

1937

38331

CO 533/486
KENYA

38331

East African Explosives Ltd
Export of "Klorex" & "Perklorex" to Kenya.

Previous

Subsequent

297	3/9
in Flood	
297	2/10
R. 80	4/2
R. 297	

1. *Letter of introduction brought by Mr. Golding from Mr. Corbett-Ward. 21/8/37*
Mr. T.J. Golding, London address: C/o J. Birch

and Company, 2, London Wall Buildings, E.C.2., who is Managing Director of a company called Rhodesian Explosives which manufactures in Rhodesia explosives of a certain type, called with an introduction from Mr. Corbett-Ward of the T. and I.O., to whom he had been recommended by Mr. Lanigan O'Keefe.

His sorrow was this: he has just started a firm called East African Explosives, Limited, registered in Kenya for the manufacture of his explosives at Kisumu. In accordance with the Explosives Regulations, which can be found on pages 1465-1481 of the Kenya legislation, they have to get a licence for the manufacture of explosives. It appears that the explosives which they want to manufacture would probably come under the definition of blasting powder which is governed by Part IV of the Kenya Regulations. The explosives which the Company manufacture are of the chlorate type and are known as "Klorex" and "Perklorex". Apparently the people in Kenya contend that, if there is any steel used in the buildings, manufacture of explosives cannot be allowed. Mr. Golding points out that this does not apply to his type of explosive which is well-known and which is manufactured, among other places, at Faversham where steel is in plentiful use, not merely in the construction of the buildings but in the machinery for dealing with the compound.

Accordingly, after Mr. Golding had left Rhodesia for Europe, the local representative wrote frantically to Rhodesia, asking them to get a certificate to the effect that the Rhodesian plant, which will be identical with the proposed Kenya plant, contains iron and steel and is not dangerous (see letter

(13 August)

letter of 13th August). The Rhodesia Company replied to Kenya that the Inspector of Mines thought that he would be prepared to give a certificate as required but wanted the authority of the head of his Department, who, like Solomon, decided that since there were no regulations dealing with the manufacture of Klorex in Southern Rhodesia, he could not properly give any certificate. (see letter of 17th August). This appears to be the height of idioity because all that is required is a statement that iron and steel machinery is used in the Rhodesian factory and that there has been no evil results; and it seems to me that that is a pure question of fact which could be settled without referring to any regulations.

(19 August)

Now, the Kenya people have written to Mr. Golding, saying that the Government are writing to the Home Office for information. There is nothing in the mail and we know nothing about it beyond what Mr. Golding has told me and the correspondence which he has left with me, which seems clear enough. I have spoken to the Home Office Explosives Department, on the telephone, and Mr. Golding has gone across to interview Captain Pawcett. The only way in which we can help would be if the Home Office Explosives Department was prepared to state that no danger from iron or steel machinery arises in the manufacture of Klorex or Perklorex. They know about these explosives which have been manufactured in this country. Draft herewith.

2 Correspondence brought by Mr Golding 3
dated 13th 17th & 19th August

3 To Home Office (Explosives Branch) cons 318-57

4 To Kenya tel 169. — 19-57

DESTROYED UNDER SECTION 23

5 Home Office (D. Watts)
Confirms tel. conversation with Mr Flood
regarding the manufacture of Klorex &
Perklorex at the factory at Harare.

6 To H. Watts. (5 amsd). S.O. — 16.9.57

7 To Kenya 775. (7/6. amsd. in 2, 4/10/56) — 18.9.57

Not

C. O.

Mr. Flood.
Mr.
Mr.
Sir H. Moore.
Sir G. Tomlinson.
Sir C. Bottomley.
Sir J. Shuckburgh.
Perm. U.S. of S.
Parly. U.S. of S.
Secretary of State.

6. 9. 37. *CS*

38331/37. Kenya.

Downing Street.

18 September, 1937.

Sir,

I have the honour to confirm

my telegram No. 169 of the 1st of

September, reading as follows:-

Understand from Golding Director of East African Explosives Company that difficulty has arisen in regard to licensing factory in Kenya for production of explosives known as "Klorex" and "Perklorex" owing to doubt whether steel or iron may be allowed in building. Have consulted Explosives Department and am informed that no objection is taken to use of iron and steel machinery in similar factories which operate in this country.

and to explain the circumstances in which it came to be despatched.

2. On the 31st of August Mr. T. J.

Golding, who stated that he was the Managing Director of Rhodesian Explosives Limited, a Company operating in Southern Rhodesia, and also a Director of a Company called East

African

DRAFT.

