

Need for an Equivalent of the
Framework Convention on Tobacco
Control (FCTC) to Contain the
*Relentless Influence of Asbestos
Interests in Promoting the Safe Use of
Chrysotile Asbestos*

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TRAINING WORKSHOP

**ETHICS IN RESEARCH, POLICY ADVOCACY AND
PUBLIC HEALTH RELATED POLICY DEVELOPMENT**

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Objectives:

- ▶ Expose the role that asbestos interests have taken in infiltrating and subverting the research and public health policy process.
- ▶ Justify the need for a provision, similar to the one in the WHO Framework Convention on Tobacco Control (FCTC), to limit the influence of asbestos interests in research designed to foment uncertainty and to derail evidence-based public health policy.

The “WHY?”

The Ethical Public Health Practitioner

▶ *Brings ethics to the grass roots ...*

- ▶ “Do unto others as you would have them do unto yourself or your loved ones” (The Golden Rule)
- ▶ Do your level best in the public interest
- ▶ Call people on it when you find them not performing in the public interest

▶ *In accordance with*

- ▶ **Norms** of the field
- ▶ **Transparency** of collective values
- ▶ **Solidarity** on global health threats
- ▶ **Accountability** for actions taken

Context and Need

- ▶ Developing the JPC-SE Position Statement on Asbestos required exposing scientific uncertainties that have been manufactured by vested interests.
- ▶ Since the Statement was released in July 2012, further infiltration of vested interests, even into IARC, has occurred.
- ▶ This presentation focuses mainly on the period since July, 2012.

Classical techniques that skew results: from biased methods to *junk science*

- ▶ Under-powered studies
- ▶ Inadequate follow-up methods (incl. pathology review; limitations on matching methods related to database limitations)
- ▶ Inadequate follow-up time (very long latency from exposure to the relevant disease outcome)
- ▶ Contaminated controls
- ▶ Unbalanced discussion
- ▶ Selective disclosure of competing interests

Manufacturing Doubt

▶ Epstein

The Politics of Cancer, 1978

▶ Davis

When Smoke Ran Like Water: Tales of Environ Deception ..., 2002

The Secret History of the War on Cancer, 2007

Disconnect: The Truth About Cell Phone Radiation ..., 2010

▶ Michaels

Doubt is their Product: How Industry's Assault on Science..., 2008

▶ McCulloch & Tweedale

Defending the Indefensible: The Global Asbestos Industry ..., 2008

By fomenting uncertainty, the health policy-maker's role is undermined

→ *the subversion and ambushing of science*

The Four D's applied to scientists studying that which does not support the *status quo*

- ▶ Deny
- ▶ Delay
- ▶ Divide
- ▶ Discredit
 - ▶ [Dismiss]

“Industry’s offensive against the regulation of health and safety hazards uses academics to downplay or deny the seriousness of the hazards...”

Clayson and Halpern

J. of Public Health Policy

September, 1983



The Center for Public Integrity

<http://www.publicintegrity.org/2013/07/30/13068/industry-muscle-targets-federal-report-carcinogens>

Industry Muscle Targets Federal
"Report on Carcinogens" July 30, 2013

"Industry attacks on Public Health research have become more strident."

Linda Birnbaum, Director, US-NIEHS

Eleven articles ... part of a potential crime-fraud <https://www.rightoncanada.ca/?p=2078>

June 7, 2013

- ▶ In a powerful decision, a New York appeal court found that eleven articles, published in scientific journals, were potentially part of a crime-fraud. The articles, financed by Georgia-Pacific, were intended to cast doubt on the capability of chrysotile asbestos to cause cancer.

