

The Government's Deadly Omission

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In 1972 and 1973, the National Institute for Occupational Safety and Health collected the personnel records of 2,500 workers who had been exposed to carcinogenic substances at dye plants in five states. The substances, benzidine and beta-naphthylamine, have long been known to cause cancer of the bladder. With early warning, the lives of victims of bladder cancer can be prolonged. But most of these 2,500 who had been exposed received no warning.

The workers' records were put on microfilm, in prospect of follow-up studies. Nothing further was ever done. The statistics were compiled, the human beings were forgotten. If mortality studies had been carried out on the group, according to a spokesman for the Occupational Safety Institute, they would undoubtedly have shown an excess of deaths due to bladder cancer.

Now that this episode has been made public by David Burnham's report in this newspaper, physicians at the institute point out that it is not unique. They claim to have neither the facilities nor the legal responsibility to reach out to the people covered by large-scale retrospective studies.

It is true that the Institute for Occupational Safety and Health is a small agency. But is the Department of Health, Education and Welfare, to which it belongs, so poorly staffed and equipped that over four or five years it could not contrive to reach 2,500 imperiled people whose names and Social Security numbers it knew? The fact is, no one tried.

It is also true that the institute's assigned task is to conduct research with a view to setting standards for workers currently exposed to risk, rather than to assist those who have been previously endangered. But does not the possession of such critical information by a public agency and its staff of physicians dictate its own responsibility? The legal question may be decided, in the courts for 400 asbestos workers, covered in a similar study, who contend that the Government should have warned them of their vulnerability to a serious lung disease.

Whatever the legal finding, the bureaucratic inertia revealed by this case is troubling. Pressed to justify the Government's inaction, an institute physician contended that, since the workers could not afford the necessary medical examinations and treatment, alerting them to the heightened risk of cancer would only have "created problems." Is there some income or education qualification for the right to be informed that one's life is in danger?

Belatedly, the Institute for Occupational Safety and Health and the National Cancer Institute are trying to develop a means of notifying the many thousands of men and women who, it is only now being discovered, have been exposed to harmful substances in the past. They work in the knowledge that some Americans have almost certainly suffered and died as a result of the Government's inexcusable act of omission.

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Florio wants workers to know chemical names

WASHINGTON—Rep. James J. Florio (D-1st Dist.) urged the Occupational Safety and Health Administration (OSHA) Wednesday to order posting of generic names of chemicals used in industry so employees will know if they are working with substances hazardous to their health.

Florio, a member of the House subcommittee on health and the environment, told a news conference here that "employees have the right to know what chemicals they are handling and if they are risking their health."

In a letter to OSHA Administrator Dr. Eula Bingham, Florio pointed out that an extensive survey of occupational hazards has found that one out of every four Americans is exposed to some substance while at work that is thought to cause death or disease—often cancer.

The study pointed out that about 70 percent of the substances found during the survey were identified by trade names rather than chemical composition. Thus, neither the employer nor the employee in many cases know of potential hazard.

At the same time, Florio noted that a new National Cancer Institute report shows an increase in skin, lung and

nasal cavity cancer among residents of Gloucester County and 33 other counties nationwide where oil refining is a major industry.

Moreover, the highest incidence of bladder cancer in the U.S. is found in Salem County.

"We are dealing with people's lives," Florio told Dr. Bingham in his letter. "The government has a responsibility to provide a safe workplace. Let's concentrate on major health problems such as this, rather than the picayune problems for which OSHA has become famous."

Florio comes to aid of chemical workers

WASHINGTON — Rep. James Florio has embraced a cause dear to the hearts of chemical workers who say they have been trying unsuccessfully for years to find out what substances they are being exposed to on the job.

Florio, D-N.J., announced yesterday he has asked the Occupational Safety and Health Administration to order employers to post the generic names of chemicals used in the workplace so workers will be warned if they are exposed to hazardous substances.

Officials of the Oil, Chemical and Atomic Workers International say they have been seeking the same end result through a different method—appeals to the National Labor Relations Board, one of which was recently successful.

