PRIVILEGED AND CONFIDENTIAL -
ATTORNEY-CLIENT COMMUNICATION/
ATTORNEY WORK PRODUCT

M E M O R A N D U M

TO: File J-10-49

FROM: Kathy Rogers

DATE: September 8, 1982

RE: Summary of File Entitled "Dr. Leroy Gardner"

In the late spring or early summer of 1982, a file entitled "Dr. Leroy Gardner" was found in Box A-11-6-A-3 on B level at J-M's World Headquarters. Because the bulk of the documents in the file are either authored by, addressed to, or carbon copied to Vandiver Brown, it is likely that this file was maintained by Brown or a member of his staff on the subject of "Dr. Leroy Gardner."

In 1936 ten asbestos textile manufacturers, including J-M, commissioned Dr. Leroy U. Gardner, Director of the Saranac Laboratory, to undertake a three-year study on the effects of asbestos on animals. The primary contributors of funds for the study were J-M, Raybestos-Manhattan, Keasbey-Mattison, and Southern Asbestos. In 1944 Dr. Gardner asked permission to expand his study to include a section on asbestos and humans. In particular, he wanted to correlate the dust counts with the X-ray evidence at Asbestos, Quebec and Manville, New Jersey to determine why Canadian mines presented a different clinical picture than U.S. textile factories. The asbestos textile manufacturers

Disk No. 8979-1 (A11)
Date: Sept. 20, 1982

Published by AsbestosClaims.Law
asbestosclaims.law/library/24643/1

agreed to this additional investigation. By 1946 Dr. Gardner had collected all the data on animals but still had not written his report notwithstanding constant prodding by the textile manufacturers to complete the report. Dr. Gardner explained that the reason for the delay was because the war seriously depleted his staff, he had numerous other work commitments, and the original study now had been expanded to encompass the second area of investigation. Then in October 1946, Dr. Gardner unexpectedly died.

After much pressure from J-M and the other asbestos textile manufacturers to designate someone to write the report, Saranac retained Dr. A.J. Vorwald (who succeeded Dr. Gardner as director), Dr. Kenneth Lynch of the Medical School in Charleston, S.C., and Dr. A.J. Lanza of the Metropolitan Life Insurance Company. The report, which was entitled "Experimental Studies of Asbestosis," was completed on June 1, 1950 and published in the A.M.A. Archives of Industrial Hygiene and Occupational Medicine in January 1951.

The documents in the "Leroy Gardner" file span from January 1944 to August 1952 and relate to the study by Dr. Gardner. Most of the documents are letters between Brown and Dr. Gardner/Dr. Vorwald and/or between Brown and the contributing asbestos textile manufacturers regarding the Dr. Gardner Study. Below is a description of the most significant documents.

Published by AsbestosClaims.Law
asbestosclaims.law/library/24643/2

Some of the documents in the "Leroy Gardner" file exist elsewhere in miscellaneous files. For example, I noticed upon a quick investigation that some of these documents are duplicates of materials found in the Raybestos-Manhattan vault and commonly referred to as the "Sumner Simpson papers." Prior to the discovery of the "Leroy Gardner" file, J-M has maintained that it was unable to authenticate the Sumner Simpson-Vandiver Brown correspondence because no copies were extant in J-M's corporate files. Query whether this position is still tenable.

While it is possible that Vandiver Brown maintained a similar file on this study prior to the 1944 period, J-M has apparently not located such materials.

Published by AsbestosClaims.Law
asbestosclaims.law/library/24643/3

Description of Significant Documents in the "Dr. Leroy Gardner" File

Dr. Leroy Gardner letter to Vandiver Brown, 7/15/44.
Dr. Gardner seeks approval to expand his study to include an investigation of the effects of asbestos on humans. Specifically, Dr. Gardner wants to correlate the clinical and X-ray experience at certain mines, mills, and factories in Canada and the U.S. with dust analyses performed at these facilities by Mr. Fehnel (Metropolitan Life Insurance Company) to discover why Canadian mines present a different clinical picture than U.S. textile factories. Dr. Gardner and other experts have found that asbestosis is a rarity in the Asbestos-Thetford area.