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LIST OF THE ELEVEN ARTICLES

- ▶ Brorby, Sheehan, Berman, Greene and Holm, Re-Creation of Historical Chrysotile-Containing Joint Compounds, **INHALATION TOXICOLOGY**, 20:1043-1053 (2008)
- ▶ Bernstein, Donaldson, Decker, Gaering, Kunzendorf, Chevalier and Holm, A Biopersistence Study following Exposure to Chrysotile Asbestos Alone or in Combination with Fine Particles, **INHALATION TOXICOLOGY**, 20: 1009-1028 (2008)
- ▶ Bernstein, Rogers, Sepulveda, Donaldson, Schuler, Gaering, Kunzendorf, Chevalier and Holm, The Pathological Response and Fate in the Lung and Pleura of Chrysotile in Combination with Fine Particles Compared to Amosite Asbestos Following Short-Term Inhalation Exposure: Interim Results, **INHALATION TOXICOLOGY**, 22 (11): 937-962 (2010)
- ▶ Bernstein, Rogers, Sepulveda, Donaldson, Schuler, Gaering, Kunzendorf, Chevalier and Holm, Quantification of the Pathological Response and Fate in the Lung and Pleura of Chrysotile in Combination with Fine Particles Compared to Amosite-Asbestos Following Short-Term Inhalation Exposure, **INHALATION TOXICOLOGY**, 23(7): 372-391 (2011)

- ▶ Brorby, Sheehan, Berman, Bogen and Holm, Potential Artifacts Associated with Historical Preparation of Joint Compound Samples and Reported Airborne Asb271-278 estos Concentrations, **J. OCCUP. AND ENVIRON. HYG.**, 8: (2011)
- ▶ Sheehan, Brorby, Berman, Bogen and Holm, Chamber for Testing Asbestos-Containing Products: Validation and Testing of a Re-Created Chrysotile-Containing Joint Compound, **ANN. OCCUP. HYG.**, 55(7) 797- 809 (2011)
- ▶ Simmons, Jones and Boelter, Factors Influencing Dust Exposure: Finishing Activities in Drywall Construction, **J. OCCUP. AND ENVIRON. HYG.**, 8: 324-336 (2011)
- ▶ Jones, Simmons and Boelter, Development and Evaluation of a Semi-Empirical Two Zone Dust Exposure Model for a Dusty Construction Trade, **J. OCCUP. AND ENVIRON. HYG.**, 8: 337-348 (2011)
- ▶ Jones, Simmons & Boelter, Comparing Two-Zone Models of Dust Exposure, **J. OCCUP. AND ENVIRON. HYG.**, 8: 513-519 (2011)

- ▶ Berman, Brorby, Sheehan, Bogen and Holm, More on the Dynamics of Dust Generation: The Effects of Mixing and Sanding Chrysotile, Calcium Carbonate, and Other Components on the Characteristics of Joint-Compound Dusts, **ANN. OCCUP. HYG.**, 56(7):852-867 (2012)
- ▶ Brorby, Sheehan, Berman, Bogen and Holm, Exposures from Chrysotile-Containing Joint Compound: Evaluation of New Model Relating Respirable Dust to Fiber Concentrations, **RISK ANALYSIS** 2012

The UN Rotterdam Convention

Adopted in 1998, and effective in 2004, it is a process that requires of all current 150+ parties to the Convention (member countries):

- ▶ A scientific review panel, democratically appointed, to assess whether chemical substances should be listed under the Convention
- ▶ At a two-yearly Conference of the Parties (COP) to the Convention, a consensus decision is required in order to implement a recommendation by the scientific review panel
- ▶ If LISTED, the only requirement in continuing trade is for member countries that export any listed substance to secure prior informed consent from importing countries, and guidance on implementing basic safety measures.

Chrysotile Asbestos

- ▶ Rotterdam Convention COP (May-June, 2013)
- ▶ Ukraine, Kazakhstan, Kyrgyzstan, India, Zimbabwe, Vietnam and **Russia** opposed the listing of chrysotile asbestos, with **Russia** taking on the previously obstructive role of Canada
- ▶ Consensus vs. Unanimity
- ▶ A demonstration of facts (evidence) and the ethical principle of solidarity were overruled by ideology and business interests/influence ...

