

Accusing the government of mishandling a regulatory issue isn't novel—unless the critic is a top-level participant in the bureaucratic process.

## Confusion over carcinogens—criticism from unexpected corner

Who's on first may be funny as an Abbott and Costello routine. But when the same act finds its way into a national cancer policy, it's no longer a laughing matter. Especially not to Barbara Franklin.

Ms. Franklin, the outspoken vice chairman of the Consumer Product Safety Commission (CPSC) and the only original CPSC commissioner still around, is downright worried that unless something is done soon the government could put itself in the unenviable position of "mishandling the carcinogen issue completely."

At the root of her worries is the current hodgepodge that finds no fewer than four agencies—the Occupational Safety & Health Administration (OSHA), the Environmental Protection Agency (EPA), the Food & Drug Administration, and the CPSC—working to develop cancer/carcinogen policies.

And while on paper there ostensibly is coordination via an interagency work group, in reality each agency simply has gone off in its own direction. Ms. Franklin asserts. So each policy that emerges is different and, instead of offering a broad overview, tends to focus on the particular agency's area of expertise whether it be the workplace, air emissions, consumer products, or food and drugs.

As a result, not only is there confusion within the government, but also among business and the general public. "No one knows who's on first," angrily declares Ms. Franklin. "People are fighting through agencies for control on these policies, and there is no game plan as to where all this will end up."

"The consuming public has had it," she fumes. "They are sick and tired of being told that everything they touch or

eat is cancerous. Yet underneath, they are frightened of the disease."

"Business, too, doesn't know what to do," she continues. "The policies of the various agencies are different, and companies have to deal with all of them."

**Pressure mounts.** As if that confusion weren't enough, the carcinogen waters became even more turbulent last October when OSHA—without consulting its allied agencies—issued its own carcinogen policy. That put pressure on the other agencies to prematurely force through their policies (EPA and CPSC began proceedings in March) and it also took the issue out of the discussion stage and threw it into "an adversarial setting," Ms. Franklin charges.

"Now everyone's policy and everything is compared with the OSHA one and the dialog evolves around that" instead of the issues in question: What is a carcinogen; what tests should be used to determine the carcinogenic nature of a substance; how should test results be interpreted; and how much exposure can be permitted?

"If you could have some uniform way of approaching the problem in all those areas, then at least everybody," she declares, "would have the same understanding." That, in turn, would lead to more intelligible and more equitable regulatory judgments and diminish the kinds of allegations that are being made now (relative to the reliability of the tests used, the validity of the results, and the significance of exposure levels). What's more, if everyone used the same base, there would be less confusion and difficulty complying with "different regulations from different agencies covering the same carcinogen substance."

To get that consensus, however, will

take some doing, she admits. "There is no clear-cut solution," she says. "But there is no question that we need to set in motion a set of regional meetings where we gather around the table the widest spectrum of people from the public who have an interest in this: the scientists, the doctors, the business people, the government, the consumers." She'd follow that with a national meeting on the issues.

"That's do-able," she asserts. "There still is so much scientific uncertainty surrounding the carcinogen question that through a series of meetings at least we could pinpoint what we know and what we don't know. We could build a consensus about the problem and we could build a consensus about the solutions."

"The whole issue right now is emotionally charged—and what public official wants to be for cancer?" asks Ms. Franklin rhetorically. "When you have a dilemma like this, it is just much too easy for the decision-makers to play it safe. In fact, you sort of have a pressure to do just that, because you don't want to think you are letting substances out there that could cause cancer."

If the government maintains that stance, instead of saving people from cancer, it could actually create an even bigger mess, she believes. "Unless the whole issue is brought into perspective and the government again gets sight of the bigger picture, we could get a stringent, knee-jerk policy that over time will unravel and leave everyone more confused."

"The right time is now," she insists. "If we don't do the right thing now to begin to build the consensus we need about how to handle carcinogens in this country—both how industry should

handle them and what the public thinks and would do—then we are going to have a horrendous credibility problem and as much confusion five years from now as there is today with energy."

For her part, the 38-year-old Ms. Franklin is pushing her agency to provide for the greatest possible input regarding the carcinogen issue—her advocating a series of regional meetings is an example of that. She's also pushing the rest of the government to do the same. (That role is not new to Ms. Franklin. Her career usually seems to put her on the hot spot and bring her into the vanguard of movements. At Singer Co., for example, she helped develop the firm's strategic planning system at a time when such departments were seldom heard of. At New York's Citibank, she evaluated new financial services and established and headed a government relations office. Then, during the Nixon Administration, she was brought into the White House to recruit and place women in high-level positions; she nearly tripled the number of women in government in less than two years.)

**White House leadership.** Her critics have argued that achieving a carcinogen consensus would be too time-consuming and that the country can't wait that long to develop a national cancer policy. Ms. Franklin disagrees. "When you have a complicated problem like this where so many of its aspects are really in the embryonic stage of development, if you really want to solve the problem right, sometimes it takes a little more time," she states. "But you will have at the end a more lasting solution that everybody can live with . . . than if you rush into something and then later have to change it."

The leadership for these meetings,

she believes, should come from the White House. That way, it would be all of government—not just one branch—showing the way. Too, that approach would result in the government being a participant rather than the determining body. But, says Ms. Franklin, if the President doesn't get involved, she thinks the individual agencies—or even business groups—should get the ball rolling. "Wherever we can get it done, it can only help. You could have a reasoned dialog, and lower the emotionalism attached to the issue and the dread on the part of the public."

Right now, however, there's no leadership forthcoming, and no hint as to the direction the government is taking. Ms. Franklin finds that "simply abysmal. Until the pinnacle of leadership, namely the office of the President, gives this whole area the emphasis it needs—in fact until [Mr. Carter] directs that there be a broad public consensus—it may be extremely difficult, if not impossible, to get the reasoned dialog we need."

**Future shock.** The implications of such a failure could stretch far beyond the issue of how the U. S. as a country controls carcinogens. Because the impact of almost any policy most certainly will hit smaller businesses harder, Ms. Franklin is concerned that there could very well be a "real turning off of the kind of enterprising philosophy that usually prevails in this country."

(This concern no doubt springs in part from her broad business background, her status as the only CPSC commissioner with a private-sector background, and her being one of the first women graduates of the Harvard Business School's M.B.A. program.)

"Through all this uncertainty and riskiness, it's possible we are lessening



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the chance that people are going to want to take those risks and get into these businesses. And then who's going to do it?" she asks. "Will we have few creative smaller businesses? It looks that way to me."

If that innovative spirit were destroyed, the future impact could be enormous. "How are we going to know how many products didn't get out there?" she queries. "At what price are we gaining all this safety? At what cost to this country now and into the future?"

"We'll never know what we've lost through this piecemeal approach to carcinogens in terms of new ideas and products," she answers, "except that in the final analysis what we're doing just may not end up being in the consumers' best interests."