cc: Pete Wessen 9/13/77

VI.E.12

UNION CARBIDE **INTERNAL CORRESPONDENCE**

METALS DIVISION • P.O. BOX 579 - 4625 ROYAL AVE., NIAGARA FALLS, NEW YORK 14302

To (Name)	Messrs. R. L. Schult	Date	May 5, 1977
Division	W. C. Thurber		
Location	R. G. Woolery	Originating Dept.	"Calidria" Asbestos
		Answering letter date	
Copy to	Messrs. R. E. Byrne, Jr.	Subject	Enclosed Article from "Columbia Journalism Review"
	H. B. Rhodes		
	File		

Enclosed is the article to which I "contributed" several weeks ago. As promised by Mr. Swan, it appears that they are out to get the ANPA, not asbestos.

John L. Myers

JLM:dal
Enclosure

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PLAINTIFF'S EXHIBIT
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vironmental Medicine at the Mount Sinai School of Medicine and director of its Environmental Sciences Laboratory. Perhaps best known for his work on asbestos-related diseases, Dr. Selikoff is a recipient of the American Public Health Association's Albert Lasker Award in Medicine, which he was given in 1955 for his work on a drug cure for tuberculosis, and of the Annual National Award of the American Cancer Society, which he received in 1976 for "his pioneering exploration of the relationship between the environment and cancer in humans, for developing new approaches to check potential carcinogens, and [very much to the point in this dispute] for continually advocating the need to safeguard the lives of workers."

The sparsely attended December 2 meeting called by NIOSH in New York afforded the city's newspapers an opportunity to cover a story involving potential hazards affecting their own employees — or, looked at from another angle, a story about the newspapers' refusal to cooperate with a federal agency. Neither the *Times*, the *News*, nor the *Post* considered the story newsworthy. So far as I was able to ascertain, the closest the *Times* came to touching on the subject was in a late-December series on NIOSH's much-abused sibling in the Department of Labor, the Occupational Safety and Health Administration, or OSHA; a December 20 article by Paul Delaney, bearing a St. Louis dateline, was headlined WORK SAFETY INSPECTOR CAN ENTER PLANTS BUT USUALLY ISN'T WELCOME.

The Wall Street Journal, alone of the city's dailies, covered the story. Staff reporter Gail Bronson's article, which appeared on December 3 under the headline FEDERAL UNIT INVESTIGATES PRESS ROOMS, PRESSMEN MORTALITY TO EVALUATE HAZARDS, succinctly covered a lot of ground. After explaining the purpose of the NIOSH study and pointing out that it was not limited to newspaper press rooms but was industry-wide, Bronson reported: "All companies under investigation with the exception of certain newspapers have been cooperative, the federal officials say." The parties described as offering "stiff opposition" to admitting the Mount Sinai team were *The New York Times*, The New York *Daily News*, and the American Newspaper Publishers Association Research Institute. (Bronson did not mention the *Post* in her article.)

Bronson also summarized the findings of two recent British studies involving deaths in the newspaper industry between 1952 and 1966, one of which found "for all manual workers [in the printing trades group studied] a 30-percent excess of deaths in London and 40 percent in Manchester from lung and bronchial cancer in that segment of the newspaper industry when compared with general-population expected death rates," the other finding that among printing workers "total malignancies were greater than statistically expected and that bronchial cancer accounted for many of the excess deaths." A third study, of 778 pressmen employed by The New York Times Company and carried out at the behest of that company by a New York University group, was also described. Published in 1972, it purported to show that conditions in the *Times*'s press rooms did not contribute to any significant excess in death rates. (The N.Y.U. study, it should be pointed out, was a total mortality study — that is, it did not examine what caused specific deaths, as the NIOSH study is designed to do — and it concluded by stressing "the need for an industry-wide epidemiologic investigation," which the NIOSH study is.)

Possible hazards to workers' health were described by William Nicholson, project director of the Mount Sinai team. The ink mist in press rooms, Nicholson said, "contains carbon black and mineral oils. We are concerned with possible trace amounts of carcinogens in the carbon black and mineral oils." The team had completed its investigations of letterpress, lithography, and all but one of three selected rotogravure plants. Only the newspaper press rooms remained to be investigated.