Vandiver Brown letter to Dr. Leroy Gardner, 7/18/44.
Brown gives Dr. Gardner approval to expand the study and states that ". . . I cannot help feeling the additional material will be worth it."

Vandiver Brown memo entitled "Dust Problems," 10/12/44.
Memo summarizes Brown's discussions with Dr. Gardner on 10/12/44. Brown solicited Dr. Gardner's comments on California State Industrial Accident Commission's Proposed Safety Order Number 4, which would require the following label on materials containing one percent asbestos or silica "where they were to be used under conditions likely to give rise to dust" - "Warning: This material may give rise to poisonous or injurious dust. Avoid breathing it." Dr. Gardner, like Brown, thought that such a label would be "absurd." Dr. Gardner objected to the word "poison" being applied to dusts such as asbestos because the injury produced by asbestos is caused by a mechanical irritation and not by a chemical reaction, and hence can not be defined as a poison.

LABELS

Dr. Gardner letter to J.P. Woodard, 4/8/46.
Dr. Gardner thanks Woodard for sending him a copy of Dr. Hueper's paper on "Cancer and its Relation to Occupation and Environment." Dr. Gardner states that although there exist cases in which asbestosis occurs with lung carcinoma, he does not believe that a reliable study has been performed yet to prove that asbestos causes lung cancer. Dr. Gardner believes that someone not connected with the asbestos industry should perform such a study. Dr. Gardner notes that in his experiments with various kinds of animals he found lung tumors developing in 80 percent of the white mice exposed to asbestos dust. Dr. Gardner is careful not to draw any conclusions from this occurrence, since the experiments were not performed for the purpose of demonstrating cancer, no attempt was made to control the observation, and no care was taken to select a strain of mice that was not susceptible to tumors.

CANCER

Disk No. 8979-1 (B01)
Date: Sept. 20, 1982

Thomas L. Gatke, President of the Asbestos Textile Company, letter to Vandiver Brown, 4/18/46.
Gatke informs Brown of a meeting Gatke had with Mr. Manfred Bowditch, Assistant to Dr. Gardner. At that meeting, Bowditch indicated to Gatke that the asbestos industry might be disappointed with Dr. Gardner's final report because Dr. Gardner might be reluctant to state conclusively, as he did in his preliminary report, that invisible dust is not injurious. Gatke suggested to Bowditch, and Bowditch agreed, that Dr. Gardner could conscientiously state, without fear of contradiction, that his tests conducted over a period of 5 or 6 years gave no evidence of permanent injury. Bowditch reported that Brown was displeased because "Dr. Gardner [would] not go on the record to that end." Gatke told Bowditch that Brown's feelings were justified.

Later in his letter, Gatke tells Brown that he is anxious that Dr. Gardner draw definite conclusions from his experiments in his final report. Gatke believes that the results of Dr. Gardner's thorough study will do much to offset the damaging effects caused by many "inexperienced" doctors in the past who have claimed that it is the invisible dust that causes asbestosis and also to dispel much of the fear about dust felt by new workers coming into the asbestos industry. Gatke also mentions that Dr. Gardner's "objectionable" statement in his preliminary report
CANCER referring to the possibility of cancer is "rather farfetched and has no place in Dr. Gardner's final report."

Vandiver Brown letter to Manfred Bowditch, 11/12/46.
Brown asks if someone at Saranac is in a position to assemble Dr. Gardner's accumulated data and prepare a final report since Dr. Gardner is dead. Brown reiterates the agreement with Dr. Gardner that the results of the study are to be the property of the contributors and that manuscripts of any reports thereon are to be submitted for approval before publication.

