

# ToxCat



ISSN 1355-5707

Volume 4 Number 11  
Sept/Oct 2003

**£2.00**

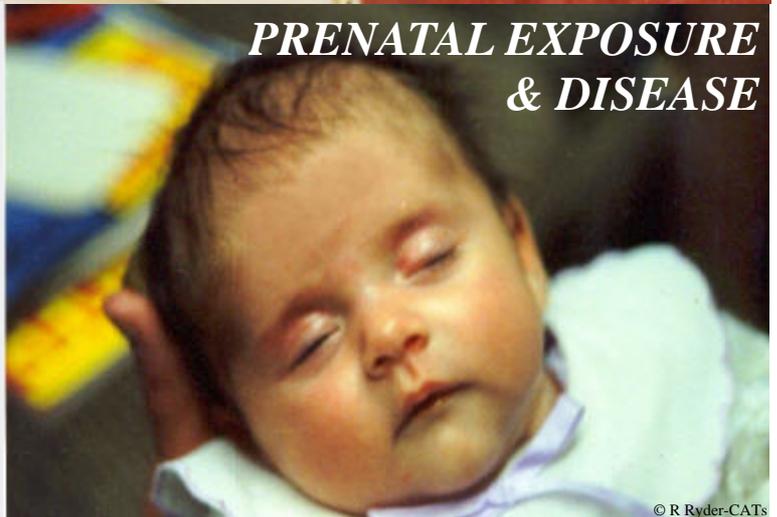
**REPORT  
WARNS GIRLS  
CHEMICALS IN  
FOOD TODAY  
COULD HARM  
CHILDREN  
THEY HAVE IN  
THE FUTURE**

*7 - 8 - 9 - 10  
at what age do  
we take their  
childhood  
away?*

***INCINERATION!  
A POSSIBLE 27  
PLANTS FOR THE  
SOUTH EAST***



***PRENATAL EXPOSURE  
& DISEASE***



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"It's a great satisfaction knowing that for a brief point in time you made a difference."

Irene Natividad

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The GAIA Global Day of Action saw the UK incinerator industry taking a leaf out of the Bush/ Blair book of 'preempting,' with several companies seeking legal protection from possible actions of protest by the communities they are poisoning. The GAIA Secretariat received a 7-page faxed message from Mr. Robert Hunt, Legal Services Director, Onyx Environmental Group, informing them that four incinerator companies had obtained

court orders against persons entering or remaining without consent in six incinerator sites in anticipation of the GAIA Global Day of Action on 14 July 2003. The four companies were:

Hampshire Waste Services Ltd., Sheffield Environmental Services Ltd., South East London Combined Heat and Power Ltd., and Tyseley Waste Disposal Ltd. The six incinerator sites identified were:

- 1) Chineham, Basingstoke, Hampshire
- 2) Marchwood Industrial Park, Normandy Way, Southampton
- 3) Portsmouth, Quatermaine Road, Portsmouth
- 4) Bernard Road, Sheffield
- 5) Kennels Site, Landmann Way, Lewisham, London
- 6) James Road, Birmingham.

British law has obviously not caught up with the science on the incineration issue. The Courts should be restricting industrial contamination of developing foetuses, children, adults, animals etc., with carcinogenic and endocrine disrupting chemicals - rather than restricting the citizens' centuries old democratic right of peaceful protest and clean air. We are again seeing Courts putting the interest of polluting industry before the rights and health of citizens, and corporations using laws set in place by their predecessors to protect them against actions by the communities they are poisoning. CATs members are not intimidated by this action and will continue to fight for the basic human right to uncontaminated food, clean air and chemically free bodies. The incineration industry abuses all three of these rights every day with their emissions of mercury, cadmium, lead etc, along with other persistent bio-accumulative compounds like dioxin, all in contravention of the Stockholm Convention.

**TC Craic is the personal opinion of Ralph Ryder.**

## ToxCat

is a bimonthly publication.

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**ToxCat ISSN 1355-5707**

and **ToxCat 'Specials'**

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## U.S. Experts To Warn Girls of Dioxins in Food

Some time ago I was discussing the problem of the build-up of dioxin in women and the danger it posed to the development of the foetus with Janet Williams from The Campaign for the Protection of Rural Wales (CPRW). We discussed the very large amounts that were transferred during breast feeding and what women could do to avoid increasing their body burden of dioxin, thereby lessening the amount transferred to the child during pregnancy and breast feeding.

