General Headquarters, Box 91
April 3, 1952

NOTED

W. H. Souter, Asbestos Mine

Sections 3 and 4 of the Health and Safety Act of the State of Illinois (Ill. Rev.Stat. Chapter 48, Sections 137.1-137.21) provide in part as follows:

"It shall be the duty of every employer under this Act to provide reasonable protection to the lives, health and safety of all persons employed by such employer. The industrial commission shall, from time to time, make, promulgate and publish such reasonable rules as will effectuate such purposes."

"To effectuate the purposes stated in Section 3, the Industrial Commission shall make such rules only for:

* * *

(c) The prevention of personal injuries and diseases by contact with any poisonous or deleterious materials, dust, vapors, gases or fumes."

Pursuant to and in accordance with this statutory authority, the Industrial Commission of Illinois has issued "Rules and Regulations Relating to Labeling in the Use, Handling and Storage of Substances Harmful to the Health and Safety of Employees". A copy of Part "J" of said regulations is enclosed herewith.

It is our opinion that under Rule 2, subsection (f) the definition of dust includes asbestos fibre; that Section II, Rule 1 requires the labeling of such fibre and, as you will see, Sections III and IV determine how the fibres shall be labeled.

Arthur L. Fisk, Jr.

ALF:S
Enc.