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DEC 4 1972

EXHIBIT DJM-10

June 15, 1972

PLAINTIFF'S EXHIBIT AIA-50

The Editor
THE WALL STREET JOURNAL
22 Cortlandt Street
New York, New York 10007

Dear Sir:

It is incumbent upon any newspaper in this country, especially when reporting on an issue relating to occupational or environmental health, to present evidence that is factual, well-researched, and free from distortion, error and any possible taint of sensationalism. This is especially true when the newspaper in question enjoys the high reputation for fairness and accuracy of THE WALL STREET JOURNAL. Unfortunately, these basic precepts of sound journalism were not followed in a recent story in the JOURNAL.

By this we specifically refer to the article on asbestos by Barry Newman that appeared in your June 7 issue, beginning on the front page. The article contains many major errors of fact and interpretation, such that it presents a completely distorted and alarmist picture of the asbestos-health problem in the United States.

The simplest way to demonstrate the truth of this statement is to examine some of the major errors contained in the Newman article.

Mr. Newman began the article with a description of the supposed hazards faced by mechanics who blow asbestos-containing brake lining dust out of brake assemblies with an air hose before replacing the worn linings. Had your reporter investigated this matter with any degree of thoroughness, he would have discovered a number of well established facts, namely that (1) the U.S. Public Health Service conducted a study which showed that less than 1 per cent of the approximately 50 per cent of asbestos in brake linings remains as free fiber in the dust after wear, the rest being converted by the high heat of friction

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to a non-fibrous non-toxic material called fosterite, and (2) a study by Hickish and Knight, published in the British "Annals of Occupational Hygiene" in January, 1970, established that men engaged in the blow-out procedure described by your reporter had a Time Weighted Average exposure of .68 asbestos fibers per cubic centimeter of air, a level far lower than either the current United States standard of five fibers per cc or the two fiber standard scheduled to go into effect in 1976.

While these studies in combination demonstrate quite conclusively the lack of a hazard for men employed in brake lining maintenance and replacement, of perhaps even more importance in evaluating your reporter's alarmist approach to the subject is the fact that to the best of my knowledge, there have been no published or unpublished studies indicating the existence or even the suspicion of a hazard for these men. The conclusion is inescapable that your reporter selected this example to lead off his story because of its colorful and alarmist nature rather than because of any factual evidence that an actual hazard existed.

In the fourth paragraph of the story, Dr. Irving Selikoff of Mount Sinai Hospital is quoted as predicting 95,000 deaths from asbestos related cancer among the approximately 250,000 men currently employed in the asbestos industry in this country. While Dr. Selikoff is obviously entitled to make whatever predictions he choses, it is only reasonable to expect that a reporter seeking to write a balanced story would submit such a terrifiying prediction to other experts in the field for their comment. Had he done so, your reporter would unquestionably have been told that Dr. Selikoff's prediction is quite exaggerated and without solid foundation. The reason why this is so is quite simple. The two studies upon which Dr. Selikoff's prediction is based were of men employed in the industry for a minimum of 20 years and at a time (the 1930s and 40s) when dust levels were many times higher than they are today. Thus to apply the death rates resulting from long term exposure to dust levels existing 25 and 30 years ago to today's working population is plainly illogical. Had your reporter sought additional comment on Dr. Selikoff's prediction, he would have discovered this fact.

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In the next paragraph, it states that "ordinary people who have come into contact with asbestos in the atmosphere" could be subject to asbestos-related disease. This same idea of a general public hazard is contained in the headline of the story: "Tiny Asbestos Fibers Pose a Health Threat To Workers and Public." While there is some evidence that in years past there may have been some potential hazard to people living in close proximity to uncontrolled asbestos mines and mills, as technology was developed for the control of asbestos dusts in industry from escaping into the community air, these potential hazards have been eliminated. As far as the general public is concerned, there never has been nor is there today a public health hazard as a result of exposure to the very minute amounts of asbestos that have been shown to exist in the ambient air.

This was the basic conclusion reached by a panel of asbestos-health experts convened by the National Academy of Sciences to draft a report to serve as the medical basis for the Federal Environmental Protection Agency national emission standards on asbestos. The report, entitled "Asbestos: The Need for and Feasibility of Air Pollution Controls," states on page 19 that "there are levels of asbestos exposure that will not be associated with any detectable risk. What those levels are is not known, but there is no evidence that persons in the general population -- without occupational, household, or neighborhood exposures -- have any increased risk of neoplasm, even though there may be ferruginous bodies or fibers in their lungs," and in the Conclusion section on page 31 it states: "There is no evidence that the small numbers of fibers found in most members of the general population affect health or longevity."

This booklet has received wide distribution. Had your reporter researched his subject with any degree of thoroughness, he would certainly have been given copies of the report. If he was given a copy, he obviously completely disregarded it.

A little later on in the article your reporter states that "bits of asbestos used in filters for beverage making have been found in wine and beer, for instance, and could be dangerous if swallowed." This same question was raised in Great Britain a few years ago by writers also seeking the sensational rather than the scientific. The furor died

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when it was shown that the total amount of asbestos fiber found in British beer added up to only two-one-thousandths of an ounce in the total United Kingdom beer production of over a thousand million gallons a year. This translates into about five parts per million-million by weight. The additional fact that there is not on shred of evidence that ingesting such infinitesimal amounts of asbestos is in any way hazardous helped allay the fears of the British beer drinking public.