KENYA
NO. 775.
GOVERNOR.

and sent in 2.

Not to be used

N° 3

N° 5

2 drafts.

FURTHER ACTION.

African Explosives Limited, which he said had been incorporated in Kenya with a view to engaging in the manufacture of a certain type of explosives known as "Klorex" and "Perklorex" at a factory to be erected at Kisumu, called at the Colonial Office and produced certain correspondence of which I enclose copies. The first letter is one addressed by Mr. Gheri to Rhodesian Explosives Limited stating that the authorities in Kenya took exception to the use of iron or steel machinery in the buildings where the explosives were to be manufactured, and asking for a certificate from a responsible authority in Rhodesia to the effect that iron and steel machinery was permissible. From the second letter it appeared that no authority in Southern Rhodesia was willing to issue a certificate, apparently because the manufacture was not subject to regulations, and the third letter suggested that

information

in the manufacture of explosives of this particular type

not because of any doubt as to the facts but

C. O.

Mr.
Mr.
Mr.
Sir H. Moore.
Sir G. Tomkinson.
Sir C. Bottomley.
Sir J. Shuckburgh.
Perm. U.S. of S.
Privy. U.S. of S.
Secretary of State.

DRAFT.

FURTHER ACTION.

information might be obtained from responsible authorities in this country. On the receipt of this information from Mr. Golding I caused the Explosives Branch of the Home Office to be consulted, and I enclose for your information a copy of a letter addressed to them by my direction, and of a semi-official reply which was returned in confirmation of telephone communication on the 1st of September. On receipt of the telephoned information my telegram was sent. I trust that the information conveyed in the telegram and that contained in the enclosures to this despatch will prove sufficient for the purpose of the Government of Kenya.

I have, etc.

(Signed) W. ORMSBY GORE.

C. O.

Mr. Flood.

Mr.

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir G. Bottomley.

Sir J. Shackburgh.

Parly. U.S. of S.

Parly. U.S. of S.

Secretary of State.

38331/37.

Kenya

6-9-37. *js*

Semi-official for Mr. Flood's signature.

Downing Street.

16 September, 1937.

9/12

DRAFT.

H.E. WATTS, ESQ., M.B.E., Ph.D.,
F.I.C.,

(EXPLOSIVES DEPARTMENT,
HOME OFFICE.)

Dear Dr. Watts,

Thank you very much indeed

for your letter of the 1st of
September which makes the situation
quite clear as regards the manufacture
of "Klorex" and "Perklorex". It
was very good of you to reply as
promptly as you have done and
Mr. Golding is absolutely lost in
admiration at the speed and efficiency
with which ~~we~~^{you} have handled this
affair.

2 drafts.

FURTHER ACTION.

I can quite understand the
poor wights in Kenya not knowing where
they were. They have had explosives
regulations on their statute book for

a long time based on India, and of course
up to the present these regulations have
only been used to deal with the storage
of explosives and nobody ever thought
that anyone would go in for the ^{local} manufacture
of anything more than gunpowder. Accordingly
they were quite at a loss and had no one to
whom to turn for information as to the
properties of these strange articles,
though I do think that the Southern Rhodesia
people exhibited a most unreasonable attitude
of mind in refusing to say what were the
facts about the factory in Rhodesia simply
because there were no regulations about it.

Yours sincerely,

signed I. E. M. FLOOD

Any further communication on the subject of this letter should be addressed to—

H.M. INSPECTORS OF EXPLOSIVES,
HOME OFFICE,
LONDON, S.W.1.

Tel. No.: WHITEHALL 8100, EXT. 47,
and the following reference quoted:—



HOME OFFICE,
LONDON, S.W. 1.
1st September, 1937.



Dear Flood,

3 With reference to your letter of the 31st ultimo regarding the manufacture of explosives known as Klorex and Perklorex in Kenya, Mr. Golding called at this Office this afternoon and I discussed the matter with him, and I am now writing to confirm the telephone conversation which I had with you this afternoon.

These two explosives were manufactured at the Abbey Works, Faversham, under licence from the Home Office and iron and steel machinery was used for the production of these explosives and we never raised any objection.

I understand from Mr. Golding that the machinery which is being supplied to the new factory in Kenya is being made by the same firms who supplied the same machinery to the factory at Faversham. I gathered from Mr. Golding that the particular point to which objection has been taken was the use of steel in the mixing machinery and also in the construction of the Archimedean screws in the cartridge machines, and in both cases these were constructed of steel at the Faversham factory.

I am writing to you direct in order to save time as I understand the matter is urgent.