Minutes of meeting held on January 21, 1947 at J-M General Headquarters with Dr. A. J. Lanza, Vandiver Brown, A. R. Fisher, other J-M executives.
J. P. Woodard served as chairman. Fisher stated that the 8 dust cases which had been filed against J-M at Asbestos during the past 2 or 3 years, all of which had been summarily thrown out, have had an adverse effect on community opinion. Fisher remarked that the Company has a definite job to do in Canada to offset the effects of a lot of propagandizing that had been done in relation to the harmful effects of asbestos dust, and expressed the opinion that a report, if prepared by Dr. Lynch along the lines outlined, would be of material help to the Company. Brown reiterated the stipulation in the asbestos industry's agreement with the Sanarac Laboratory which provided that there would be no publication of the results of

the experiments without industry's consent. Brown stated that if it did turn out to be the sort of report industry would be glad to have published, he hoped Dr. Lynch would not include any objectional material from industry's point of view, such as

CANCER

any relation between asbestos dust and cancer, which Dr. Gardner had referred to in his monograph. Brown added that even if the report contained some material that wasn't too favorable from industry's point of view, industry still would probably be willing to have it published, because of the benefits to be gained from the balance of the report.

Vandiver Brown letter to Manfred Bowditch, 3/12/47.
Attaches an abstract of an article from the February edition of the Industrial Hygiene Digest on animal experimentation with short fiber and long fiber asbestos. Brown states that the article (written by a Dr. King) indicates that both lengths of

FIBER LENGTH

fiber produced a reaction in the test animals, which is contrary to some of Dr. Gardner's preliminary findings. Dr. Gardner found that the short fiber produced no change and the damage was done by the long fiber.

Manfred Bowditch letter to Vandiver Brown, 3/18/47.
Responds to Brown's letter of 3/12/47. Bowditch indicates that he does not understand Dr. King's distinction between long

FIBER LENGTH/ CANCER

and short fibers, and therefore cannot compare Dr. King's findings with Dr. Gardner's. Bowditch reiterates some of Dr. Gardner's findings including that 81% of the mice inhaling long fiber asbestos developed lung cancer and that 13% of the mice inhaling short fiber asbestos developed lung cancer. But Bowditch states that Dr. Gardner indicated that these results are suggestive rather than conclusive.

Brown letter to Bowditch, 3/21/47.
Responds to Bowditch's letter of 3/18/47. Brown states that he is very concerned about Dr. Gardner's statement about cancer.

CANCER

Brown does not recall that any of Dr. Gardner's interim reports indicated any such abnormal incidents of lung cancer in experimental animals. Notation to J. P. Woodard at the bottom of Brown's letter of 3/21/47: "The finding referred to looks like dynamite. VB"

Bowditch letter to Brown 3/24/47.
Responds to Brown's letter of 3/21/47. Bowditch states that

CANCER

Dr. Gardner's comments on the incidence of lung cancer are found in Dr. Gardner's "Outline of Proposed Monograph on Asbestosis," dated February 1943.

Brown letter to Bowditch, 3/31/47.

CANCER

Brown states that now he remembers that Dr. Gardner had made some reference to cancer, but Brown does not recall that certain

Published by AsbestosClaims.Law
asbestosclaims.law/library/24643/6

of the animals had revealed such a marked tendency to contract it.

A. R. Fisher memo to J. P. Woodard, 7/22/47.
Fisher states that he is anxious that the report on Dr. Gardner's work be completed because it is very important that some factual data be presented on this subject before the French Canadian doctors decide to write something themselves.

Brown memo to J. P. Woodard, 7/29/47.
Brown states that any plan for publishing Dr. Gardner's material must take into consideration the asbestos textile manufacturing group agreement with Saranac in which it was stipulated that this group should review and approve anything that might ultimately be published.

J. P. Woodard letter to Dr. A. J. Lanza, 8/4/47.
Woodard urges Dr. Lanza to complete Dr. Gardner's report and also reiterates that Saranac is to submit to the contributing asbestos companies any data or reports before publication.

Minutes of a meeting held in J. P. Woodard's office on 8/6/47.
Dr. A. J. Lanza, C. W. Hite and H. Jackson were present. Dr. Lanza reported on the case of Bishop McMillan, an employee at Johns-Manville's Waukekan plant. This was a case which puzzled Dr. Lanza, since McMillan became incapacitated in January 1947 with silicosis; yet there was no evidence in the employee's work history of exposure to silica. Dr. Lanza suggested sending this man's films to Saranac for interpretation. Currently McMillan was back in the plant cleaning respirators. Dr. Lanza said that he should be watched, but there wasn't anything that could be done at this time. They could only watch to see if his condition cleared up, remained the same or became worse.