We realised just how bad the situation is when looked at the half life of dioxin which is seven to nine years, which effectively means a girl who intends/hopes to have children in her late teens **must start looking at what she eats at around approximately nine or ten years of age.**

Can you imagine that? Not only does a girl have to contend with puberty and changing into a woman with all the emotions, problems (whether real or imagined) that time of life brings. But she will also have to watch her food carefully, (something many adults on diets find impossible) when she is still a child? Can you imagine a girl of ten saying to her friend's mother "I'm sorry I cannot eat that meat it will be bad for my children".

What a horrific situation we have got ourselves into, and one that industry and politicians refuse to accept and are extremely reluctant to alter.

Of course any industrialist who could have overheard Janet and I talking would have accused us of being 'over the top -scarmongers and alarmists.' They would no doubt point to the much heralded reduction in dioxins being released by industry today. But once again they would be missing the point that many scientists, including those of the World Health Organisation (WHO), believe that subtle effects are happening at the level of dioxin contamination we have in our bodies *now*, and any additional amount, however small, is undesirable.



**These two girls will have to watch what they eat in order to reduced the chemical burden they will pass onto any children they might have.**

Janet and I both agreed that there will come a time when doctors will have to talk to young girls and warn them of the dangers of eating dioxin/chemically contaminated foods for the safety of any child they intend having in the future. The conclusion of our talk wasn't scaremongering or alarmist, it was actually spot-on.

In a recent report released by the United States Institute of Medicine of the National Academies a panel agreed that efforts to reduce human exposure to dioxins in foods should be of utmost importance **and the people to target are young girls and women of child bearing age.** But at what age does this education begin I wonder?

The panel want this section of society to stick to strict dietary recommendations to consume less animal fat, and for the continued improvement of data on levels of dioxins in human food and animal feed.

Unlike incineration advocates in Britain who are telling inspectors at

public inquiries "there must be a safe level of dioxin," this panel admits to being unsure as to what level poses a risk and thinks precaution is called for.

"It is not a question of there being no data," said Julie Caswell, (Resource Economics, University of Massachusetts) a member of the panel. "There is good data and the report quantifies and presents it, but if you want to reduce dioxin exposure the data to choose strategies to do that is inadequate," she explained. Whereas the European Union has set limits for dioxins in food and high levels of dioxins have been linked to endocrine-related conditions, developmental problems and susceptibility to cancer, among other health hazards. The Institute of Medicine panel determined that the gaps in the available data are too great to determine whether small amounts of dioxins are toxic and at what levels they begin to pose risks.

"As a result, the panel is "recommending simple, prudent steps

to further reduce dioxin exposure while data are gathered that will clarify the risks, “ said Robert Lawrence, associate dean at Johns Hopkins University’s Bloomberg School of Public Health and chair of the committee that wrote the report.

The report, “Dioxins and Dioxin-like Compounds in the Food Supply: Strategies to Decrease Exposure,” was requested by the U.S. Department of Health and Human Services, the Food and Drug Administration and the U.S. Department of Agriculture (USDA).

The most direct way to reduce dietary exposure to dioxins is to reduce consumption of animal fat. The panel recommends that aggressive action be taken to reduce exposure in girls and women as the only practical way to reduce dioxin exposure in fetuses and breast feeding infants.

Given the health and social benefits of breast-feeding, the committee recommended strategies to reduce accumulated body levels of dioxins, rather than to discourage breast-feeding.

They say that government-sponsored food programs, such as the National School Lunch Program, should increase the availability of foods low in animal fat. In particular, low-fat milk should be made more widely available in the school lunch program and the USDA should analyse the impact of setting limits on the amount of saturated fat that can be present in meals served in the school breakfast and lunch programs.

Calling for the promotion of the Dietary Guidelines for America on the consumption of saturated fats, Lawrence said “We are recommending that the current USDA guidelines that call for 10% saturated fat and 30% total fat be followed.” The panel also noted that dietary changes to reduce dioxin exposure may have additional benefit of reducing the risks of cardiovascular disease and other health risks associated with excessive consumption of saturated fat.

Because of the health benefits associated with omega-3 fatty acids in fish and the difficulty of trimming fat from fish, the committee did not recommend that people reduce their con-



**At 11 years old Jasmine is one the experts would like to see targeted for education on food. Children like her, and possibly the next two generations of girls, are not going to be allowed to remain children for long. They are going to be burdened with serious problems as a result of the actions of short-sighted scientists and profit mad industrialists.**

sumption of fatty fish below the recommended two servings per week. “Some of the same guidelines that have been released to reduce our exposure to mercury would apply” said Lawrence. The report recommends serious efforts to collect data on the actual levels and distribution of dioxins in the food supply and calls for the establishment of a nationwide data collection effort and a single repository for data on dioxin levels in animal forage and feed.