Why CHRYSOTILE asbestos must be added to the RC list

95% of all asbestos produced was CHRYSOTILE asbestos and, for more than 25 years, CHRYSOTILE asbestos represents the ONLY FORM OF ASBESTOS traded in the world

From: Virta (2006) at <http://pubs.usgs.gov/circ/2006/1298/c1298.pdf>

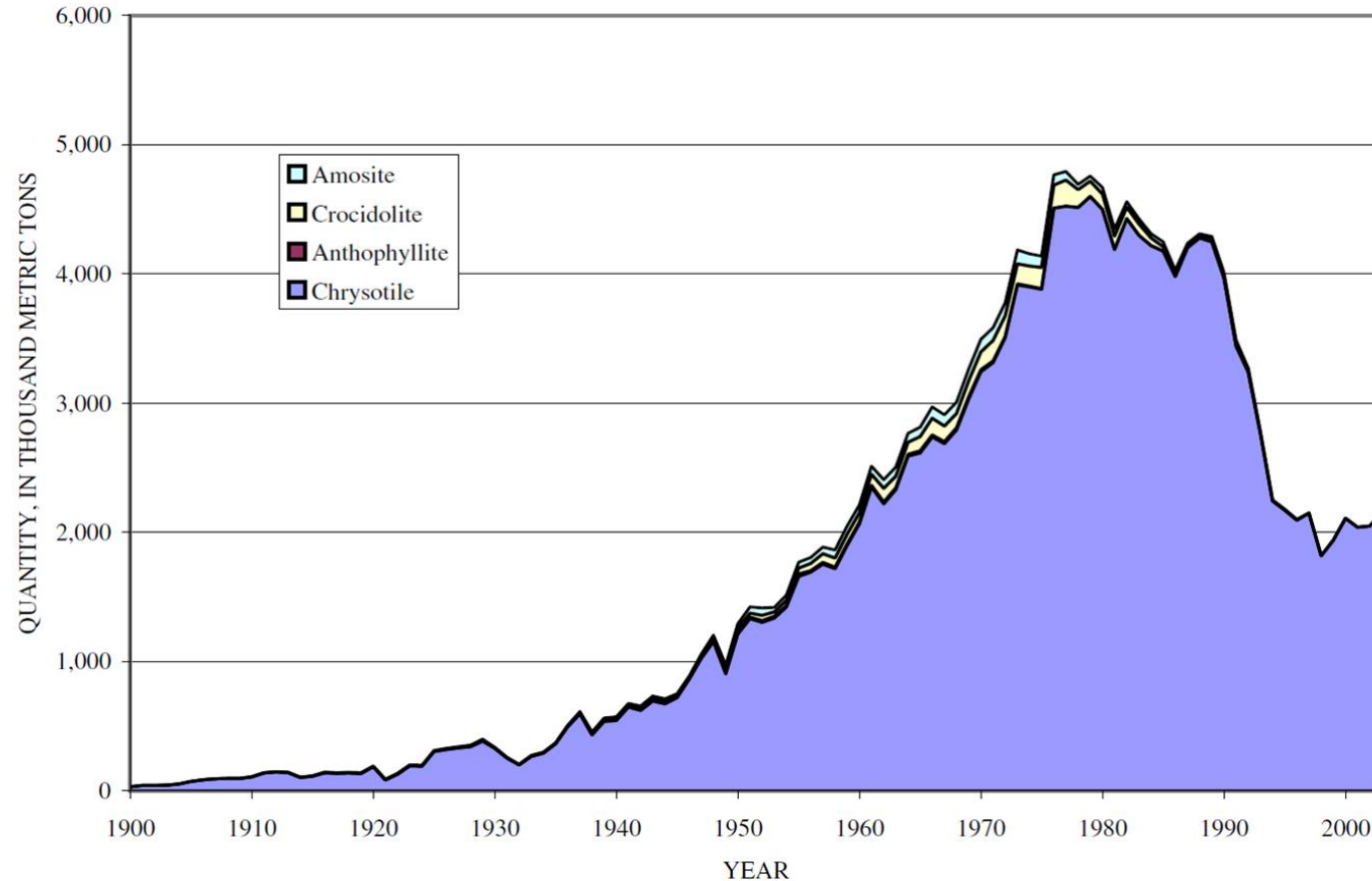


Figure 4. World production of asbestos, by type, from 1900 to 2003. About 2.81 million metric tons (Mt) of amosite, 460,000 metric tons of anthophyllite, 173 Mt of chrysotile, and 3.92 Mt of crocidolite were produced from 1900 to 2003. Sources: U.S. Geological Survey, 1901-1921, 1924-1932, 1997-2005; U.S. Bureau of Mines, 1934-1996.

ASBESTOS PRODUCERS & EXPORTERS

THANKS TO
THE EFFORTS
OF THE FEDERAL
GOVERNMENT...

WE WILL
CONTINUE
TO MAKE A
KILLING.

CANADA BLOCKS
TREATY TO LABEL
ASBESTOS AS
'HAZARDOUS'

GREG
PERRY

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Naiveté at IARC?

Scientists from the Russian Academy of Medical Sciences are involved in collaboration with IARC. This Academy sponsored the pseudo-scientific Kiev conference in November, 2012, which called for the defeat of the recommended listing of chrysotile asbestos as hazardous under the Rotterdam Convention in 2013.

Lobbyist influence in Brazil

Dr. Kovalevskiy of the Russian Academy was listed in the 2012 Brazil Supreme court documents as a witness for the Brazilian Chrysotile Institute, the industry's lobby group. He testified in favour of continued use of chrysotile asbestos in Brazil and in opposition to the listing of chrysotile asbestos under the Rotterdam Convention.

Further *DELAY & DIVIDE* tactics ... now by Russia

The Uralasbest study now being conducted by IARC is financed by the Russian Ministry of Health. Along with the Russian Academy and Kovalevskiy and Kashanskiy, who IARC has appointed as collaborators, the Russian Ministry of Health is a dedicated proponent of continued use of chrysotile asbestos.

Russia has taken over from Canada as the promoter of asbestos

The reality is that the global asbestos industry and its lobby organizations have for years spent countless millions of dollars on subverting and corrupting the scientific evidence.

The Russian government has now taken over the role that the Canadian government played for so many years by promoting disreputable scientists linked to the asbestos industry and its discredited industry-funded and industry-controlled research

A United Nations' framework convention is typically justified for problems that necessitate international cooperation to effectively formulate policy action among member countries.

Prior to the FCTC, the majority of framework conventions actually addressed *“environmental issues that were outside the control of individual nations.”*

The WHO Framework Convention on Tobacco Control (FCTC)

http://en.wikipedia.org/wiki/WHO_Framework_Convention_on_Tobacco_Control

The World Health Organization Framework Convention on Tobacco Control (WHO FCTC) is a treaty adopted by the World Health Assembly in 2003. It became the first WHO treaty adopted under Article 19 of the WHO constitution. It came into force in 2005.

The FCTC represents a watershed moment for international public health; not only was the treaty the first to be adopted under Article 19, but it also marks one of the first multilateral, binding agreements regarding a chronic, non-communicable disease.

Being unable to argue against the overwhelming scientific evidence about tobacco's harmful health effects, and to thwart the efforts of FCTC drafters, the tobacco industry seized upon the FCTC's potential for economic harm.

Fortunately, much of the groundwork for the economic justification of the FCTC was laid by the World Bank. To counter concerns that international tobacco control legislation would unduly harm economies, the WHO cited a landmark World Bank publication, which asserted that tobacco control would not harm economies.

The FCTC is a supranational agreement that seeks "to protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke."

The prohibition of involvement of vested interests under the FCTC in setting public health policy could be a model for strengthening efforts to protect the integrity of the science and to achieve a global ban on asbestos.

Could a “Framework Convention on Asbestos Control” (FCAC) help?

In its Framework Convention on Tobacco Control (FCTC), the WHO has specifically recognized the subversion of scientific research by the tobacco industry; *the FCTC requires everyone involved in health issues to guard against and disallow any involvement of the tobacco industry, or any of its allies, in public health research and policy.*

Could such a convention help in controlling such influence around asbestos? Is it, or an equivalent instrument, needed to control exposure to asbestos, to monitor and assist asbestos victims, and also to require a total ban?

END

This presentation will be posted in the archive section of my website at www.colinsoskolne.com

It will, in addition, along with the other PPT presentations used in this symposium, be posted at the official website of the JPC-SE at www.jpc-se.org