Bronson talked to, or attempted to talk to, corporate officials at the Times and the News, and to officials at the A.N.P.A. Research Institute. The News had no comment; officials at the institute could not be reached for comment; thus, only John Mortimer, senior vice-president of The New York Times Company, was quoted. Mortimer said that the company was willing to have air samples taken in its plants "if such a study is done on a national basis," that the company would "cooperate with whatever the A.N.P.A. Research Institute agrees to . . .," and that the institute was "the proper vehicle for all newspaper inspections. It shouldn't be just us'ns." (This position, I later learned, is also that of the Post and News companies.) It wasn't just them'ms. Not only was the NIOSH study industry-wide; it involved at least four newspapers in two cities. (Project director Nicholson says that his team also hopes to gain access to newspaper press rooms in Washington, D.C., and that an investigation of press rooms in Chicago, New York, and Washington is necessary to provide a good cross section of conditions in metropolitan press rooms.)

Editor & Publisher, the trade weekly, also covered the story. And whereas Bronson of the *Journal* had failed to get any comment from the A.N.P.A., *E & P* associate editor Earl Wilken apparently got through — and absorbed what Rinehart of the research institute had to say. Wilken's article, misleadingly headlined FEDERAL SAFETY AGENCY STARTS PRESSROOM PROBE (NIOSH was not starting its probe but attempting to complete it), which appeared in the December 11 issue of *E & P*, covered all of the ground Rinehart considers important and provided much of the documentation Rinehart considers crucial to his contention that a research team supervised by Selikoff would be biased.

The controversy is an important one. Were five major oil companies to have defied the government in this way, the newspapers would not, presumably, have failed to report the story. Their silence on the subject of their industrial behavior cannot but leave the impression that their news judgment is self-protective. Moreover, that behavior within at least one newspaper-publishing enterprise contradicted the ethical stance regarding occupational health and safety set forth on the editorial page of its principal paper. An eloquent editorial entitled "Danger at Work," which appeared in the *Times* on March 15, 1975, concluded with these words:

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Unquestionably, strict standards would impose a burden on business, but no responsible businessman wants to market a product or engage in an industrial practice that endangers the health of his workers or consumers. The failure to investigate and to test toxicity has already had grievous consequences. Each year of further delay multiplies needless risks. The costs are hidden but the victims are legion.

Two years later those words had a hollow ring.

The Times Company's continued defiance of the federal agency's request to allow a research team to investigate conditions in its press rooms was based, in part, on information it had received from Rinehart of the A.N.P.A. This, at least, is the impression I gained from speaking with Walter Mattson, executive vice-president of The New York Times Company, in mid-March. When I asked why the Times had refused to let the Mount Sinai team in, Mattson replied, "We are looking for a good, solid, objective study." And when I inquired who had suggested that a Mount Sinai study would not be good and solid and objective, he replied: "We rely on people who live in that field. You'd have to talk to Bill Rinehart about that." At the News, Joseph Barletta, director of employee relations, said more directly that he, too, had come to his conclusions about the Mount Sinai team's presumed lack of objectivity on the basis of information provided by Rinehart. (At the Post, business manager Eugene Park said that he had heard only "scuttlebutt" reports to this effect, adding that his "possibly unfair gut reaction" was that the Mount Sinai team might be biased.) Barletta added that he expected a break in the months-long newspaper-NIOSH impasse. Officials of the News and of the Times, he said, planned to meet with NIOSH officials in mid-April, at which time, he said, he was "confident that we will be able to iron out any problems so that we can get this study going again."

In the meantime, however, there was word — which newspaper officials declined either to confirm or deny — that the Times and the News, accepting the A.N.P.A.'s indictment of Selikoff as a biased researcher, were planning to pool funds to pay for a second, "independent" research group to make its own evaluation of the samplings taken by the Mount Sinai team and of other data used in drawing up its report. If they did so, these newspaper companies would, of course, be implicitly declaring that Selikoff was not to be trusted. The companies had put themselves in a curious position, to say the least. And what made it all the more curious was that, with impressive investigative resources at their service, corporate officials were accepting a serious indictment of a respected medical researcher without so much as looking into the validity of the charges.

Was Rinehart's indictment of Selikoff well-founded?

In mid-March, having read the two press accounts available, I called Rinehart at his office in Easton, Pennsylvania, and asked him to send me whatever material he had regarding Selikoff's alleged bias. Rinehart made the following points in our conversation: Selikoff's close ties with unions, and in particular with the International Printing and Graphic Communications Union, would make any study supervised by him "a loaded deal." Selikoff, he added, had worked on, and was even now working on, other studies with the union and "over the years he [Selikoff] has always sounded like a union leader." Rinehart called my attention to a speech Selikoff had given to the I.P.&G.C.U.'s fortieth convention, held in Bar Harbour, Florida, in September 1972. "Rohan [Alexander Rohan, then president of the union] introduced him as a 'great ally, a good friend,' " said Rinehart. As for Selikoff's speech, Rinehart described it as a "call for battle: We'll get the damned A.N.P.A. and the newspapers yet." Rinehart also told me that, in his speech, Selikoff said there was asbestos — a known carcinogen — in newsprint and that this was demonstrably false.