Woodard memo to A. R. Fisher, 10/30/47.
Woodard states that Dr. Lanza and those at Saranac fully understand that the report on the asbestos experiments is to be reviewed and approved before there is any publication of it.

Woodard memo to Brown, et al., 11/14/47.
Woodard states that everyone understands that Dr. Gardner's report will be "checked out by all concerned" before it is published and that Brown is in touch with the other contributing companies about this.

Woodard memo to Brown, et al., 11/26/47.
Woodard states that yesterday he told Dr. A. J. Vorwald about the possibility that some of the local groups in Quebec might

get out a report in the spring based on inadequate information, which would make the Saranac report of little value if the Saranac report was published after it. Dr. Vorwald appreciated the seriousness of the situation and said that everything possible would be done to complete the work as planned.

Woodard letter to Dr. A. J. Vorwald, 2/18/48.
Woodard asks what the status is of the asbestos report and reminds Dr. Vorwald that according to the agreement the contributing companies are to review the results before anything is published.

Woodard letter to Dr. Vorwald, 3/15/48.
Woodard asks when the report will be completed. Woodard states that he and others are very concerned about the effects of an article published in Montreal discussing deaths in Quebec allegedly caused by bad working conditions in the mining area.

Woodard letter to Dr. Lanza, 3/15/48.
Woodard expresses concern that the report be completed as soon as possible. Woodard states that "our own position is becoming closer and closer to a crisis, and I am quite disturbed over the possibility that we may get hit with some bad situations before we have the information that we hope these studies will disclose."

Woodard letter to Dr. Vorwald, 6/1/48.
Woodward states that he is disturbed that the report on asbestosis is going to be completed later than he thought. Woodard states that there is a real ferment under way in Quebec on the whole subject of industrial health. Laymen with little knowledge of occupational disease problems are writing articles in magazines and newspapers. "[O]rganized employees have apparently become exorcised [sic] over a situation that is anything but clear, and the government itself has made some statements and taken certain steps that might well get the mining industry in general, and ourselves in particular, into real difficulties." Woodard hopes that the information from Saranac will be a real help "in getting at some matters that are facts and not conjectures."

Brown letter to C. George Krueger, Director of the Division of Engineering & Safety, State of New Jersey, Department of Labor, 8/16/48.
Brown states that Dr. Gardner's report is not yet completed and that J-M still believes that it would be unwise to draft a "code for asbestos" until the report is completed. Brown repeats his assurances that J-M will give its continued cooperation in the attempt to establish accurate standards for the use

Published by AsbestosClaims.Law
asbestosclaims.law/library/24643/8

of asbestos. Brown expresses his hope that Krueger will postpone a little longer the establishment of the proposed "asbestos code."

Gatke letter to Brown, 9/9/48.
Gatke expresses frustration over the delay in the completion of the Dr. Gardner report. Gatke states that unless industry does something to show what they have undertaken, unless they establish the facts that have been proven by Dr. Gardner's tests, they can expect that "quack doctors and shyster lawyers will do much toward permanent injury of the interests of textile manufacturers and the people they employ."

Gatke letter to Brown, 9/14/48.
Gatke states that unless the asbestos industry develops substantial evidence to refute the claims that have been made, "these little cases will breed like rabbits and they may grow as big as hares." Gatke also mentions that he recalls that Dr. Gardner
CANCER mentioned in a report something about cancer, although it seemed to be just conjecture. Gatke hopes that this comment will be stricken from the final report. Gatke also states that he hopes the report will "accentuate those facts that are most pertinent and have been proven, and others that do not apply particularly to our industry might be deleted, making the report somewhat shorter than it would be otherwise."