Yours sincerely,

H. B. Watts

J.E.W. Flood, Esq., C.M.G.,
COLONIAL OFFICE.

Ans'd.
By G. King

C. O.

Mr. Flood: 31/8/37.

Mr.

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shackburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

September, 1937.

24.6.1937

DRAFT.

THE UNDER SECRETARY OF STATE,
HOME OFFICE,
EXPLOSIVES BRANCH.

(Capt. N. Fawcett)

(Copies forward)

Copy to Kenya

Sir,

I am etc. to state, for

the information of Secretary Sir John ^{Simon}

^{Henry} Simon, that a question has arisen

in regard to a proposal to manufacture explosives in Kenya, on which advice is desired.

2. According to the information which Mr. Ormsby Gore has received, a Company called East African Explosives has been established in Kenya with the object of manufacturing explosives known as "Klorex" and "Perklorex". The Company is a branch of a similar Company called The Rhodesian

Explosives

FURTHER ACTION.

Explosives, Limited, which has been in operation in Southern Rhodesia for some time past. Difficulty has arisen because in Kenya the manufacture of blasting powder and explosives is subject to regulation, and the process of manufacture has to be carried out under licence, which the authorities in Kenya appear to be unwilling to grant unless they are satisfied that iron and steel machinery can be used with safety in the manufacturing of this particular explosive.

3. It is understood that explosives of this type have been manufactured in this country at Faversham, and Mr. Ormsby Gore would be obliged for an expression of opinion as to the safety of iron or steel machinery in a factory designed for the production of these articles. I am to request that the matter may be treated as one of some urgency, since it is understood that various articles are being shipped to East Africa which may have to be diverted if opinion is against granting

- G. O.
- Mr.
- Mr.
- Mr.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

DRAFT.

granting the Company's application.

4. The information contained in this letter has been communicated by Mr. T.J. Golding, the Managing Director of Rhodesian Explosives Limited, who called at the Colonial Office to make representations and ask for advice. Copies

~~1-~~ etc.
of con² which he left here are enclosed for reference. They consist of a letter from the Kenya Co. to the Rhodesian Co., a/c (dated the 13th of August), a reply (dated the 17th of August) and a letter from the Kenya Co. to Mr Golding (dated the 19th of August)

}

(Signed) J. E. W. FLOOD

FURTHER ACTION.

EAST AFRICAN EXPLOSIVES LIMITED.

P.O. Box 97,
Eldoret.

13th August, 1937.

The Rhodesian Explosives Limited,
Gatooma,
S. Rhodesia.

Dear Sirs,

I am aware Mr. Golding has left for Europe; otherwise I should have addressed this letter to him personally.

We are experiencing certain difficulties in regard to the granting of the Government Licence to manufacture, and the particular objection is that the Kenya Explosive Regulations provide that no iron or steel is permitted in buildings in which such manufacture is in process.

Copy made to Kenya

We have pointed out that no danger will arise as "Klorex" will not detonate if merely subjected to friction, and have further pointed out that the machinery and plant is identical with that used at your factory. Official evidence of this is required, and I shall be glad if you will without delay arrange for the nearest Government authority to forward a certificate to the Director of Public Works, Nairobi, with copy to the above address, to the effect that the machinery and plant used in your factory is of iron and steel and is in no way dangerous in the manufacture of Klorex or Perklorex.

The matter is extremely urgent and I shall be most grateful if you will further request the same Government authority to cable the Director, P.W.D., Nairobi, that such certificate is being forwarded by air mail.

The

The Government authorities here will be making their decision on Monday next and I trust therefore you will arrange for the necessary cable to arrive Monday morning.

Thanking you,

Yours, etc.,

(sd) S.Gherzi.

Director.

17th August, 1937.

Stanley Ghersi Esq.,
P.O.Box 97, ELDORET.

Dear Sir,

Upon receipt of your letter of the 13th instant I saw the Inspector of Mines here who expressed his willingness to visit the factory at Umsweswe straight away and furnish the certificate, but he felt he could not do so without the authority of the head of the department. He accordingly telephoned through to the Chief Government Mining Engineer at Salisbury (Mr.A.S.Rome) who decided that as there were no Government regulations controlling the manufacture of Klorex here, a certificate in the terms you require could not properly be given by a Government official.

If your Government Officials are still obdurate I suggest that they communicate direct with the Chief Government Mining Engineer at Salisbury, but I hope they will draw the inference that owing to its safety it has not been considered necessary here during the ten years Klorex has been produced to impose any restrictions on the manner of its manufacture.

