FILE NAME: New York State & NY Times (NY)

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DOCUMENT DESCRIPTION: Barry Castleman Notes on Trial in NY in Letter to Friedman

NY- pre-1960

Barry Castleman, Sc.D. environmental consultant

January 26, 1987

Ted Friedman

Dear Ted,

This is the first case I've prepared for trial in New York, and given the resources of your city, that makes quite a difference. The enclosed documents trace the development of knowledge on asbestos using a variety of sources. Additionally, I have asked your office to obtain other documents which have been used by me in trials elsewhere and not returned by plaintiffs' attorneys to me. Sorry.

The authorities in New York wrote a lot about asbestosis and cancer from it in the years 1950-52 (Drs. Silson, Mayers of NY State Dept. of Labor). Had anyone bothered to call these men, they would doubtless have told what they knew. Mayers, in particular, not only said asbestos was a carcinogen in 1952 (Comp. Med paper), but also warned against reliance on Maximum Allowable Concentration guidelines based on other health effects where the substance in question is a carcinogen. This is a strong answer to the TLV defense since the TLV was aimed at minimizing risk of asbestosis(see Ch 4 of my book for elaboration). I have asked your people to obtain a paper by Tabershaw, who was at Columbia and worked for Liberty Mutual when he wrote about the Germans classifying lung cancer in combination with asbestosis as a compensable occupational disease (1951) Dr. Angrist, pathologist at Queens General, was an author of papers on asbestosis and lung cancer in 1942 and 1951, enclosed. Dr. Brandy, whose widow told me he was with the compensation board, inclined toward the position that asbestos caused cancer in 1948 in the paper enclosed (which followed a presentation on the same subject by Lynch). In addition, there were Dr. Levin at NY Health Dept. (1944 article you're getting), the 1934 editorial in NY's "Industrial Bulletin" (enclosed), and the well-known Saranac Laboratory in upstate NY (described at length in my book). Also WE Smith at NYU (you're getting his 1952 writing).

Reviewing my book, chapter 2, I count 62 published articles in print worldwide (incl. abstracts of articles counted in addition to the articles themselves) which comment in more or less positive terms on the carcinogenicity of asbestos, prior to 1950. My researcher is getting copies of the citations in Index Medicus throughout the 1950s to medical papers on asbestosis

Please copy and return asap, and also make me copies of the articles I"ve had to ask you to obtain on your own

Sincerely,

Barry

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New York --- Further ref to NY State Occ Ca Comm Mayers (Arch Ind. Hyg. 5: 279, 1952) cites publication of mailings sent to every doc in NY state (1950?) incl specific ref to carcinogens known & suspected Mo Rev 30: 37 and 44, 1951; and Comm Med 3: 9 (1950).

Committee formed in 1947 incl. reps. from every prof category in NY, fed. experts, and some industry people (e g., Gehrmann) as well as Prof. Lanza.

(Connie:) NY notice to docs mentioned asbestos as possible lung carcinogen (but not proven one). Republication of notice in Comm. Med. didn't have this info, but 1951 reprintings in Mo Rev had the tables

Ind. Pull. appears to be an I.H. safety publication Connie will examine post-1934 issues for asbestos articles (apparently there are no ads).

I also suggested College of Insurance library as special NY resource.