Rinehart sent me a transcript of Selikoff's speech; a copy of a letter Rinehart had written on December 10 to Dr. John F. Finklea, the director of NIOSH; and a copy of an A.N.P.A. *Newsprint & Traffic Bulletin*, dated December 12, 1972, announcing that "a complete survey by A.N.P.A. revealed that no North American mill uses asbestos in the manufacture of newsprint. The only use of asbestos in the manufacture of newsprint was in experiments several years ago when a few manufacturers made test runs with asbestos fibers as part of their continuing research to improve newsprint qualities."

On receiving Rinehart's packet, I read Selikoff's speech to see if he had said that asbestos was used in the manufacture of newsprint. I found that he had not. What he had said was: "The companies have been putting carloads of asbestos into paper manufacturing, and workers now in the press rooms are exposed to asbestos dust, if they are working with those papers. By the way, they say it improves the quality of the paper. It holds the titanium better. There is less penetration. It holds the inks better."

Since it seemed unlikely to me that Rinehart had misread these words, I thought that he must have misconstrued a reference to "paper" as a reference to newsprint — a supportable proposition if the majority of the union's membership were newspaper pressmen. Calling the union's headquarters, I learned that only about one-fifth of the I.P. & G.C.U.'s total membership of 122,000 worked in newspaper press rooms. I concluded that Rinehart had failed to make the distinction between paper and newsprint.

A question remained: Had Selikoff perhaps overstated matters when he spoke of "carloads of asbestos" in paper? I asked Nicholson at Mount Sinai to send me whatever information he and Selikoff had gathered on this subject. Among the papers that arrived were reprints of two articles written by R. G. Woolery, director of research and development for the mining and metals division of the Union Carbide Corporation. The first, published in the August 1965 issue of *TAPPI*, the publication of the Technical Association of the Pulp and Paper Industry, was entitled "Effects of Chrysotile Asbestos Additions to Cellulosic Paper." (1965, incidentally, was also the year in which Selikoff and Drs. E. Cuyler Hammond and Jacob Churg identified asbestos as the cause of mesothelioma, an invariably fatal form of cancer, in an article that appeared in *The New England Journal of*

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Medicine.) The second article had appeared in the September 1967 issue of *Pulp & Paper International*, another trade publication, and was entitled "How High Purity Asbestos Is Used for Pitch Control in Paper-making." Near the end of this article, Woolery wrote: "High Purity Asbestos is presently being used in a wide variety of paper grades. These include glassine, printing paper [such as that used in magazines], linerboard, tissue . . . and others. Asbestos levels vary from a low of 5 lb/ton to curb slight pitch [resin] problems to 30 lb/ton to control pitch 'flurries.' "

Other papers that Nicholson had sent showed that Union Carbide was marketing asbestos for use in the manufacture of paper in 1971, and one product-information bulletin in particular caught my eye. It dealt with "high-purity asbestos, a new white fibrous filler and retention aid for printing papers." There I read: "Several paper companies have evaluated our material — High Purity Asbestos — for pitch control as compared to the effectiveness of talc, which they normally use. . . . RESULTS OF THIS WORK: Carload quantities of asbestos are now being used for pitch control."

These were the very words used by Selikoff in his 1972 speech. Unless Union Carbide had been indulging in hyperbole, his remark would seem to have been well founded.

Curious to know more precisely when Union Carbide had begun marketing its "high purity asbestos" for use in paper and when it had ceased doing so, I called John Myers, marketing manager/asbestos of the corporation's metals division, in Niagara Falls. Myers told me that he had looked into this matter for Dr. Selikoff in, he thought, early 1972; that the material I had received from Nicholson had probably been gathered at that time; and that his company had taken every precaution to safeguard against the asbestos marketed for use in paper from getting into the air by, among other things, producing it in pellet form. Myers went on to say that he believed the use of asbestos in paper began "in any market quantity in 1969 and began depleting in 1974." Nowadays, Myers said, there is practically no asbestos in paper.