As you know the plant to be used at Kisumu is the same as that used at Umsweswe, and the latter is the same as was used in England when Klorex was manufactured there. I would add that the Umsweswe factory has at various times been visited by the Mines Department officials responsible for explosives and magazines, and no suggestion of any dangerous practice has been made.

I hope the points given above may help you to overcome your difficulties, and shall be glad if I can render any further help.

Yours faithfully,

P.O. Box No. 97.

ELDORET,
Kenya Colony.

19th August, 1937.

T. J. Golding, Esq.,
C/o Messrs John Birch & Co. Ltd.,
2, London Wall Buildings,
LONDON, E.C.2.

Dear Golding,

I have just returned from Nairobi where I spent ten days arguing with various members of Government on the question of the issue to us of the Licence to manufacture

There were numerous points under discussion and all of which were subsequently satisfactorily settled, with the exception of that referring to the Steel machines now installed in the Factory building.

I have pointed out that no danger will arise, as 'Klorex' will not detonate if merely subjected to friction and I have further pointed out that the machinery and plant is identical to that used in the Rhodesian factory.

I wrote to your office at Gatooma, requesting them to arrange with a Government authority to forward a certificate to the Government here, that the machinery and plant used in your factory is of iron and steel and is in no way dangerous in the manufacture of 'Klorex' or Perklorex'.

Your office cabled, as follows:-

"Chief Inspector declines to give certificate on grounds that as there are no Government Regulations controlling our factory he has no authority to do so." writing."

We have now reached an "impasse", as Government refuse to issue a Licence to manufacture, but they are writing to the Home Office for information and instructions.

Meanwhile, supplies are coming forward and, in the near future, we will be short of storage room. The cash position will also become difficult unless we are able to commence manufacturing.

Yours faithfully,
Knowing

Knowing how slowly Government Offices move, will you please endeavour to interview the Home Office and request them to authorise Government here to issue to us immediately the necessary permission to enable us to commence manufacturing.

The matter is extremely urgent, so please do your utmost and act immediately.

Trusting that you have enjoyed your trip, so far.

Yours sincerely,

(Sgd.) Stanley Gherzi.

GHERSI ELDORST.

Chief Inspector declines to give certificate on grounds that as there are no government regulations controlling our factory he has no authority to do so writing.

KLOREX

THE RHODESIAN EXPLOSIVES
CO. LTD.

17.8.1937.



His Majesty's Eastern African Dependencies

JCW/VGY.
 COMMISSIONER FOR
 KENYA,
 NORTHERN RHODESIA,
 NYASALAND, TANGANYIKA,
 UGANDA, ZANZIBAR.

TELEPHONE: WHITEHALL 87012/3.
 CABLES: EAMATTERS, LONDON.
 TELEGRAMS: EAMATTERS, HANLONDON.

TRADE & INFORMATION OFFICE

*Grand Buildings,
 Trafalgar Square,
 (ENTRANCE IN THE STRAND)*

London W.C. 2.

RECEIVED
 4-OCT-1937
 C.O. REGY

ALSO OFFICES OF
 KENYA AGENT,
 LONDON REPRESENTATIVE
 KENYA & UGANDA RAILWAYS
 AND HARBOUR

ANY COMMUNICATION RESPECTING THIS
 LETTER SHOULD BE ADDRESSED TO THE
 DEPT. CONCERNED AND NOT
 TO INDIVIDUALS BY NAME.

7375/37

31st August, 1937.

Dear Mr. Flood,

This letter will introduce to you Mr. Golding, who came into this Office this morning with a letter of introduction from Mr. Lanigan O'Keefe.

I briefly detailed to you over the telephone the object of Mr. Golding's visit and I shall be most grateful if you will be so good as to give him such assistance as you are able.

Yours sincerely,

J.E.W. Flood, Esq., C.M.G.,
 Colonial Office,
 Downing Street,
 London, S.W.1.



High Commissioner for Southern Rhodesia,
Rhodesia House,

429, Strand,

TELEPHONE: TEMPLE BAR 1122 & 1123.

TELEGRAPHIC ADDRESS:

INLAND: "RHODESIANS, SAND, LONDON."

London, S.A.C.2.

31. 8. 1937.

My dear Dale

This will introduce

to you W. Golding the Managing
Director of the Klorna Export
Factory which has been
operating with success in

James Leary

Saturday 5th June

Stephen Rhodes for
something like 10 years - He
recently opened a rather
kind to you a factory at
Kisumu in your territory but
has experienced some
difficulty. Will you please
allow him to explain the
matter to you and I know
you will do everything you
can to help him.