General Headquarters, Box 91
May 2, 1952

J. C. Kelleher, A.F.D., Montreal

Rules and Regulations Relating to Labeling
in the Use, Handling and Storage of Substances
Harmful to the Health and Safety of Employees
April 23, 1952

Answering the question contained in your letter, presumably as the State of Illinois does not have jurisdiction over Canadian Johns-Manville, it could not require us to label our bags. On the other hand, it could require our customers to label the bags.

The word "Asbestos" is not particularly referred to in the regulation but the following, in the opinion of the Legal Department, covers asbestos:

> "Dust. Solid particles generated by handling, crushing, grinding, rapid impact, detonation and decrepitation of organic or inorganic materials such as rock, ore, metal, coal, wood, grain, etc. A dust does not tend to flocculate except under electrostatic forces; it does not diffuse in air but settles under the influences of gravity."

Penalty for failure to comply is a fine of not less than $25 and not more than $100 for the first failure and a fine of not less than $50 and not more than $200 for each subsequent failure.

At the present time I do not know of any state having a similar statute, but most probably similar statutes will be adopted by other states.

In our opinion it is compulsory that the bags of asbestos fibre handled or stored in Illinois be labeled in the manner described in my letter of March 6, 1952. If we do not do it, our Illinois customers will have to do it.

ALF:S

Arthur L. Fisk, Jr.