TESTIMONY OF

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AT THE PUBLIC HEARING ON

PROPOSED OCCUPATIONAL HEALTH STANDARDS FOR ASBESTOS

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

U. S. DEPARTMENT OF LABOR

WASHINGTON, D. C.

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My name is Fred L. Pundsack, and I am Vice President for Research and Development for the Johns-Manville Corporation. I have a Ph.D. in Chemistry, and I have been involved with research and development work on asbestos for almost 20 years.

The purpose of my statement is to discuss the several warning label requirements for asbestos and asbestos-containing products which are specified in the various permanent standards for asbestos which have been proposed for consideration by the Occupational Safety and Health Administration.

These hearings have established clearly that the final rule that is promulgated with respect to a permanent occupational standard for asbestos extends far beyond the direct effect on the asbestos industry and the people who work in it.

The Occupational Safety and Health Act places in the hands of government and the administrators of government tremendous opportunities to bring about

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ACL Doc 11396 · Page 1 of 6 asbestosclaims.law/library/11396/1

significant social and business changes. But it also places a great responsibility on the shoulders of government administrators to be certain that the changes they bring about are good changes. Perhaps nowhere else in the asbestos standards being considered today is the opportunity to bring about bad changes so clearly evident as it is in some of the proposed label requirements. If these label requirements are adopted in their proposed forms, they will, in our opinion, destroy large segments of the industry and eliminate thousands of jobs. And they will do this without any significant evidence that the proposed types of labels are necessary.

I would like to spend the rest of my testimony pointing out why the proposed labels are unnecessarily destructive to the industry, and to offer a constructive alternative which will accomplish the objectives of protecting the health of the worker and maintaining the useful products and the viability of the asbestos industry.

The purpose of a warning label is to alert the user, in this case the worker, to hazards that may be associated with the handling of the product. In addition, the label should, when it is applicable, indicate the precautionary steps the worker must take to protect himself. The label must accomplish these objectives with simple, easily understood language. In short, the label must alert and instruct, but it need not use frightening and terrifying language to accomplish these ends.

Much of our philosophy of labeling in this country originates with toxic and poisonous chemicals or drugs which may be ingested, or which may be absorbed through the skin, or from which the vapors or fumes may be inhaled. In many cases, these chemicals and drugs are acutely toxic, even in relatively low

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ACL Doc 11396 · Page 2 of 6 asbestosclaims.law/library/11396/2

concentrations, and they act rapidly --- often in a matter of minutes or hours. In addition, the chemicals sometimes pose additional hazards because they may have very low flash points and they may be highly flammable or explosive or corrosive.

Asbestos, an inorganic substance which has no vapor pressure, is not explosive, does not burn, and is not absorbed through the skin, does not fit very well into the numerical hazard rating system for these types of properties. Nevertheless, the NIOSH recommendations for an occupational exposure standard for asbestos in "Section 3 - Labeling" of their document recommend a warning label for asbestos which uses the toxicity standards developed in 1954 and reported at that time in an article titled "Safe Handling Procedures for Compounds Developed by the Petro Chemical Industry".

We believe the application of this type of labeling to asbestos is inappropriate. Instead, we recommend that a Caution or Warning label with the following type of text be used on bags or containers of asbestos fiber:

CAUTION

This bag contains chrysotile asbestos fiber.
Inhalation of asbestos in excessive quantities
over long periods of time may be harmful.
If proper dust control cannot be provided,
respirators approved by the U. S. Bureau
of Mines for protection against pneumoconiosis-
producing dusts should be worn.

I would like to direct your attention now to the Advisory Committee recommendations. The Advisory Committee recommendations on Asbestos Dust Standards go far beyond the labeling recommendations made by NIOSH. The Advisory Committee in "Section (f) - Warning label and sign" Part (1) propos that a warning label be affixed to all raw products, mixtures and finished products containing 5 percent or more by weight of asbestos. The legend proposed for the labels utilizes the terminology "May Cause Asbestosis and Cancer" in large bold type. On the other hand, the label does not really indicate the precautions the worker should take to protect himself.

We believe this proposed label on asbestos-containing products is unnecessarily frightening and alarming, and it would have a very severe and undeserved economic impact on the industry. The proposal to label all asbestos-containing products also ignores the point that in the majority of asbestos-containing products, the asbestos is firmly locked-in-place with cement, resins, or plastics, and in normal handling, application and use no significant amounts of asbestos dust are generated.

For example, in asbestos-cement pipe, which may contain 10 percent to 15 percent asbestos, the asbestos fibers are firmly bound in place with portland cement. Asbestos-cement pipe has been in use in this country for 40 years, and we know of not one single case of asbestos-related disease associated with the installation or use of asbestos-cement pipe. Yet the Advisory Committee recommendation would require that this product carry a label that it "may cause cancer".

I do not believe that it takes very much imagination to envision what will quickly happen to the asbestos-cement pipe industry if this labeling require-

ment is adopted. The industry will simply cease to exist, and I believe it will cease to exist within 2 to 4 years after the adoption of the labeling requirement I have just discussed. It will cease to exist because the unjustified term "cancer" in the label will frighten and terrify people.

If the asbestos-cement pipe industry should fail, it will mean the closing of more than a dozen manufactureng plants in this country, and it will put thousands of people out of work. In a number of cases, these job losses will occur in communities in which the asbestos-cement pipe plant is one of the largest employers in the community. If asbestos-cement pipe were really hazardous, then I suppose we would have to accept the closing of these plants and the loss of all these jobs as the penalty we must pay for progress in occupational health. But asbestos-cement pipe is not hazardous, so the application of a label to it, as recommended by the Advisory Committee, is analagous to sentencing to death an innocent victim.

I have cited as an example of the labeling problem only asbestos-cement pipe. The same general arguments, however, would apply to products such as asbestos-cement shingles, flat and corrugated asbestos-cement sheets, vinyl-asbestos floor tile, asphalt-saturated roofing felts, etc. We believe, therefore, that in products in which the asbestos is locked-in-place with a firm binder such as portland cement, resins, or plastics, no label is required or should be required. Instruction in good work practices in the handling and application of these materials will provide excellent protection to the workers installing the materials. We strongly urge, therefore, that labeling of locked-in asbestos-containing products not be required.

On the other hand, we support proper caution labels on products in which the

asbestos is not firmly locked-in-place by cementing binders, and in which the worker who handles and applies the material may generate significant quantities of asbestos-containing dust. Examples of such products would be friable low-density pipe and block insulations and insulating cements. For these kinds of products, we recommend this type of label:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER.
INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES
OVER LONG PERIODS OF TIME MAY BE HARMFUL.
DUST MAY BE CREATED WHEN THIS PRODUCT IS HANDLED.
IF PROPER DUST CONTROL CANNOT BE PROVIDED,
RESPIRATORS APPROVED BY THE U. S. BUREAU OF
MINES FOR PROTECTION AGAINST PNEUMOCONIOSIS-
PRODUCING DUSTS SHOULD BE WORN.

We believe this label fulfills the requirements of a good label. It alerts and instructs, but it does not terrify.

I would like to make one last point with regard to labeling. If labeling is required for asbestos-containing products manufactured and sold in the United States, then provision should be made to see that similar products produced abroad and imported into the U. S. bear the same labels. Otherwise, the imports will enjoy an unfair competitive advantage. So far as I am aware, OSHA does not have the authority to regulate these imports.

Thank you for the opportunity to testify at this hearing.

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