Getting a handle on how, where and to what extent dioxins get into animal feed “presents the greatest opportunity to reduce dioxin levels in food,” said committee member Michael Taylor, senior fellow and director of the Risk Resource and Environmental Management Division at Resources for the Future, a nonprofit environmental think tank. “A high priority should be placed on reducing contamination of animal storage and feed,” Taylor said, “and in interrupting the recycling of dioxins that results from the use of animal fat in animal feeds.”

Until there is enough data to shed light on whether there should be regulatory limits, the committee recommends the interagency coordinating group engage the private and public sectors on programs to reduce exposure in human foods and animal feed. The committee also said better data is needed of dioxin levels in animal feed and human food and that (for example) federal agencies should work with food producers to develop voluntary guidelines for animal feeding and food-production practices that would minimise animals’ exposure to dioxins.

The report concludes that the “most pressing need is for the development of low cost analytical methods to detect dioxins,” with the current expense of \$1,000 per sample an obstacle to collection of data need for comprehensive risk management strategy.

Adapted from a piece by J.R. Pegg

# ZERO WASTE IS ALIVE AND KICKING IN CA

By Rick Anthony

## The 2003 California Resource Recovery Association (CRRRA) Conference was held in Ontario, California.

The Southern California weather was warm and balmy, with clear skies as the **Monday morning** opening speeches were concluded. The Waste Side Story (Story by Doug Dorn) crew literally broke into the program (scene one) and began the first in a five scene choreographed musical presentation (Ruth Abbe/Shana Levy) "Zero's the goal in Ontario, What is your role in Ontario?"

Eminent speakers Dr. Paul H. Connett (St. Lawrence University) and Anne Leonard (Global Alliance for Incinerator Alternatives) respectively defined the international movement towards zero waste communities and the struggle to eliminate toxics from our world environment.

Dr. Dan Knapp (Urban Ore) introduced the methodology of getting to Zero Waste by dividing discards into 12 categories based on markets and processing equipment and developing resource recovery parks. A method that makes everything seem logical, doable, and it is.

At the exhibit hall (scene two), Tony Z'Best (John Hanscom) and Cool McCann (Rick Anthony) are

planning to go to the dance and Alotta Rot (Tim Warner) sings "I feel pretty" and tries to interest Tony "...someday you will appreciate my appeal."

That night to the rock and roll sounds of the Fabulous Barona Blues Band at the Marriott Pavilion (scene three), the Recyclers and the Zeros disrupt the dance and to avoid a fight, Marina (Levy) teaches everybody the 'Sorting' line dance and Tony meets Marina.

### Tuesday morning:

Penny Newman, a community organizer who was part of the local battle to cleanup the Stringfellow Acid Pits recounted her organising experiences. Her story brought tears to the eyes of some of the delegates.

Dr. Doug McKenzie-Mohr (who has been working with recycling coordinators) spoke next about fostering sustainable behaviour through social marketing programs.

The afternoon ended with a two-hour discussion on producer responsibility involving the audience, but not before the R Gang and the Zeros disrupted the event (scene 4) with challenges and a rendition of "Tonight, there is going to be a rumble tonight."

That night the outstanding programs were recognised by CRRRA, and the R Gang and the Zeros again disrupt the show (scene five). Tony has second thoughts and the Gang sets him straight, "We're not a Gang, we're a movement." The Zeros show and the taunting begins, "If you're not for zero waste, then how much waste are you for?"

As the Gangs leave to prepare to rumble, Marina and Tony express their feelings in *Zero My Hero* (Levy) "...Of all the heroes, it seems that only zero, is the goal that will do..."

The Gangs return when the ghost of landfill past present and future (Dorn) appears with his partner, Hotta Rot (Stefanie Pruegel) who has an easy way to reach zero:

"I can burn it clean and turn it green. And I am so easy..." Tony is seduced.

"Cremation or the tomb..." mocks the ghost of landfills. Marina, a woman for the new millennium refuses to let this happen to "her man" and calls the gangs to fight their common foe. Hotta is melted with "zero waste water" and the ghost is buried by "ADC/green waste".

The gangs unite in a final chorus of "Recyclers rule in Ontario and Zero's the goal in Ontario."

