

# United Steelworkers of America

AFL-CIO

FIVE GATEWAY CENTER PHILADELPHIA, PA. 19102

March 20, 1978

The Honorable Joseph A. Califano  
Secretary of Health, Education & Welfare  
200 Independence Avenue, S.W.  
Washington, D. C. 20201

The Honorable Ray Marshall  
Secretary of Labor  
200 Constitution Avenue, N.W.  
Washington, D. C. 20210

Gentlemen:

Several weeks ago you received a letter from Drs. Eisenbud, Goldwater, Higgins, MacMahon, Rogers, Roth, Tabershaw, and Van Ordstrand criticizing the quality and credibility of NIOSH research. In particular, they cited recent NIOSH studies of the carcinogenic potential of beryllium. Even before you received it, the letter was widely distributed to the press by the public relations firm of Carl Byoir and Associates. Most of the signers of the letter listed only their academic affiliations, and attempted to portray themselves as independent "scientists," writing out of their "concern" for "confidence in the competence and objectivity of government health studies."

In fact, the letter was a deliberately deceptive example of corporate public relations. Six of the signers of the letter work as consultants to the beryllium industry. Five of them testified at the recently concluded beryllium hearings. None of this was disclosed in the letter. Nor did the eight see fit to divulge who arranged the meeting at Washington's Cosmos Club where the letter was signed, who paid their transportation to Washington, or who hired Carl Byoir & Associates to distribute the letter. We do not question the right of the eight individuals to consult for industry, or to make their views known. But we must object when they attempt to cloak industry propaganda in the veil of academic objectivity.

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In their letter, the eight industry consultants referred to the NIOSH beryllium studies as "shocking examples of . . . shoddy scholarship and questionable objectivity..." We believe the Assistant Secretary of Labor for Occupational Safety and Health is well qualified to evaluate the NIOSH studies, and we think the matter should be left to her. However, we wish to point out that the relationship of the eight signers to industry renders their own objectivity unlikely. As for "shocking examples" of "shoddy scholarship" we call your attention to Dr. Roth's "smoking survey," and his testimony that beryllium workers may have contracted lung cancer 25 years after exposure because "they lived in homes that might be classified as flophouses"; Dr. Van Ordstrand's "clinical observation" that beryllium could not cause cancer; and Dr. Eisenbud's misuse of a small subfile of the Beryllium Case Register in an attempt to prove that nonmalignant respiratory disease could not be caused by exposure below the current legal limits -- all of which were presented in the recent hearings. (For more information see the USWA Post-Hearing Brief of October 27, 1977, pp. 14-18 and 33-35; the USWA Supplementary Post-Hearing Brief of February 21, 1978, pp. 25-28; and pp. 1364-1366 and 1406-1419 of the Hearing Transcript.)

The letter further claimed that "problems comparable to those that have surfaced in the context of beryllium pervade studies in many areas that have been the object of OSHA regulatory decisions in recent years." No evidence -- indeed no examples -- were given to support this serious charge. The USWA believes that recent OSHA standards have been based on adequate evidence, subjected to thorough review by all parties. We find no evidence to support the signers' claim.

It is entirely appropriate for the Secretaries of HEW and Labor to monitor regularly all aspects of NIOSH and OSHA, including the adequacy of government sponsored research. But it would be tragic if the "eight scientists" letter were allowed to restrain the promulgation of standards for beryllium and other toxic substances. The health of our members and millions of other workers is at stake. We urge you to recognize the letter for what it is -- an industry attack on agencies the industry perceives as threats. It must not be allowed to affect the work of NIOSH or OSHA.

Respectfully yours,

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