The comment attributed to William Nicholson of Mount Sinai that shaking an asbestos-containing coat could result in "dust levels as high as in an asbestos factory" once again demonstrates your reporter's search for the sensational rather than the factual. Had he chosen to look into the matter of the 200,000 asbestos-containing coats more thoroughly, he would have discovered that the committee appointed by the Food and Drug Administration to investigate the problem concluded in its report that "this single episode of manufacture and sale of asbestos-containing garments did not constitute an 'imminent hazard' as defined by the Food and Drug Administration, and that a recommendation to recover all the garments from the individual purchasers was not warranted." Tests run on the coats by the National Institute of Occupational Safety and Health for the FDA were "deliberately designed to be many orders of magnitude more severe in terms of applying energy to the garments than would be expected in ordinary use by the public." In addition, "a build up of air-borne fibers was encouraged." Despite these severe wear and brushing tests, the amount of free fiber that became air borne was considered by the committee to provide "a wide margin of safety" for the wearer. Thus, while Mr. Nicholson's colorful quote makes attractive copy, it is not supported by sober, scientific fact.

One of the most serious breaches of journalistic ethics is to deliberately quote an individual out of context. This was done in the case of Mr. J. B. Jobe of Johns-Manville, who was quoted as stating at Occupational Safety and Health Administration hearings in Washington in March that it would be "socially irresponsible" to adopt a two fiber occupational standard in the asbestos industry. Mr. Jobe's full statement, which can be found in the official record of the hearing, was as follows: "Where there is no scientifically credible evidence

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demonstrating the necessity of such low standards, it would be socially irresponsible to adopt them." By omitting the first part of Mr. Jobe's comment, the impression is given in the article that Mr. Jobe would be opposed to the two fiber standard on economic grounds, even if it were necessary to adopt such a standard in order to protect the lives of industry workmen. I need not point out the serious harm that could be done to Mr. Jobe's reputation by this out-of-context quote.

Your reporter's next major error is a relatively simple one of misunderstanding, yet had he made any efforts to discuss the situation with industry officials or to visit a manufacturing facility (both of which were offered to your reporter by Johns-Manville), the mistake would not have been made. By this, I refer to those paragraphs in the article in which your reporter states that "the curbing of asbestos contamination is more an exercise in good housekeeping than capital expenditure," and he then goes on to list a half-dozen "staples of such an operation, already in use in many plants." The mistake made by your reporter is that the "staples" he refers to, such as closed plastic bags for mixing cement, vacuum attachments on power saws, etc., are <u>not</u> used in plants where asbestos-containing products are manufactured, but in the construction industry, especially in the application of asbestos-containing insulations in buildings, power plants, etc. Asbestos dusts in manufacturing are controlled not by such devices but by highly sophisticated and expensive bag-house type dust collectors and other similarly costly equipment. One visit to an asbestos manufacturing plant would have clarified this point for Mr. Newman.

A similar error is made by your reporter when he reports that a Mount Sinai survey of 9,400 asbestos workers showed that there was only one dust count taken "in asbestos plants for every 20,000 man-days worked." Dr. Selikoff has reported on similar dust count frequencies for years, but always in reference to the construction industry, never to manufacturing plants, where dust counts are taken on a regular basis in most operations. Perhaps Mr. Newman's confusion arose out of the fact that the term "asbestos workers" when used by Dr. Selikoff refers not to men engaged in the asbestos manufacturing industry, but to those in the insulation application trades, who belong to a union called

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the Heat, Frost, Insulation and Asbestos Workers (my underlining), which is commonly referred to as the Asbestos Workers Union. Once again, a more thorough research effort on your reporter's part would have provided him with this information.

Finally, I would like to register a very serious objection to a major error of omission in Mr. Newman's article, as contrasted to those of commission referred to thus far. In the entire article, your reporter makes only one or two passing references to industry efforts to solve its problems in this area, and leaves the distinct but erroneous impression that the industry is trying to get away with doing as little as possible and that it started its control efforts only very recently. Nowhere in the article can be found mention of the vast amount of medical research sponsored, co-sponsored or cooperated in by the industry over the past three or four decades, nor of the vast improvements in dust conditions achieved in manufacturing operations from coast to coast over the years. While information of this nature does not make for alarming headlines, it is as important a part of the overall asbestos-health story as case histories of disease and dire predictions of occupational deaths in the thousands.

In conclusion, I hope that this rather lengthly letter has demonstrated quite clearly to you the incomplete, erroneous, sensationalized and distorted manner in which your reporter presented the asbestos-health situation in his article. On behalf of the member companies of the Asbestos Information Association/North America, we request in the interests of fair and balanced journalism, that this letter be printed in its entirety in THE WALL STREET JOURNAL; that the WALL STREET JOURNAL print in its pages an apology for the incomplete and distorted nature of the article; and that you assign a competent writer untainted by the desire for sensationalism to write a balanced article on industry efforts and accomplishments in reducing asbestos-health hazards for workmen throughout the nation.

Very truly yours,

Matthew M. Swetonic

Matthew M. Swetonic
Executive Secretary

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