Thomas Durkan, Assistant Director of the Saranac Laboratory, letter to Woodard, 10/12/48.
PARTIAL FINAL DRAFT Encloses the completed report of the Saranac Lake experimental studies with asbestos minerals. Durkan states that the report is a fairly complete review of the Saranac Laboratory's experimental investigation of asbestosis, with the exception of a minor section devoted to lung cancer. Durkan states that since there is some ambiguity in the terminology in Dr. Gardner's
CANCER notes on cancer in animals exposed to asbestos dust, the lab preferred to defer completing that section until after Dr. Vorwald has returned from Europe and has had an opportunity to review the sections. Durkan also states that Saranac now plans to prepare the final section of the report -- that which deals with human asbestosis.

Brown memoranda regarding the Saranac Lake Asbestosis Study, 9/30/48.
The memoranda discusses how the experiments were commenced, what the agreement was between the asbestos textile manufacturers and the Saranac Lab, what the conclusions of the study are, and what Brown's comments are.

Published by AsbestosClaims.Law
asbestosclaims.law/library/24643/9

The memoranda mentions that it was agreed between Dr. Gardner and the asbestos textile manufacturers that the results of the studies would become the property of the contributors and that the manuscripts or any reports would be submitted for the approval of the contributors before publication.

Brown mentions the following conclusions of the study:

1) Asbestos fibers produce a peribronchiolar fibrosis in the lungs of guinea pigs, rats, cats, and rabbits, but not of mice and dogs;

2) The mode of action appears primarily to be mechanical rather than chemical in nature;

3) Short asbestos fibers do not produce fibrosis;

4) Fibrosis can be produced by exposure to air containing an extremely small proportion of long fibers;

5) Asbestos dust does not alter significantly the course of experimental tuberculosis in guinea pigs;

6) Asbestosis bodies seem to represent a coating of the fibers and result in loss of the ability to produce fibrosis.

DELETIONS/ CANCER

Brown makes a number of comments about the study. Brown would like more definite terminology used in the conclusions. Brown would like the section mentioning the appearance of tumors and the section stating that asbestos dust does not exert a significant effect on the susceptibility to non-tuberculous pulmonary infection to be deleted from the report, because the experiments were not pointed towards determining those questions. Brown states that even though the statement about non-susceptibility to non-tuberculous pulmonary infection is generally favorable, it might be desirable to omit this reference pending further experimentation.

TWO REPORTS

Brown also responds to Durkan's letter of 9/30/48 in which Durkan stated that Saranac now planned to prepare the final portion of the report dealing with human asbestosis. Brown responds negatively to this, explaining that the experiments funded by the asbestos textile industry in accordance with the 1936 contract related only to animal experimentation. Brown believes "that any subsequent Saranac report dealing with human asbestosis should be considered a separate report rather than a second part of the present report, and not subject to the proviso relating to approval prior to publication." (emphasis added)

Published by AsbestosClaims.Law
asbestosclaims.law/library/24643/10

Brown letter to Ernest Muehleck (Keasbey-Mattison) and J.F. Rohrbach (Raybestos-Manhattan), 10/22/48.
Encloses Brown's memoranda of 9/30/48. Brown solicits comments on the Saranac report and on Brown's memo. Brown explains that he feels that the report should be confined to the results of the experiments with animals and not considered as the first part of the study of the effect of asbestos dust on animals and human beings, because he believes Dr. Vorwald will be difficult to deal with when it comes to suggesting the elimination of anything that Dr. Vorwald believes is even remotely covered by Dr. Gardner's notes. "If the report is limited to the animal experiments, our right to criticize and suggest changes before publication, or even to forbid publication, is unquestionable. If we permit it to be made part of a report covering more than the animal experiments, our position is not so strong." Brown states that time is of the essence in distributing this report, because conclusions are being arrived at "by Quebec physicians and officials upon the basis of surmise, social ideology, and inadequate information."

TWO
REPORT
RATIONALE
(Control)

Brown letter to the contributing asbestos textile manufacturers, enclosing the Dr. Gardner report and Brown's memo of 9/30/48.
Brown solicits the manufacturers' comments on the enclosed and invites the companies to send representatives to a luncheon at Johns-Manville Corporation on November 11, 1948 to discuss the report. "It is obviously undesirable that the report, in its present form, receive any distribution or publicity outside a limited number of people in our respective organizations."

