REPORT OF CALL

CC for
J. E. Walsh
R. E. Byrne
W. C. Thurber
NF-File
KC-File ✓

UNION CARBIDE CORPORATION
P.O. Box 579 Niagara Falls, N.Y. 14302

RECEIVED
MAY 16 1973
UCC - CALIFORNIA
KING CITY, CA.

By T. P. Norris

Date 5-8-73

Full Name	United States Gypsum Co.	Interviewed
Address	1000 East Northwest Hwy. Des Plaines, Ill	Dr. Earl Maynard, Research
Mfrs. of	tape joint products	

OBJECTIVE

Respond to report that USG was removing T-135 from their Textured Products.

DISCUSSION

Earl Maynard replied that the report was accurate and that wherever individual plants supplied asbestos contained products into areas prohibiting its use or restricting its sales, that these plants would now begin supplying an asbestos free product. Specifically this refers to the State of New York, which has an asbestos ban, North Eastern states, where some unions refuse to work with asbestos contained products and the West Coast, where some specifications let by the government specify asbestos free products.

To maintain our business in these areas we should seek a clarification of the New York law and investigate the alleged ban re: Gov't, Specs. from the West Coast.

PLAINTIFF'S EXHIBIT
UC-4510

X419108

UC 149-3

INTERNAL CORRESPONDENCE

MINING AND METALS DIVISION

P. O. BOX 579, NIAGARA FALLS, NEW YORK 14302

To (Name) Mr. J. L. Myers
Division
Location Niagara Falls, NY

Date April 11, 1973

Originating Dept. "Calidria" Asbestos

Answering letter date

Copy to Mr. R. E. Byrne, Jr.
File

Subject Asbestos-Containing Garments for General Use; Classification as Banned Hazardous Substances.

As you are aware, we have had from time to time an interest in the use of asbestos in textile and paper coatings. Most recently, this has come from Harwick Chemical in Atlanta who have considerable dealings with the textile and textile machinery industry.

As you are also aware, the following ban appeared in the Federal Register, Volume 37, No. 144 - Wednesday, July 26, 1972:

> "(7) general use garments containing asbestos (other than garments having a bona fide application for personal protection against thermal injury and so constructed that the asbestos fibers will not become airborne under reasonably foreseeable conditions of use)."

The FDA refused to go along with the AIA suggested wording which contained the exception, "...or other purpose in which the special properties of asbestos make its use appropriate." They also ignored the UCC suggestion to define "containing asbestos" as unbound fibers. Hysteria has won again.

As I read the regulation, general use garments are prohibited unless they satisfy both criteria of bona fide fire protection and bound-in fiber. It is suggested that we get a verification and/or an interpretation of this from our law department so we can steer clear of problem areas. The remainder of the group should also be informed of the situation.

H. B. Rhodes

HBR:cjb

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