Two parts of Rinehart's indictment of Selikoff remained to be examined — his alleged close links with unions, and whether Rinehart's description of Selikoff's 1972 speech as one in which he "indicated his desire to do battle with newspapers and with A.N.P.A." was apt. (The quoted words are from Rinehart's December 10 letter to NIOSH director Finklea, in which Rinehart also referred to a previous A.N.P.A. suggestion "that NIOSH discontinue its newspaper study contract with the Mount Sinai [team] and contract with [a] medical school whose findings would be respected by both union and management." The reason Rinehart gave was: ". . . We strongly object when the federal government contracts with any group which has in the past been guilty of serious, false, and inflammatory findings —such as those concerning 'asbestos.' ")

Selikoff's speech began and ended with references to war. It began: "As I walked into this hall . . . I noticed a very sensible quotation of Senator McGovern's that he had no secret plan for peace; rather, he had a public plan which simply involved the fact that he would stop the senseless bombing [of North Vietnamese cities] on Inaugural Day." Selikoff went on to express the hope that a similarly sensible approach could be taken to end "another senseless war . . . in which the casualties are certainly much heavier, and I refer to death and disease in the work place."

In a reference to newspaper coverage of this war, Selikoff said: "Now, most of you know very little about these battles. If they are reported at all, they are on the back pages." He then cited statistics which could be read to suggest that this war deserved much wider coverage than it received in the press: "Since the beginning of the Second World War there have been recorded deaths, occupational deaths, in this country of over 500,000." These, he went on to say, were "only the obvious casualties, when somebody is crushed by a machine or has acute lead poisoning. . . . No one really knows the number of quiet deaths that occur one at a time, the people who die of bladder cancer, the people who die of emphysema. These are quiet deaths, and they go into the graves of the unknown soldiers . . . of labor."

As I read the speech, it was an appeal to the assembled union leaders to inform themselves about the nature of the toxic agents to which pressmen might be exposed and an attack on all federal agencies and other groups that might reasonably be expected to be doing something to safeguard the health of American workers but had been slow to act or had failed to do anything. In his sole reference to the A.N.P.A., Selikoff said:

> . . . A few months ago, I sat in your Board room at the invitation of President Rohan and we met with the representatives of the American Newspaper Publishers Association, and we said the data are —and we listed what we so far knew, and we said, "We don't know how bad this is; we don't know whether it is terrible or only moderately bad. We don't even know which of the things are more serious," etcetera.
>
> And instead of the usual answer that a doctor would expect, "Well, let us find out, because if something is wrong let us take care of it," I have heard nothing since, unless you have, Mr. Rohan — not a word.
>
> You would think that they would want to know whether in the press rooms there is danger, there is disease, there is potential death.

I could understand why the A.N.P.A. felt embattled, but it seemed clear to me that the foe against whom Selikoff was doing battle was not the A.N.P.A in particular, but, more generally, ignorance, indifference, and lethargy. Indeed, the speech struck me as no more nor any less impassioned than the previously mentioned *Times* editorial, "Danger at Work." This raised the question: Should a medical researcher not speak out on an issue on which he is well informed and about which he is deeply concerned while newspaper publishers might do so on any subject under the sun? It raised another question, as well: Would the A.N.P.A. prefer a medical researcher who kept silent?

The final charge in Rinehart's indictment concerned Selikoff's close union ties. Recalling that Paul Brodeur of *The New Yorker* had written about Selikoff's work in his pioneering article on asbestos — "The Magic Mineral," published in 1968 — I reread that article. The following passage seemed to the point:

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In 1954, all seventeen [asbestos worker patients who had come to Selikoff] from the Paterson [New Jersey] factory were able-bodied and working. By 1961, however, six of them were dead, and today [1968] only six of them are alive. Of the eleven who died, four were victims of lung cancer, three of other cancers, one of mesothelioma, and two of asbestosis. . . . After the company that owned the factory said it was unable to make its employment records available, [Selikoff] wrote to several other large asbestos manufacturers in the United States, inquiring about the health experiences in their plants, and was unable to obtain information from any of them. . . .

It was, then, only after a concerted attempt to get the necessary information from industry, and being rebuffed, that in 1962 Selikoff turned to two locals of the International Association of Heat and Frost Insulators and Asbestos Workers, from whose employment records he could obtain detailed work histories and from whose health and welfare records he could obtain the dates and places of death of members, as well as other information essential to his research into the relationship between asbestos and lung cancer and other diseases. (This study, incidentally, was not funded by a union but by the New York City Department of Health. All of Selikoff's research involving union records is funded by health organizations such as New York's health department, the National Institutes of Health, and the American Cancer Society. Selikoff, who says that he has "never taken a penny" from a union to conduct his research into occupationally and environmentally caused diseases, adds that he will accept money from any source to find cures for such diseases.)

