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DS

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PLAINTIFF'S EXHIBIT
UC-3641

January 28, 1975

Mr. J. L. Myers
Marketing Manager
Union Carbide Corporation
Mining & Metals Division
P.O. Box 579
Niagara Falls, N. Y. 14302

FU
#1/1/75

Subject: New Health Regulations on Asbestos Products

Dear Mr. Myers:

As briefly reported in our January 23 telex, the Ministry of Labor has revised a part of the existing labor sanitation law, imposing tighter controls over handling of asbestos. Summarized below are new rules already published or being planned:

(1) Each establishment should provide health examination once in six months to employees involved in the handling of asbestos. This applies to workers who in the past handled asbestos as far as they remain in the same establishment. (Already promulgated.) In the past the health exam was required only once in one or two years.

(2) A foreman should be assigned to a job involving asbestos or materials containing asbestos.

(3) Asbestos should have an indication of harmful material in transportation and delivery.

(4) Cutting, grinding or otherwise processing of materials containing asbestos should be performed in wet methods.

(5) A work site involving handling of asbestos should have a sign to that effect.

(6) Personnel entering a work place where asbestos is handled should be recorded.

UCC 008538

Rules (2) through (6) above are yet to be promulgated, but the Central Labor Standards Council of the Labor Ministry already studied them and has decided their enactment in March at latest. Some details of these rules left for further examination are listed below:

a. The ratio of asbestos content of materials to come under the rules (2) and (4): The Labor Ministry's plan is above 5%.

b. The time for implementation and preparatory period for rules (2) through (6): The Labor Ministry proposes effective date of April 1st for all, with two years preparation period for rules (2), (4), (5) and (6). But for rule (3), preparation period will be six months (until September 30th) for the existing stock in Japan, but none for new imports.

c. Warning message to be indicated per rule (3): The Labor Ministry plan is "Cancer-causing Material".

The MITI officials and asbestos importers met on January 23 to discuss the details of rule (3), the contents of which are outlined below:

I. A certain preparatory period should be given to each asbestos mine for implementing this program. Asbestos importers would check with respective mine on how soon they could comply with and make replies to the Labor Ministry through MITI. (This is the reason for our hurried telex inquiry last week.) In this respect, UCC is already supplying bags with English warning message, which, however, does not work for ordinary Japanese workers. To do it in Japan (maybe by labeling) is not feasible either in view of the additional cost and probable difficulty upon customs clearances.

II. Importers were against the term "Cancer-causing Material" on the ground that no medical proof is given to this effect and it would unnecessarily mislead general consumers. MITI then proposed a counterplan of putting a warning message such as "Be careful not raise or inhale dust".

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III. Mines will be requested to promote palletization and containerization of asbestos to minimize dusting in its delivery.

IV. A meeting will be held by MITI and the Labor Ministry on January 28th.

Thus we are faced with extremely difficult situation; we fear the reaction of existing asbestos users, especially when there are non-asbestos competitive materials such as Aerosil against RG-244 and Mistron Vapor etc. for paper makers using our products. Furthermore, in the event materials of more than 5% asbestos content have come under the control, users of Phenol (HPO) and RG-600 as well as PVC tile makers would be placed in an extremely difficult position.

We will keep you informed of the future progress of this matter.

Yours very truly,

TOMOE ENGINEERING CO., LTD.

M. Kanno

M. Kanno, Manager, Group II
Union Carbide Products Dept.

S.Sumioka/yi

cc: Mr. F. S. Wada

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