

1 here. He was over in England, and that article
2 reference was made to it over here in the American
3 Journal of Medicine in 1928.

4 Lung cancer was discussed in the medical
5 literature in 1935 in textbooks, and in 1942 it was in
6 textbooks, and by 1949 it was firmly established that
7 asbestos caused lung cancer and asbestosis. 1949.

8 That is a year before Mr. Vandergucht is
9 plastering. That is not it. That is not it, ladies
10 and gentlemen.

11 Mesothelioma was identified in '43, reported
12 in the literature at various intervals. It wasn't
13 quite the amount of evidence of asbestosis, but it was
14 in the literature in the '40s.

15 In '47 mesothelioma was discussed in the
16 Massachusetts Journal, General Hospital, New England
17 Journal of Medicine. And by '53, it had been reported
18 as a disease in asbestos workers.

19 That is what we call state of the art,
20 ladies and gentlemen. And by 1935, 1935, ladies and
21 gentlemen, well over 100 articles about the hazards of

1 asbestos disease had been published in the scientific
2 literature and medical literature and was available.

3 Look at these dates. These men haven't even
4 been exposed yet, and here we have the three biggest
5 corporations around.

6 State of the art. State of the art, ladies
7 and gentlemen. That is one of the things that we are
8 going to talk about.

9 You know what? I could sit down right now.
10 What you could have known, what you should have known,
11 that is enough right there.

12 But we didn't stop there. We didn't stop
13 there. Because we went back and looked at their
14 documents. They have some of their own documents that
15 they saved and what those documents reveal, ladies and
16 gentlemen. Let's start with Owens-Illinois.

17 This is what is called actual knowledge.
18 This isn't about what was in a library or in a book
19 that they should have read. This is about what they
20 actually knew. Every one of these companies, ladies
21 and gentlemen. Actual knowledge.

1 Owens-Illinois, 1935. They attend a pre-
2 Industrial Hygiene Foundation symposium on dust
3 problems. Owens-Illinois. 1935.

4 Now, remember that organization, Industrial
5 Hygiene Foundation, okay? That is a group that gets
6 together, they trade information, they discuss various
7 ideas, and a lot of the companies are members of the
8 Industrial Hygiene Foundation.

9 In 1935 a vice-president of Owens-Illinois
10 goes to this meeting and discussions concerning
11 industrial health-related problems including asbestos
12 dust hazards, which is definitely known to produce
13 disabling fibrosis of the lung.

14 1935 they knew that it produced disabling
15 fibrosis of the lung.

16 1938 Owens-Illinois begins experimenting
17 with Kaylo. That is basically starting to develop a
18 product line.

19 '42 to '43 they have a small pilot project
20 going on where they are developing and producing
21 Kaylo.

1 In 1943 what Owens-Illinois decides to do,
2 they desire to hire a lab to look at Kaylo to see if
3 there are any problems.

4 You are going to hear a little bit about the
5 Saranac labs, both with regard to Owens-Illinois and
6 Owens-Corning Fiberglas.

7 They hired them because they wanted to find
8 out what the health hazards were to those involved in
9 manufacturing Kaylo and, very important, to
10 applicators or erectors at point of use.

11 Again, in 1943 U.E. Bowes, he is director of
12 research and you are going to hear his name a lot, and
13 we are not talking about some guy sitting in a little
14 room, this guy is the director of research, and he
15 looks at -- they are looking at animal experiments at
16 the Saranac Lab.

17 March 12 of 1943, they get a report back
18 and what they tell Mr. Bowes, the director of research
19 is, "The fact that you are starting with a mixture of
20 quartz and asbestos would certainly suggest that you
21 have all of the ingredients for a first class hazard.