

Asbestos and smoking: A deadly combination

Warning: The Surgeon General Has Determined that Cigarette Smoking is Dangerous to Your Health. That familiar message on cigarette packages and advertising likely would be disputed by only the most diehard tobacco industry advocate. Cigarette smokers suffer nearly twice the heart disease death rate of non-smokers and about 10 times the frequency of lung cancer.

For asbestos workers who smoke, the statistical picture is even more ominous. In 1979, Dr. Irving Selikoff of the Mount Sinai Medical Center and Dr. E. Cuyler Hammond of the American Cancer Society reported on 12,501 asbestos insulation workers who had 20 or more years of work experience. For the asbestos workers who smoked, their risk of dying from lung cancer was 53 times greater than that of a control group exposed neither to asbestos nor to smoking. Asbestos workers who smoked showed a 5 times greater risk of dying from lung cancer than the members of the control group who smoked, while non-smoking asbestos workers showed a similar excess lung cancer death rate compared to their non-smoking control counterparts.

The asbestos industry contends that the synergistic effect of cigarette smoking and asbestos exposure has not been given sufficient attention by regulators and some scientists. A recent Johns-Manville Corp. publication on the asbestos issue stated: "J-M led all of American industry in establishing a no-smoking policy at asbestos-using locations because asbestos-related lung cancer would not be a significant health problem if it were not for cigarette smoking."

Last June, Dr. Paul Kotin, J-M senior vice president for health, safety and environment, stated in an *American Journal of Public Health*

editorial: "OSHA cannot fulfill its mandate without addressing the issue of the adverse effects of smoking." Kotin noted a general failure "to recognize the crucial role of smoking in occupational health — not just general health — and that control of smoking in the workplace is an additional method of occupational environmental control, not a substitute for all other workplace environment changes." He said smoking control programs in industry were not efforts to "shift the burden" to the worker" but rather were "part of the cooperative and collaborative effort necessary in occupational environmental control."

Dr. Irving Selikoff, in a letter that ran in the *Journal's* January 1981 issue, replied that Kotin was right that cigarette smoking "leads to risk" which is augmented by the presence of workplace hazards. However, Selikoff stated that Kotin had "focused on one important aspect of the smoking-hazardous agent problem" and that equal attention must be paid to "controlling the workplace exposure that makes the smoking particularly dangerous." Selikoff pointed out that some hazardous agents have effects that are not associated with smoking and "avoidance of cigarettes won't help" in such cases. Mesothelioma, stomach cancer, colon-rectum cancer, and kidney cancer, he noted, occur "with approximately equal excess" among smoking and non-smoking asbestos workers.

David Wilson, president of United Steelworkers of America Local 2609 and chairman of the Maryland Committee on Occupational Safety and Health, charged in another letter to the editor of the *Journal* that Kotin "overemphasizes the role of smoking" in occu-

pational disease. Wilson said workers "face an onslaught of toxic chemicals, many of which have been inadequately tested for health effects." With "the dearth of current efforts to control environmental hazards," Wilson said it was "an affront to pose smoking cessation as an answer to our current occupational disease epidemic."

No smoking?

J-M's no smoking rule, according to company officials, generally has been well received by employees. The company has faced three court challenges to the policy and won two of them. In *Johns-Manville Sales Corporation v. International Association of Machinists, Local Lodge 1609*, however, the union successfully charged that the no-smoking policy violated the collective bargaining agreement.

J-M argued that smoking in an asbestos plant is contrary to public policy favoring the elimination of health hazards from the workplace. The company cited the OSH Act's general duty clause, OSHA standards, court decisions, and various Federal health policies in support of its position.

The Machinists' union responded that no OSHA regulation bars smoking in asbestos plants. Moreover, the union argued that confirmed smokers frequently cannot stop smoking and that adoption of the policy would mean loss of their jobs. The union acknowledged the increased risk of cancer to asbestos workers who smoke, but said they should be permitted to knowingly expose themselves to danger.

In affirming the trial court's decision that the rule was invalid, the U.S. Court of Appeals for the Fifth Circuit held: "The danger . . . is to

the smoker who willingly courts it. The issue is not merely whether these employees should stop smoking. It is whether the company should be able to discharge them if they do not. . . ." The court of appeals ruled that the collective bargaining agreement denied the company such power.

Unlike Johns-Manville, most companies are reluctant to impose outright bans on smoking. John

Marsh, director of environmental affairs for Raybestos-Manhattan, Inc., said his company has mounted an extensive stop smoking educational campaign among its employees, but had not banned smoking, in part because of the widely held belief that such a ban would "interfere with the individual's lifestyle."