Seen in this context, Selikoff's relationship with unions did not seem nefarious.

An article that appeared in the October 27, 1974 *New York Times Magazine* threw additional light on Dr. Selikoff's working relationship with some unions. Written by Alan Anderson, Jr., ("a freelance writer who specializes in scientific and medical subjects"), it was entitled "The Hidden Plague" and subtitled "Even the families of some workers are endangered by occupational diseases." Anderson described Selikoff's Environmental Sciences Laboratory as "unique in the United States, and probably in the world . . .," and he went on to tell how Selikoff and his colleagues went about their work:

A typical Selikoff investigation begins with a suggestion of danger — often from a labor leader concerned with working conditions, or from animal studies with a certain chemical. The next step is to find a high-risk group that has been exposed to the threat — for example, members of a local union who worked with vinyl chloride between 25 and 20 years ago. If the investigators are able to obtain lists of names, they then attempt a "sample trace," trying to find 10 percent of the working group. If this proves reasonably easy, they follow with "a little P.R.," as a Selikoff investigator puts it, explaining to workers why they must conduct the tedious interrogations, physical exams, and pulmonary tests. Then a physician and a field epidemiologist are assigned to the case, and the study branches into two parts: (1) a mortality survey to determine the cause of death of those who have died, and (2) a clinical study to examine all those still alive. The process commonly takes several years, and follow-up studies continue indefinitely.

Again, seen in context, Selikoff's working relationship with some unions — a part of his ongoing investigation of occupational diseases — seemed indispensable, until, that is, industry is as forthcoming as some unions have been.

Yet the charge that Selikoff's reliance on unions as the source of essential data must, necessarily, make him biased in favor of unions seemed, in any case, beside the point; the essential point, surely, is whether a researcher's methodology is sound and his findings are valid. And Selikoff's studies on asbestos and other occupational health hazards have held up very well, indeed. One recent evidence of this was his having received last year the American Cancer Society's Annual National Award. Another was provided in a *Times* article which appeared on January 8 of this year. Written by Jane E. Brody, it bore the headline ASBESTOS COMPANY AND UNION FUND CANCER RESEARCH, and it began: "In an unusual display of cooperation over an ordinarily divisive issue, labor and industry jointly awarded half a million dollars yesterday to Mount Sinai Medical Center here to finance an attempt to find a cure to an occupationally caused cancer [mesothelioma]." The company and the union which had joined forces in this effort were the Johns-Manville Corporation — the world's largest asbestos producing and processing company, and one of the firms that had refused to assist Selikoff in his 1960s search for health records —and the International Asbestos Workers Union. The article went on to say that "the research effort at Mount Sinai will be codirected by Dr. Selikoff and Dr. James F. Holland, a leading cancer therapist."

In an article that appeared in *The New York Times Magazine* of January 21, 1973, Robert Sherrill, Washington correspondent of *The Nation*, wrote of the effect on various groups of "an explosion of literature on the occupational hazards of asbestos" following the publication in 1965 of the article coauthored by Selikoff which linked asbestos with mesothelioma. "The asbestos industry and the U.S. Department of Labor," wrote Sherrill, "have not seemed exactly overjoyed to receive all this data; indeed, their basic response has been a combination of defensiveness and hostility and furtiveness."

It is a curious commentary on the A.N.P.A., and on those newspaper executives who accepted the A.N.P.A.'s version of things, that for many months Sherrill's words aptly described their attitude, while Johns-Manville, which ten years ago found Selikoff's findings hard to live with, has now turned to him for expert help.

As for The New York Times Company in particular, its executive officers might well learn a lesson from the *Times*'s medical reporters who, over the years, have filed scores of stories on Dr. Selikoff's investigations into such occupational hazards as asbestos, vinyl chloride, and polybrominated biphenyl (PBB) without so much as intimating that his findings might be biased in any way.

Perhaps, a decade from now, the A.N.P.A. will realize that there is a distinction between being a foe of disease and being a foe of industry. Perhaps, too, newspapers will begin more extensively to cover the largely neglected story of occupational health and safety, including stories that directly involve newspapers themselves. ■

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