Anthony Misocki, an official with the union in Washington, said the union, which has a large New Jersey representation, had had "trouble with 99.9 percent of the companies when we ask for a list of substances."

He said the union intends to go to the national board in several states, including New Jersey, and argue that release of the information is a basic "right-to-know" issue. "They (the companies) say it would be giving away trade secrets, but that's a lot of crap. We have a right to know what we're being exposed to."

Florio expressed that argument in his letter to the safety administration. He pointed out recent studies which show increases in certain cancers in Gloucester County and other areas where oil refining is a major industry. He also noted that Salem County has the highest incidence of bladder cancer, another finding in recent studies.

"The lives of workers are being

threatened and they don't even know it," Florio said. A National Hazard Study in 1976 listed 95,000 different trade name products being made by workers at about 5,000 plants surveyed. At 90 percent of the firms, workers "had no knowledge of what chemicals the trade name product contained," Florio said.

Describing the listing of generic names as an "easy first step," Florio said a consumer group had asked a year ago for the same OSHA regulation, but "They (OSHA) haven't done anything on it."

The health administration recently announced sweeping new policies to deal with workplace hazards, but those are not expected to take effect for at least a year. The agency has been repeatedly criticized for moving slowly in testing substances to determine if they are hazardous and coming up with regulations to deal with the problem.

OSHA has an extensive, lengthy procedure to determine the possible danger of substances. Only four have been determined a hazard, which does require posting in workplaces.

Officials said listing all the substances used in a firm's processing would involve "plastering the walls with notices. At some of these chemical plants, the employees could spend a month reading the notices. And what good would it be if we don't know yet if the substances cause any problems?"

Misocki, whose union represents workers at the big oil firms such as Mobil and Texaco in New Jersey, said that statement is "stupid. Those guys know what chemicals they're buying and using. So Mobil uses, let's say, a thousand different chemicals. What's the big deal about making a list. They're just stonewalling it."

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names*

CAMDEN COURIER POST 10/20/77

Employees should know hazards

To the Editor:

Ms. Beck's article on hazards faced by working women, Feb. 20, could not have been more timely.

I would like to make two points that were not clear in the article. First, the article mentions that some work is for men only. What the writer failed to note was that men also have a role in the reproductive process and are likewise affected by chemical exposure that harms that process.

For example, Diethylstilbestrol (DES) a synthetic estrogen used principally as an implant to stimulate the growth of cattle and chickens was used to prevent miscarriage in some two million women, during the forties and fifties. Several years ago, doctors found an unusually large number of the daughters of these women suffered a rare form of vaginal cancer.

Further research linked the drug to genital damage and infertility in the sons; and to breast cancer in the mothers themselves. Also, reproductive harm can come to men and women from inorganic lead, trichloroe-



thylene, anesthetic gases, radiation and many other chemicals. Radiation exposure can effect women's as well as men's ability to produce healthy children.

Second, Ms. Beck's article goes on to mention that "industries should be frank in sharing information with workers" and that "women should check with their physicians about possible hazards in the work place."

We agree that industries should

be frank with workers about chemical exposure information and in fact have been spearheading a drive at creating a new O.S.H.A. regulation that would give working people the right to know the generic name of chemicals used in the workplace as well as the possible toxic effects of these chemicals.

Also, the right to access to one's own medical records and any existing company-held monitoring data.

A physician cannot evaluate the potential hazards of a given chemical unless he or she knows it's generic name which is often hidden by use of a code or trade name.

There is little or no information available about the toxic effects of many newer chemicals. Therefore, working people are used as guinea pigs while working with these chemicals.

The real answer to the problem is, of course, not to discriminate against women in certain jobs, but to clean up the work place and provide information.

JIM MORAN

Chairperson

Philadelphia Area Project on Occupational Safety and Health

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Phila Inq.

