General Headquarters
April 18, 1933

Mr. Lewis H. Brown,
President.

Dr. A. J. Lanza, Assistant Medical Director of Metropolitan Life Insurance Company has acted as member of a Commission appointed by Governor Pinchot of Pennsylvania to report on "Occupational Disease Legislation".

The Commission, after investigating the question for a period of six months, rendered a Report which was submitted by Governor Pinchot to the General Assembly of the Commonwealth on March 20, 1933 with the recommendation that it avail itself of the Report in framing legislation.

The Report recommends the inclusion of silicosis as a compensable disease and defines it as "a disease of the lungs due to breathing air containing silica ($SiO_2$) dust characterized anatomically by generalized fibrotic changes in both lungs, with a development of miliary nodulation, demonstrable by X-ray examination".

No other form of pneumoconiosis was included in the list of compensable occupational diseases. The Report, however, refers to several other forms of pneumoconiosis and contains the following reference to asbestosis which I am quoting in full:

> "ASBESTOSIS. There is sufficient definite proof that exposure to asbestos dust in plants where asbestos is fabricated causes pneumoconiosis. Asbestosis is, therefore, a recognized pulmonary affection, demonstrable by X-ray examination, but its appearance in the X-ray film is somewhat different from that of either silicosis or anthracosis; skilled technicians are able to differentiate one from the other. The occurrence of asbestos pneumoconiosis or asbestosis is not accompanied by a clinical picture similar to silicosis. In the majority of cases there does not seem to be any definite disability associated with it, and in this respect it resembles anthracosis. In a few instances recorded in this country and in England death has apparently resulted from asbestosis, due as far as could be ascertained to the fibrous conditions of the lung with resultant secondary heart failure. Apparently there is not associated with asbestosis the predisposition to tuberculosis which occurs in silicosis. It has not been definitely established that the inhalation of asbestos dust causes either diseases, or injuries to other organs in the body. It is likely that further research into this subject will be carried on in the next few years and may yield additional information. The present knowledge of the subject is too meagre to justify the inclusion of asbestosis in the schedule. Practical experience in communities where asbestos is fabricated does not reveal a definite clinical picture of disease and disabil-

Re: O.D. legislation,

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ity such as is encountered among those exposed to the hazards of silicosis. From a practical standpoint, therefore, there seems to be no necessity at the present time to include asbestosis in the schedule".

The foregoing is, from the point of view of the industry, the most favorable opinion concerning asbestosis that has ever come to my attention. Moreover it is issued over the signature of a commission composed of eminent representatives of labor and industry and of the medical and legal professions, the appointees of a progressive and social-minded State Executive. I think it fair to assume that such a commission would have in its possession all of the facts and would have no incentive to render other than a fair and impartial decision.

The personnel of the Commission is as follows:

A. M. BOYD,
President Pennsylvania Self-Insurers Association.

ALEXANDER FLEISHER, Ph. D.
Managing Director and Secretary Philadelphia Child Health Society.

LESLEY M. GRAFF, M. E., New York City,
Director, Safety Engineering Division National Bureau of Casualty and Surety Underwriters.

THOMAS KENNEDY, Hazleton,
International Secretary and Treasurer United Mine Workers of America.

A. J. LANZA, M. D.,
Assistant Medical Director Metropolitan Life Insurance Company.

R. V. PATTERSON, M. D.,
Dean, Jefferson Medical College.

LOUIS B. F. RAICHOFF,
Electric Storage Battery Company.

H. F. SMITH, M. D.,
Assistant Professor of Industrial Hygiene University of Pennsylvania.

WILLIAM P. YANT, Ph. D.,
Superintendent, U. S. Bureau of Mines Experiment Station.

T. HENRY WALNUT, Philadelphia,
Attorney.
Chairman of Commission.


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I am endeavoring to obtain additional copies of this Report for Mr. Hobart and for Mr. Birdwell. It seems to me that it is at least possible that there might be some connection between the publication of this Report and Mr. Greenstone's willingness to settle the pending cases for about half the figure he gave us last year as his lowest.

VANDIVER BROWN
Legal Department

VB:T

Copies to: Mr. S. A. Williams
Mr. E. M. Voorhees

Re employee asbestosis litigation