# OCCUPATIONAL SAFETY AND HEALTH

## HEARINGS

BEFORE THE

## SELECT SUBCOMMITTEE ON LABOR

OF THE

## COMMITTEE ON EDUCATION AND LABOR

## HOUSE OF REPRESENTATIVES

NINETIETH CONGRESS

SECOND SESSION

ON

## H.R. 14816

A BILL TO AUTHORIZE THE SECRETARY OF LABOR TO SET STANDARDS TO ASSURE SAFE AND HEALTHFUL WORKING CONDITIONS FOR WORKING MEN AND WOMEN; TO ASSIST THE STATES TO PARTICIPATE IN EFFORTS TO ASSURE SUCH WORKING CONDITIONS; TO PROVIDE FOR RESEARCH, INFORMATION, EDUCATION, AND TRAINING IN THE FIELD OF OCCUPATIONAL SAFETY AND HEALTH; AND FOR OTHER PURPOSES

HEARINGS HELD IN WASHINGTON, D.C., FEBRUARY 1, 20, 28, 29; MARCH 5, 6, 7, 8, 11, 12, AND 14, 1968

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CARL D. PERKINS, *Chairman*

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CONCLUSION AND RECOMMENDATIONS

The facts cited within this statement can only partially bear witness to the long, determined and successful campaign waged in the rubber industry against occupational accidents and disease. We have for many years pursued the same goal as HR 14816, namely improved occupational safety, and with such a purpose we indeed take no issue.

With our long history of serious interest and sound accomplishment in occupational safety, we have learned, however, that to be successful in this work demands also that we be objective. This well-learned lesson motivates our viewpoint presented to the subcommitee concerning this bill.

Our industry believes it cannot rest on past accomplishments in safety. In the state of our civilization and social development today, occupational injuries and disease cannot be accepted as a necessary by-product of any industrial or commercial endeavor. We consider it the responsibility of all concerned to seriously and methodically strive for perfection in accident prevention.

Accordingly, the resources of the Federal government can most effectively be brought to bear on this effort through the role of a participating and vitally interested partner, rather than the sole administrator and enforcer of such a far-reaching regulatory structure as contemplated in HR 14816.

It is our sincere belief that little evidence has been presented before the subcommittee to demonstrate a valid need for the establishment of Federal safety standards and an enforcement program. If such a standards program is not needed, then the whole thrust of effort should be redirected toward a means that can best achieve the desired goal of this bill.

To this end, we find value in and support the concept advanced by other witnesses of a broad cooperative effort sponsored by the Federal government that would bring about continuing research in regard to causes and prevention of occupational injuries and disease. Such a cooperative effort could perhaps be realized through the establishment of an organization—national in scope—made up of the most experienced and skilled leaders available from business and labor and from the Federal, State and Local government, whose purpose would be to study the problem at hand and recommend solutions.

Such an effort, exercised without delay, could do much to assure the orderly attainment of an obviously commendable goal—the prevention of accidents.

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STATEMENT ON BEHALF AND FOR MR. IVAN SABOURIN, QUEEN'S COUNSEL, 507 PLACE D'ARMES, MONTREAL, CANADA, ON BEHALF OF THE ASBESTOS MINES INDUSTRY IN CANADA

*To the Honorable Mr. Holland, Chairman of the Select Subcommittee on Labour, and to Members of said Committee:*

It is respectfully submitted:

Nearly two hundred years ago, in 1776, came Benjamin Franklin to my present home in Iberville, Quebec. His aim was to win Canada to the cause of Independence. His mission accomplished, he left the shores of our Richelieu River (close to Lake Champlain, near the border, where I live) and reported to Congress.

In those days industry hardly had started on this continent this ascension which was to make America the most industrialized nation.

Since those days the ties between our two countries have become closer and closer whilst we have for generations showed the world an example of enjoying friendly relationship, with some four thousand mile border-frontier devoid altogether of any display of force, military or otherwise.

But there are ties that seem to have contributed largely to bring about such cordial understanding bases on common interests: they are the ties of industry at large, of management and labour forces working together. On the one hand the vastness of your capital investments in Canada make you play and necessarily so a legitimate mighty role in our very economy. In the same vein, similarity in labour and industry conditions has brought about a degree of international penetration promoting more and more the development of a large family of workers with a more and more common ideology, this north and south of the border, face to face with like problems.

The industry, here in point, the asbestos mining and milling industry I have had the honour to represent for more than thirty years, representing as advisor

nearly all of the mining and production of asbestos fibres in my country. The case of the Canadian Asbestos Mines known as the Quebec Asbestos Mining Association offers a good illustration of the extent to which your participation through the field in investments and "know how" reaches into that number one group of commercial industries at home, that of "mine".

For example, in the industry of mining and milling chrysotile asbestos (which is the asbestos mined and milled in Canada) your Nation owns and controls some two-thirds of that field. This is an important proportion indeed of our production which started roughly a century ago in Canada (Quebec) in that region surrounding Thetford Mines and the town of Asbestos—a region being in diameter of some fifty-miles. The production in Canada has been about 85% (U.S.S.R. excepted) of the world's total chrysotile asbestos (chrysotile is the most sought of the various categories of asbestos on the world's markets).

Since the Bill presently under consideration by your Senate and House of Representatives embraces basic principles which are of much importance to our Canadian Asbestos Mining Production (the greatest proportion of which you own and control—as already said above) it follows, naturally so, that our industry should be desirous to place respectfully before you some of the data and experience it has gathered over the years, our interest in so doing being particularly prompted by the fact that one of the main objectives of the Bill will be to achieve such standards as will better ensure the safety and health of the worker, such standards likely to integrate themselves eventually into our own modes of production and this due to the fact that we, of course, share the objectives which your Bill is seeking.

This incidence of safety and health set out in the preamble of this Bill as a primary objective has been brought forward into the limelight in the last few years and particularly so before yourselves, sitting in committee, some two weeks ago by the important studies carried out by Dr. Selikoff and his associates at Mount Sinai Hospital Environmental Sciences Laboratory (in conjunction with renowned Head Statistician of the American Cancer Society Dr. Hammond). The bulk of the work of Professor Selikoff has been centered on the so called Heat and Frost Insulation Asbestos Workers Trade. Although such sector of workers reflects but one of the many "end-uses" of the Asbestos fibre, the findings of Dr. Selikoff nevertheless are of considerable interest to the balance of the industry (some 15000 workers are involved in Dr. Selikoff's Insulation Study).

It is with these considerations in mind, Mr. Chairman, that our industry expresses their gratitude to the Honourable Mr. Holland, President of this Select Committee and to Representative Mr. James O'Hara, Chairman of the Proceedings, for having so graciously extended to your humble servant, a Canadian, the privilege of tabling before you the submission of the Asbestos Mining Industry I have the honour to represent.

My first step, in this delicate mission, should be to assure you that this industry cannot be but fully in accord with the principles set out in the preamble of your Bill. No one, citizen or country, employee or employer, labour or management could not take but pride in supporting a law the lofty object of which is to insure the safety, health and welfare of the worker.

Health and Freedom shall ever be the greatest assets of man and woman—without which no real welfare can be enjoyed.

Your desire through this Bill to foster proper research and training cannot also but provide for those necessary tools without which the ways and means to fashion and ensure safety and health of our men and women at work may not be devised. Possibly the word "Standards" reflects at their best those very criteria with which to measure and gauge the degree of advancement in the study and research for those methods and tolerance limits which may be allowed for this or that operation in industry should it involve the safety, health or welfare of the worker.

You would be interested to know that an attempt to conduct a proper study, programming and planning for achieving such standards is already under way, it being proposed to hold in May next sessions of joint study at the New York Academy of Sciences under the tutelage of the incumbent Dr. Selikoff, at which sessions would participate representatives of management and labour as well as of Governmental and Scientific Groups, the likely field of asbestos exposure for such joint-sessions to be that of the so-called Insulation Trade Group represented by the International Association of Heat and Frost Insulators and Asbestos Workers; also would attend Dr. Karl Lindell (a world foremost mining and

Byers, Ridell, Cunningham, Brink, Vidal, Jarry—and the specialized personnel at our hospitals and sanatoria in the Laurentian Mountains. Later, in the thirties, we repaired to the Saranac Laboratory and Trudeau Foundation in the Adirondacks, the latter constituting without a doubt the most advanced research center on the continent in the Pulmonary Field and that of the allied respiratory tracts, plus cardiopathy.

There, at Saranac, began our relationship with the Head of the Saranac Trudeau Laboratory, Dr. Leroy U. Gardner, a most eminent pathologist and acknowledged leader in the field of industrial medicine. Recipient of many distinguished awards he was for many years a U.S. Public Health top consultant and to his Laboratory flocked daily from all parts of our continent industrial doctors, facing health problems in that phase of very fast expansion in the industrial economy of America. Under Dr. Gardner and his staff was then founded in the forties at Thetford Mines an Industrial Clinic destined to serve the six mines situated in the neighbourhood. The Trudeau Laboratory comprised such famous names as Cummings, Samson, Pratt, Vorwald (distinguished pathologist and author Professor at Fort Wayne University and now Head of the vast Laboratory of Research at Detroit) plus Professor George Wright, founder of the Laboratory and School of Physiology at Trudeau a pioneer in the field of respiratory physiology and an authority at the top of today's echelons across the continent and the present Director of the Scientific Committee of the Institute of Occupational and Environment Health, an Institute promoted by our Asbestos Mining Association. Since the setting into action of these two Industrial Clinics (at Thetford Mines and at Asbestos) it was my duty and that of our Medical Advisors to keep track yearly (that went on from 1940 to date) of the Asbestos health problems as they appeared over the world. There was no significant Laboratory or source of information which was not consulted: contacts were made continuously so as to assure ourselves of the trends in both the Industrial Engineering Preventive Field and the Medical Fields proper. It can therefore be said that no stone was left unturned, our trips taking us to the other Continent, into Asia and Orient as well, in South America, from time to time, with Dr. Cartier our Director at Thetford Mines (Industrial Clinic) and Professor Vidal, Professor Gregoire, Dr. Kenneth Smith (Professor of New York University and Medical Director of Johns-Manville Corporation). We visited all the main centres where the asbestos-health-problems existed in the last few years in the company of Dr. Karl Lindell and Professor Vidal on exploratory and observation trips. We travelled to the British Isles—Europe—Scandinavia, and on two occasions in U.S.S.R. (1960 and 1968) including Asia (Siberia—Kazeestan—Sverdslovsk and Asbest where some twenty-five thousand workers operate asbestos mines and mills and produce today more chrysotile asbestos than is produced in the Occident (Canada and U.S. included).

In conclusion might we recite here the composition of the staff manning the Scientific Committee of the Institute of Occupational and Environmental Health, the executive committee of which is composed of:

Dr. K. V. Lindell: chairman
W. N. Oughtred (President Asbestos Corporation Limited and present President of Quebec Asbestos Mining Association)
F. Parker Smith (President Bell Asbestos Mines Limited)
Michael Messel (President Lake Asbestos Mines Limited, ex-officio member as immediate past President of the above Association)
Ivan Sabourin Q. C.: secretary and counsel

The Scientific Committee is composed as follows:

Dr. George Wright: Director of the Committee, Head of Research at St. Luke's Hospital (Cleveland, Ohio)
Dr. Paul-Kotin: Director of U.S. Center of Environmental Sciences and of Centre of Etiology of Cancer at Bethesda, Maryland.
Dr. Marvin Cushner: Professor, Head of "Tumors Field in Pathology" (an authority in Cancer Research) at New York University and Bellevue Hospital: participant and professor at the Anthony J. Lanza School of Occupational Health, Sterling Forest, New Jersey.
Dr. Fernand Gregoire: head of Lavoisier Clinic, Montreal Physiologist—Expert of our Quebec Workmen's Compensation Board Professor and Author of papers which have already attracted the scientific attention of the world of both continents.
Dr. John Beattie: Professor at Queen's College (Cambridge, England) whose considerable experience since the early thirties and his writings have placed