Suit seeks to protect workers from toxins

By Steve Twomey
Inquirer Staff Writer

A Philadelphia group and two other plaintiffs demanded in a lawsuit yesterday that the federal government require employers to tell workers the real names, not just brand names, of chemicals used by the nation's workers.

The suit, filed in U.S. District Court in Washington, charged that repeated delays by the federal Occupational Safety and Health Administration (OSHA) in issuing such a standard had jeopardized the health of thousands of workers who handle unknown chemicals.

"Because many of these workers lack knowledge about the identity of toxic materials and harmful physical agents to which they are or have been exposed, they are unable to take effective steps to prevent and, where necessary, treat the adverse effects of such exposures," the suit charged.

The Philadelphia Project on Occupational Safety and Health (Phila-POSH) was joined in the suit by the Public Citizen Health Research Group of Washington and Rep. Andrew Maguire (D., N.J.).

Their effort to force employers to label chemicals with generic names is part of a nationwide campaign by labor unions and consumer groups to give workers as much information as possible about what effects their jobs may be having on their health.

It has been estimated that 100,000 American workers die annually from work-related diseases and accidents.

The so-called "right to know" campaign already has prompted OSHA to propose a standard that would give workers access to their companies' medical files and to any surveys by companies of particulate matter in the workplace atmosphere. Medical records will help workers know what impact their jobs already have had, while exposure surveys will help them know whether the air they breathe is hazardous, unions and health groups have said.

OSHA, however, has not gone beyond rough drafts in developing a rule that would require all chemicals and chemical containers, such as drums, to be labeled generically, according to Jim Moran, a staff member of PhilaPOSH.

In a letter to OSHA chief Eula Bingham that was released as the suit was filed, the plaintiffs alleged that a recent government study

found that 7.5 million workers are exposed daily to trade-name substances that contain hazardous chemicals.

Shortly after the suit was filed, Dr. Bingham said in a statement that OSHA had a "great concern for the right of workers to know" and would respond to the plaintiffs' pleas "as soon as we can."

In part, OSHA has been slowed by the need to determine whether it has the legal authority to force generic labeling and by the need to work with the Environmental Protection Agency, which has jurisdiction over toxic substances, according to a spokesman.

Another major reason for delays has been vehement opposition from businessmen who contend that a requirement to divulge generic names would help competitors unravel secret product formulas and would require millions of dollars' worth of new labels.

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Suit Seeks to Force Employers To Identify All Toxic Materials

Associated Press

A federal court was asked yesterday to force the Labor Department to require employers to identify all potentially toxic materials in their workplaces.

A lawsuit was filed by U.S. District Court here by Ralph Nader's Public Citizens Health Research Group, Rep. Andrew Maguire (D-N.J.) and the Philadelphia Area Project on Occupational Safety and Health.

It accused the Labor Department of failing to issue regulations on toxic materials even though Labor Secretary Ray Marshall has promised to do so since Jan. 1, 1978.

The suit asked the court to require the department to force employers "to apprise employees and employee representatives of the identity of all potentially toxic materials and harmful physical agents to which they may be ... exposed in the workplace."

James Foster, spokesman for the department's Occupational Health and Safety Administration, said his agency is working on proposed rules, but added that the process would not be completed for some time.

"We're looking for early 1980 as the estimated date for issuing a proposed regulation," he said. The agency then would likely hold public hearings before issuing final rules, Foster added.

He said that OSHA has lacked the resources to deal simultaneously with all the occupational hazards that have come before it for review.

The suit asserted that exactly three years ago, the plaintiffs asked the Labor Department to initiate rulemaking procedures to identify the hazardous and toxic agents.

"Millions of American workers are and have been exposed at their workplaces to numerous potentially toxic materials and harmful physical agents," it said, adding:

"Many of these workers do not know and have no way of knowing the identity of the ... materials or ... agents to which they are or have been exposed.

"Because many of these workers lack knowledge about the identity of the ... materials and ... agents ... they are unable to take effective steps to prevent and, where necessary, treat the adverse effects of such exposures."

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O.S.H.A.