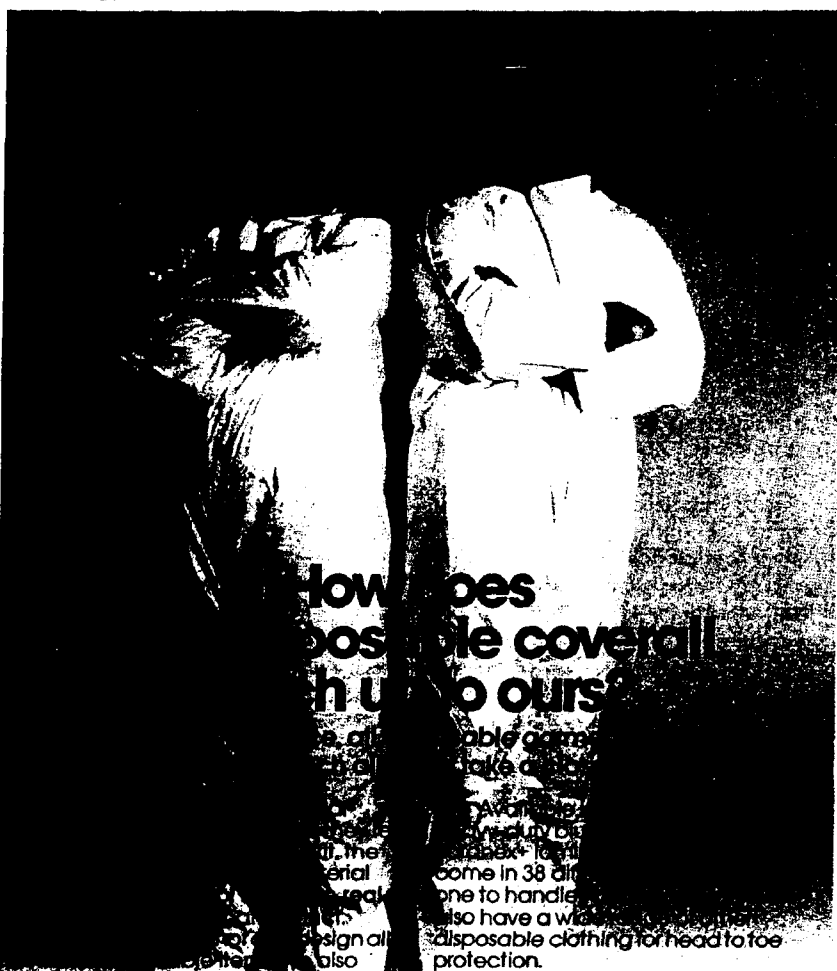
Though both NIOSH and OSHA health officials concede that the combination of smoking and asbes-

tos exposure is especially dangerous, neither agency appears eager to endorse the regulation of workplace smoking. Richard Lemen, special assistant to the director for standards development, NIOSH, and chairman of the OSHA/NIOSH Asbestos Work Group, commented: "Smoking is something that is really a personal choice, whereas workers do not always have a personal choice whether to work in a particular job or not. Economically, a person often does not have a choice because it is the only industry in a community. There is valid concern that smoking should be discouraged . . . I'm not so sure that that is part of the regulatory function of OSHA. From NIOSH's point of view, we would recommend very strongly that asbestos workers do not smoke, but we wouldn't say that smoking is the answer to the whole situation. I think that reducing the exposure to asbestos is most important."

The asbestos industry's criticism of the role of smoking in asbestos-related disease intensified last fall when the Standard Asbestos Manufacturing and Insulation Co., Kansas City, Mo., sued six major tobacco companies, alleging that smoking is the primary cause of lung disease cited in lawsuits against the company by hundreds of asbestos workers.

The suit, filed September 17 in California Superior Court in Los Angeles and San Francisco, was an attempt by the company to bring tobacco companies into existing lawsuits and have a jury decide what their share, if any, of the damages should be. Companies named in the suit are: American Tobacco Co., div. of American Brands, Inc.; Philip Morris, Inc.; R.J. Reynolds Tobacco Co., Inc.; Brown and Williamson Tobacco Corp.; Liggett and Myers Tobacco Co., Inc. and the Liggett Group, Inc.; and Lorillard, div. of Loew's Theaters, Inc. and Loew's Theaters, Inc.

A tobacco industry spokesman said this was the first product liability suit against the tobacco industry in which "one industry has filed suit against another." The spokesman said no individual has successfully sued a tobacco company for damages due to the adverse health effects of smoking. ■



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