., for lunch at the University Club.

Meeting reconvened at 2:00 P. M.

With regard to the election of Trustees for the ensuing year, the following motion was made, seconded, and unanimously carried:

SUPPLEMENT I

REPORT OF THE MANAGING DIRECTOR

The primary thought in the minds of those technologists who organized AIR HYGIENE FOUNDATION was to better dust conditions in the industries. This improvement, they realized, could be made effectively only through cooperative effort, scientific and technical.

The first steps necessary were conceded to be to collect, to classify and to evaluate all available information concerning industrial dust hazards; to learn what research agencies are at work on various phases of the problem and, in general, what they are developing toward closer determinations of the concentrations of dusts that are harmful; to ascertain what preventive or control measures, medical and engineering, are proving or are likely to be satisfactory; and to study the present status of legislation in the various states. In brief, the general aim was to prepare a report on the situation with regard to pneumoconiosis, particularly silicosis, as of the present, with recommendations as to additional research that should be conducted and by whom, the character of direct aid that the Foundation might be able to offer to member organizations, and the important public relations work that should be carried on so as to give everyone concerned an undistorted picture of the subject.

It was thought that the necessary collection and correlation of facts would require six months to a year, and that, at the end of that period, a comprehensive program, designed to satisfy the needs of the industries for authoritative information and guidance, could be initiated.

The Foundation was incorporated under the laws of the State of Ohio, and on December 2, 1935, a Fellowship was established at Mellon Institute of Industrial Research to carry out this plan. A formal announcement of the establishment of this Fellowship was prepared by Mellon Institute and sent to all interested scientific and trade magazines, press bureaus and local newspapers. Cuttings from these periodicals and from newspapers are coming in daily, showing a wide-spread concern in the topic. Two other stories, released by the Institute, have been given broad newspaper publication in Pennsylvania and several other states. A pamphlet explaining the purposes of the Found-

RESOLVED, that the present members (7) of the Board of Trustees be re-elected for the ensuing term, and that these Trustees be instructed to add to their membership representatives of appropriate government and other agencies as soon as to them seems advisable.

On motion, duly seconded and unanimously carried, Article V, Section 4, of the Code of Regulations, was eliminated. This section had to do with the functions and duties of the committee on Legal Statistics, and by this action the committee on Legal Statistics becomes non-existent.

On motion, duly seconded and unanimously carried, the title of the Legal and Legislative committee was changed to the Legal committee, by the deletion of the words "and Legislative."

There followed an interesting discussion of the committee reports that had been presented at the morning session, and a general discussion of the activities of the Foundation.

After an expression of appreciation to Mellon Institute, the meeting adjourned at 4:00 P. M.

H. A. MIDDLETON,

Acting Secretary

dation will be ready for distribution in a few days. Scientists, physicians, engineers and other specialists engaged in studies of various phases of the silicosis problem have offered cooperation. In this group are such authorities as those who have agreed to head various committees.

A confidential list of members of the Foundation and of members of contributing trade associations is being compiled, so that the interests of each member may be determined and the Foundation will be in position to be of maximum benefit.

For the work that the Fellowship is expected to do during this initial period, a suite was set aside in the Institute's new building. A physical laboratory and a chemical laboratory have been equipped and are ready for such dust and other work as may be necessary in carrying on in accordance with the present plan. The physical laboratory equipment includes a microprojector for dust counting, similar to the one in use at the Pittsburgh station of the U. S. Bureau of Mines, and various types of sampling equipment.

An exhaustive bibliography on pneumoconiosis and dust control is being prepared. All obtainable reprints of articles written within the past few years will be included in the library, and all reprints and abstracts will be cross-indexed as to subjects, authors, and periodicals.

Chairmen have been appointed for four committees (medical, Dr. A. J. Lanza; preventive engineering, Prof. Philip Drinker; legal, Mr. A. C. Hirth, and membership, Mr. H. T. Herr, Jr.). Progress reports have been requested of the chairmen for this meeting.

Because of recent misleading publicity about silicosis and the appointment of a Congressional committee to hold public hearings, the attention of much of the entire country has been focused on silicosis. It is more than probable that this publicity will result in a flood of claims, whether justified or unjustified, and will tend toward improperly considered proposals for legislation. Modification of the general program for this first year has therefore seemed well-indicated; and while the fact finding and evaluation of data will go on as planned, though at a slower rate, committees have been requested to speed up as much as possible and to present accounts of their activities for information and discussion at this meeting. The Foundation is very fortunate indeed to secure, as chairmen of its most important committees, the services of the outstanding men who will make these reports.

Without in any way anticipating what these gentlemen will say, the managing director believes these reports will show that the primary object of the Foundation should be to improve to practical limits the dust conditions in the industries, and that the successful carrying out of the basic program will benefit labor and science equally with the industries.

It is desirable to emphasize the fact that, to be of maximum benefit, the membership should include all who have an interest in industrial dusts, their effects and control. While much of the material gathered, through research or otherwise, will be published for the use of industry in general, the primary distribution of a large part thereof will be confined to members, as is proper.

Many research problems confront us and new problems will arise, and their solution will require time and money. In each case the best qualified agency, institution or individual will be selected to do the work.

It is proposed that wide publicity shall be given in a proper and systematic manner to the pneumoconiosis problem, through articles and items contributed to technical and popular magazines, trade journals and newspapers, and through talks to interested groups at conventions and elsewhere, and also by radio. To that end, there has been added to the staff of the managing director a well qualified public and industrial relations man.

For such reasons, therefore, many more members are needed. Hence an intensive campaign will be started at once to interest the industries and others concerned in the work of the Foundation, which in itself undoubtedly will bring many of them into membership. The managing director wishes to request, for himself and any members of his staff who may call upon you, whatever cooperation you can give that will advance the interests of the Foundation, which means the interests of your industrial field and yourself.

The members may care to meet these staff members, who are as follows:

Dr. Frank F. Rupert, assistant secretary of the Foundation and Industrial Fellow at Mellon Institute. At present Dr. Rupert is supervising the compilation of technical data and the classification of member interests. He is also in direct charge of the laboratories.

Mr. John F. McMahon, who will come to us in another week as

executive assistant. His work, under the guidance of Dr. Hamor of Mellon Institute, will be what is commonly called publicity, and he also will be directly responsible for conducting the details of the campaign for members.

Mrs. E. C. Diamond is the managing director's secretary.

In conclusion the managing director wishes to express his sincere appreciation of the helpful advice and assistance of Director Weidlein and Assistant Director Hamor of Mellon Institute, who have given many hours of their time to discussion of the Foundation's problems and have made it possible to accelerate the work during this crucial period.

Respectfully submitted,

H. B. MELLER,
Managing Director

SUPP:

REPORT OF L

The immediate concern of mine the measure of liability respect to claims for damages alleged to have arisen out of and to furnish the members sary to enable them to put th already the case.

Your liability, if any, to res will be determined either by t ing filed against you, or by claims being filed under State men's Compensation Acts.

Any liability arising in the on negligence, which may ari conduct your operation in acc statutes designed to protect the absence of such statutes, or in statutes, your failure to exerci tection of your employees' hea

If you have failed to observe failure is the cause of the ph the Court will instruct the jur negligence as a matter of law, ar tion the sole question of whethe if so, to what extent. A year : such a situation in considerabl you with a repetition thereof a: that the danger still exists.

The question of whether or ne able care" is one for the determ not be reduced to any exact for if you follow the counsels of Pro you will have exercised "reasonab selves from liability on that cour

Liability under Occupational I pensation Acts, is not based on steps may be taken to bring yours such acts in those States where t