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CERTIFICATE

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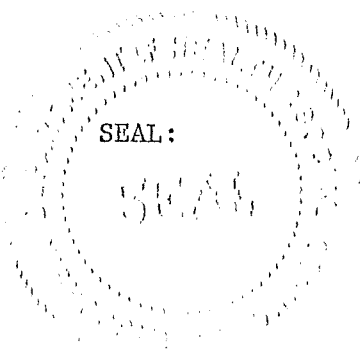
STATE OF WISCONSIN)
) SS
DEPARTMENT OF HEALTH AND SOCIAL SERVICES)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Donald E. Percy, Secretary of the Department of Health and Social Services and custodian of the official records of said department, do hereby certify that the annexed repeal of rules relating to hatters' mercurial carotting solutions was duly approved and adopted by this department on July 6, 1982.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 6th day of July, A.D. 1982.



Donald E. Percy, Secretary
Department of Health and Social Services

9-1-82

PROPOSED ORDER OF THE
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
REPEALING RULES

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To repeal H 102, relating to use of mercurial carrot in the preparation of hatters' fur and to use of fur treated with mercurial carrot in the manufacture of hats.

Analysis Prepared by the Department of Health and Social Services

Among common metals presenting an occupational health hazard, mercury is second in importance only to lead. Chapter H 102, Wis. Adm. Code, prohibits the use of mercurial carrot (a solution of mercury or its compounds in combination with nitric acid) in the preparation of fur for use in the manufacture of hats, and prohibits also the use of fur treated with mercurial carrot in the manufacture of hats.

Chapter H 102 was promulgated several years ago, probably in the 1930s or early 1940s, by the State Board of Health under the general authority of s. 140.05(1) and (3), Stats. The Department of Health and Social Services inherited the chapter in 1968 when the Board and two other state agencies were transferred into the newly established Department.

These rules are being repealed because it is no longer necessary that the Department of Health and Social Services prohibit by rule the use of mercurial carrot in the manufacture of felt hats. There are two reasons for this, besides the fact that the felt hat industry has practically disappeared:

(1) Safe and less costly alternatives to mercurial carrot were developed for the felt hat industry in the 1930s, and these replaced mercurial carrot in the 1940s. According to the National Institute for Occupational Safety and Health (NIOSH):

The fur and felt hat industries were formerly the primary source of occupational mercury poisoning, and studies of the working conditions in these industries revealed a high incidence of mercury intoxication.

The last major studies in these fur-felt industries were by Neal et al in 1937 and 1941 [for the U.S. Public Health Service]. Shortly after they were published, a substitute for mercuric nitrate used in carroting the fur was introduced in the felt industry, thus eliminating exposures to mercury. (NIOSH, Occupational Exposure to Inorganic Mercury: Criteria for a Recommended Standard, 1973, p. 17.)

(2) Use of mercury and other toxic substances in the workplace is now covered by standards of the Federal Occupational Safety and Health Administration (OSHA). OSHA does not prohibit the industrial use of mercury but rather has set a limit on exposure to mercury vapor. Mercury is one of 380 air contaminants for which OSHA has established exposure limits. (See 29 CFR 1910.1000, Table Z-2.) OSHA requires that engineering controls, such as ventilation, be in place to keep exposure to mercury vapor beneath the limit. In the absence of a State of Wisconsin OSHA plan, enforcement of OSHA standards is by Federal inspectors.

Mercurial carrot is one of many substances that have been proven hazardous to the health of workers. Repeal of Chapter 102 should not be construed to mean that in the Department's judgment this is not the case or no longer the case.

Pursuant to authority vested in the Department of Health and Social Services by ss. 140.05(1) and (3), Stats., the Department proposes to repeal rules interpreting s. 140.05(1), Stats., as follows:

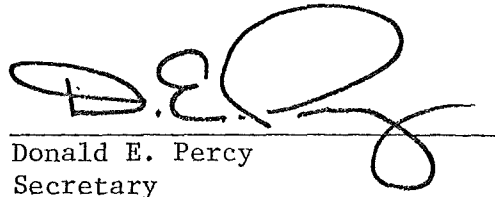
SECTION 1. Chapter H 102 of the Wisconsin Administrative Code is repealed.

Rules repealed by this order are repealed effective the first day of the month following publication of notice of repeal in the Wisconsin Administrative Register, as provided in s. 227.026(1), Stats.

Department of Health and
Social Services

Dated: July 6, 1982

By:


Donald E. Percy
Secretary

SEAL:

