

Mr. SISK. Well, as far as you know has there been any discrimination on the part of the inspection service or the enforcement agency enforcing the requirement for guards?

Mr. OLMEN. No. There is somehow or other—there is discrimination—this discrimination deal crept into our court case, which is unfair to both myself and the Government. I have never claimed discrimination, that they were picking on me particularly because I felt that the rule that would apply to me certainly would apply to the rest.

What we are fighting, however, is the fact the improvement they are making actually is creating a hazard. It is pretty hard to reason that when every expert in the trade, and I say when every expert we had twelve and the Government offered none in our particular court suit, every expert said that it creates greater hazards than the present situation. I think this should temper the thinking of the Board or temper the thinking of the Director of Safety. He alone. But, he alone should not be the judge.

Now, it has been fortunate really that they have enforced this thing to the other places in town. When I first—when it was brought to my attention there were several smaller printers that had already been told to put these guards on. This created another problem. The first man he went to it cost him \$150 to have samples made and finally made a guard that was not satisfactory and finally made a second guard. As a matter of fact, we have a letter from the manufacturer which says in 75,000 machines and seventy-five years they have never had a report of an accident nor have found any need for the guard.

As part of the regulations I quote here, and this is another thing which is scribbled, is that they use the American Standard's Association booklet as their guide. And I do not even know whether it was made a part of the Act. But, whether or not it was it would not really change it. But they have a section in here which they either forgot to read, or did not appear to read that says equipment sold prior to the date of this book need not, however, be modified to conform to its rules unless a supervised authority deem that sufficient hazard exists to warrant such action or definite provision is made in an Act in the law. Now, they do bring up a question that if the machine is in practice and in some cases they have mentioned in other booklets about a ten year grandfather clause I presume. I think this is based, at least it seems reasonable to assume that it is based on, if the experience over a ten year period had produced no accidents this is not positive proof that it is entirely safe, but it certainly is a pretty dominating factor. In our particular case we have used these machines for seventeen years and no one has ever been scratched. It certainly indicates that there certainly is a less hazardous condition here than would reasonably be assumed.

Mr. SISK. Well, I understand that. The point I am making is based on information that has been furnished to the committee which would indicate—for example, you mentioned the Washington Star, the Washington Post, the Evening News or the Washington Daily News, now they do have a lot of machines yet they are all guarded and as I understand it most of the machines or a large percentage of the machines do have these guards on. Now, your case seems to be, let us say one of the few or maybe the only one, at least that we have a record of, in which there has been a difference of opinion on the guards and I nat-