Muehleck letter to Brown dated 10/28/48.
Letter thanks Brown for Dr. Gardner's report and for Brown's memo. Muehleck states that he agrees with Brown's views as expressed in his memo of October 22. Muehleck also makes some additional comments.

L.E. Hamlin's (American Brake Shoe Company) letter dated 11/3/48.
Response to Brown's memorandum of 10/22/48. In response to Brown's suggestion that more definite adjectives be used in the conclusions, Hamlin states that no animal experimentation can be absolutely conclusive. There are too many intangibles to allow dogmatic or more definite statements. The value of the experimental work lies in the fact that it forms a reasonable basis for the study of characteristic tissue changes which are similar to those seen in humans. Hamlin also states that it is his impression from Brown's letter that Brown is concerned with possible repercussions from the legal point of view, but Hamlin confesses that he does not see anything in the report in its present form which need cause undue concern. Hamlin states that most of the basic facts, with the exception of the more

Published by AsbestosClaims.Law
asbestosclaims.law/library/24643/11

detailed studies mentioned in the report, are already known and have been published in other studies on asbestos, and no unfavorable reaction need be anticipated. Hamlin suggests that the passage in the report stating that there was a high incidence of pneumonia among the experimental animals and the suggestion that asbestos might have something to do with this "be modified somewhat" pending further factual data, since they were explained and discounted in the report.

PNEUMONIA

J.W. Butler (U.S. Gypsum Company) telegram to Brown, 11/10/48.
States that U.S. Gypsum agrees with Brown's comments in his 10/22/48 memo.

Brown letter to W.T. Kelly (Executive Vice President of American Brakeblok, a Division of the American Brakeshoe Company), 11/12/48.
Brown states that the meeting to consider the Saranac report was held yesterday with all interested companies represented, except the Russell Manufacturing Company. Brown states that Hamlin's suggestions regarding the passages on pneumonia were accepted, and it was the unanimous opinion that the reference to cancer and tumors should be deleted. Brown explains the reasons behind this decision. Brown states that a considerable number of other changes in the report will be suggested to Saranac, but they relate to format rather than substance.

DELETIONS: PNEUMONIA/ CANCER

Woodard letter to Gatke, 11/30/48.
Attaches notes Brown made during the discussion of the Saranac asbestos study on November 11. Woodard mentions that Dr. Lanza is undertaking the matter of revising the report and putting it in the shape that was agreed upon.

Brown letter to the contributing asbestos textile manufacturers, 3/3/49.
Letter encloses the revised report. Brown states that he has examined the report carefully and believes it adopts in substance all the suggestions that were made by the representatives of the underwriting group. Brown states that as the findings are generally favorable, we have renewed our request that Saranac Laboratory arrange for the publication of the report as promptly as possible.

FINAL REPORT ACCEPTABLE

Brown letter to Ivan Sabourin, Esq., 3/8/49.
Encloses copies of the Dr. Gardner report and requests that Sabourin, in his capacity as counsel to the Quebec Asbestos Miners' Association, distribute the report to certain Canadian government officials, including the Minister of Labor.

Published by AsbestosClaims.Law
asbestosclaims.law/library/24643/12

Dr. Kenneth W. Smith letter to George K. Foster, 3/19/49.
Dr. Smith summarizes the conclusions of the Saranac report and states that he basically agrees with those findings. Dr. Smith also makes several recommendations including the following:

> 1) Asbestosis can be controlled if every effort is made to lower the dust concentration in the working area of the employee and transfers to non-dusty jobs are effected before any disability develops, probably as soon as there are significant X-ray changes.
>
> 2) We should have an opinion from the Saranac Lab on the association of asbestosis and cancer. There is a world-wide effort to find the cause and cure for cancer. The medical literature is full of suggested causes and asbestos has been mentioned as a very definite possible cause. Although in actual practice we have seen no cases of cancer of the lung among our employees, asbestos is an irritant and as such might play some role in the development of carcinoma. An expert opinion on this relationship would be worth while.