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him in the forefront of the field of pulmonary studies as to mine and factory workers (for some years Professor Beattie also taught at McGill University) his current studies have also brought him in close and current contact with the Pneumoconiosis Institute of Great Britain at Cardiff, the foremost Pneumoconiosis Institute of the British Isles now presided by Physiologist, Dr. John Gibson, heading the "Union Internationale du Cancer" Committee on asbestosis and allied problems.

Dr. Daniel Braun: Ex-Director of the Industrial Hygiene Foundation (Mellon Institute) Pittsburgh—who conducted and published the 1955 epidemiological survey (Therford Mines and Asbestos) on the incidence of cancer with the Quebec asbestos workers (a study of which has been published in scientific reviews and the conclusion is to the effect that the cancer incidence is not any higher with such workers than with other population groups of the province where no asbestos industry is present.

Dr. P. Pelnar: in charge of experimental work in Medical Research Division, St. Lukes Hospital (Cleveland) professor at Prague, Tchecoslovakie, author and lecturer; his publications in many languages have stamped him as a pathologist of note and an industrial health expert of exceptional science.

Our books, our data, our observations and findings, in short all of our records, are at your disposal, Mr. Chairman, should it be found desirable for you to consider them. Much experience has been gathered, much experimentation compiled. Of late on two occasions we have convened at Antigua at 1965 and in 1967 some forty scientists and research experts gathered from the four corners of the globe. The object of these conferences was to advise the industry as the present health problems it is facing. Your U.S. Public Health Director Dr. Murray Brown kindly attended our last meeting at Antigua which convened as a special scientific Conference by the Director of the Institute. Professor George Wright and the members of his Scientific Committee.

From 1940 to 1964 the Association had held like study meetings and conducted various extensive surveys:

MEETINGS 1: Conference at Carierville Hospital Group of Radiologists and Pathologists and Clinicians from Carolina (Lynch et al) and from Saranac (Gardner et al) and from Toronto (Riddell et al) and Quebec and Montreal our association and governmental medical representatives.

1951 and 1953: Two like meetings at Montebello.

1957: Queen Elizabeth Hotel—Montreal—three days symposium gathering scientists from both continents 150 representatives from Saranac—Harvard—McGill—Toronto—Montreal University—Belgium—France. Various hospital and schools of study and governmental agencies.

*Epidemiological Surveys:*

1945: Metropolitan Life Insurance et al Health: turberculosis found to be not more prevalent with asbestos workers than general population (reference: The Wheatley Report)

1955: The Braun and Truan Cancer Study (Industrial Hygiene Foundation, Mellon Institute, Pittsburgh). Cancer found not to be more prevalent with asbestos workers than in general population.

N.B.—A three year epidemiological survey is being conducted (now in its second year) by Professor Macdonald, McGill University and his staff under the aegis of Dr. Wright's scientific committee which is sponsoring other study groups here and in Europe.

In all of this we trust you may have learned of some sources of information you may wish to contact or confer with through your various agencies.

We remain at your disposal ever and again beg to thank you most deeply for having allowed this presentation.

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BALTIMORE SAFETY COUNCIL, INC.,
*Baltimore, Md., March 20, 1968.*

EDWARD A. GARMATZ, M.C.,
*Federal Office Building,*
*Baltimore, Md.*

DEAR CONGRESSMAN GARMATZ: At a meeting of the Executive Committee of the Baltimore Safety Council held on Friday, March 15, 1968, a careful study was made of Senate Bill #2864 entitled "Occupational Safety & Health Act of 1968."