CANCER

Woodard letter to the Manville, Marrero, Nashua, Watson, and Waukegan plants, 4/14/49.
Encloses a copy of Dr. Gardner's report.

Woodard memorandum to G.K. Foster dated 4/15/49.
Woodard comments on Dr. Smith's summary and on Dr. Gardner's study. Woodard states that the most significant finding of the study is that a relatively small amount of long fibers can cause lung damage. Woodard states that "it is important that we arrange to determine where long fibers may exist in the working atmosphere, whether the amount is enough to cause harm, and take action to eliminate them."

FIBER LENGTH

Woodard letter to Dr. Vorwald, 4/19/49.
Woodard states that Hugh Jackson just received from the Federal Security Agency, Public Health Service, Washington, D.C., a uniform industrial hygiene code issued by the American Conference of Governmental Hygienists dated April, 1949. The code gives the the threshold limits for various types of dust. Woodard states that the information available in Dr. Gardner's report will no doubt be of interest to this group and he wonders what the approximate date of publication of the article will be.

ACGIH TLV'S

Gatke letter to Brown, 6/14/49.
Gatke asks whether he can turn over the Dr. Gardner report to his attorney so that he might be better equipped to handle

Published by AsbestosClaims.Law
asbestosclaims.law/library/24643/13

cases involving asbestos exposure. Gatke also states that the industrial board which passes on such matters probably would be more lenient in its decisions if it had the advantage of the information disclosed in this report.

Brown letter to Gatke, 6/20/49.
Brown states that he sees no reason whatsoever why Gatke should not provide his attorney with a copy of the report. He also states that if it is to be used in connection with litigation, it would probably be more impressive if it were in the form of an article in, for example, The Journal of Industrial Hygiene.

Woodard memo to Brown, 11/10/50.
In preparation for the drafting of an agreement between the QAMA and Saranac Laboratories to undertake a study, Woodard solicits comments from Brown on what type of an agreement would be appropriate regarding the publishing of test data. Woodard encloses a standard blank agreement on this subject from the files of Dr. Lanza.

Brown memo to Woodard, 11/15/50.
Response to Woodard's memo of 11/10/50. Brown states that he assumes that the paragraph quoted by Woodard is about

> as far as we can reasonably expect a learned or scientific institution to go. We, of course, have never intended to suppress information obtained as a result of experiments financed by us, and on the occasions when we insisted that there be no publication without our advance approval, we have had in mind that we might possibly wish to defer release until we could make such defensive moves as might be appropriate and available to us.

Woodard memo to various J-M plants, 3/19/51.
Encloses the article entitled "Experimental Studies of Asbestosis" which appeared in the January, 1951 edition of The A.M.A. Archives of Industrial Health & Occupational Medicine. Woodard states that the possible hazards inherent in the handling of asbestos are not too great if proper precautions are taken, "which again points up the need for adequate dust control at all times."

Dr. Kenneth W. Smith memo to C.M. McGaw, 6/11/51.
Dr. Smith states that the Saranac report on experimental asbestosis has received wide and adequate circulation. Smith says that McGaw's idea to develop a news story is a good one, but he personally prefers to wait until the results of Dr. George Wright's examination of our men is published. (Dr. Wright of Saranac Lake was conducting tests on asbestos workers at

Published by AsbestosClaims.Law
asbestosclaims.law/library/24643/14

Thetford and Asbestos to determine the effects of the inhalation of asbestos dust.) Also Dr. Smith states that

> we would be wise to wait until we have proof of no causal relationship between asbestos and pulmonary cancer. Dr. Vorwald's report and favorable findings might be tempered by Dr. Wright's work and we might not wish to bring attention to the asbestos industry if the cancer research is not entirely favorable.

QAMA CANCER STUDY

Woodard letter to Dr. Lanza 8/1/52.
Encloses Saranac's first interim report of May 7, 1952 on the asbestosis and pulmonary cancer study being conducted for the Canadian QAMA. Woodard states that the conclusions so far do not indicate unfavorable findings. "Of course, later conclusions on results of animal exposure beyond the 14 months here covered may change the picture."

Published by AsbestosClaims.Law
asbestosclaims.law/library/24643/15