## If you're not for Zero Waste, how much waste are you for?



### Wednesday morning:

Saw several hundred CRRRA members ready to hear about the future of recycling, participate in the tours and attend organising workshops. The zero waste movement is alive and well in California - and having fun

Adapted slightly for *ToxCat* readers from:  
The CRRRA Conference and Waste Side Story  
Recycle Scene  
August 2003

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## NEW INCINERATOR FIRE

**Claims that a new incinerator would prove detrimental to public health was justified on the 11th August when a fierce fire saw fire engines from as far away as Llandrindod Wells speeding to the 'state of the art' Energy from Waste incinerator at Crymlyn Burrows, South Wales.**

"Once again the world can witness the stupidity of local planning officers and politicians who time after time listen to industry and ignore the facts and experiences of communities around the globe" said Ralph Ryder of CATs.

"The trouble is these people make a bad decision with selective research and then a few years later retire from public office or move on to work for another authority leaving the local people who were aware of the true picture from the start to suffer this kind of thing for 25 to 30 years."

The Crymlyn Burrows plant is based on the Byker plant at Newcastle, which was dogged by regular fires in the RDF section of the plant.

"Workers at Byker told me the plant there had so many fires that supervisors used to turn off the fire alarms." said Mr Ryder who reported extensively on the Byker ash spreading scandal in detail in several editions of *ToxCat* and who is now finalising an exclusive report on the working at the plant."

"By doing this the operators not only avoided the charges levied each time the fire service was called, but also reduced the number of emergencies logged against the plant. If the councilors and planners of Swansea had done a little research for themselves rather than simply listening to representatives of the industry and an Environment Agency that is a joke when it comes to safeguarding public health. They would have found out about all this and not subjected their community to such risks."

Some 70 firefighters were called to battle the blaze at the £32 million incinerator and recycling centre which serves Neath and Port Talbot. Staff at the plant, situated on the

eastern edges of Swansea, raised the fire alarm just before midnight.

Fire engines were drafted in from as far away as Llandrindod Wells and Merthyr Tydfil to help bring the fire under control. But well into the next day firefighters were still struggling to get to the root of the blaze which started deep in the composting unit.

At the height of the fire nine fire engines and three turntable ladders were in attendance with Incident Commander, divisional officer Richard Fry, commenting: "It is a bit dynamic at the moment. It is hard to ascertain the extent of the damage because we have not been able to get into the area where the fire is."

"The heat is too intense and it is difficult to get to. We will be here a few hours yet but there is no pollution."

"How can anyone say there is no pollution" said one local resident. "Surely, working in the fire service he knows dioxin, heavy metals and the like are released from burning waste, even so-called controlled burning waste, never mind a raging fire?"

The blaze has led to fresh calls by residents for the plant to be shut down.

Stop the Incinerator campaign chair Mike Ryan, who lives within a stone's throw of the plant, said he awoke at 3am to find his bedroom filled with smoke.

"I thought the house was on fire," he said.

Mr Ryan said residents' concerns over a possible fire in the composting part of the plant had been raised at an earlier meeting - and they had been assured that there was no chance of that happening.

"The place hasn't been open five minutes and already we have a massive fire" said one woman. "Our concerns, which were ignored by the councillors, have been clearly justified" she added.

"We want this plant shut down. I think it is a disgrace," said Mr. Ryan.

The plant, run by Portuguese company HLC takes waste from Neath Port Talbot and Bridgend.

A similar plant is planned for Wrexham in North Wales where the council seems to have bent over backwards to accommodate HLC's every wish.

"This fire shows the people who support the proposed Wrexham plant that protestors are right when they say it's dangerous" said Janet Williams of Council for the Protection of Rural Wales (CPRW).

"The Swansea plant was shut down last month by the Environment Agency for failing to meet the conditions of its licence in respect of monitoring equipment. Now we have a fire, showing even the most modern burner poses a threat to health. The plant should be closed immediately and for good.

"I have no doubt the impact of the fire will be played down with the operators saying "there was no impact on the environmental or public health, which as is the usual PR line.

"I cannot believe that Wrexham Council is still pursuing this ridiculous scheme. Maybe ten years ago they could have taken HLC's claims seriously, but after this fiasco they cannot stand back and say they do not know what this company is like. If Wrexham want to retain a shred of credibility they must distance themselves from HLC immediately, and start work on a sensible waste management scheme"

The residents of Swansea claim emissions from the plant will be detrimental to public health, but Neath Port Talbot Council insists the plant is safe. They might have egg on their faces at the moment, but some of their community will undoubtedly have traces of carcinogenic toxins in their lungs that weren't there before the fire.

When will they ever learn?

## BONFIRE NIGHT & DIOXIN

**Michael Meacher claimed that bonfires on November the 5th created more dioxins than the incinerators of the UK working all year round.**

He based this claim on the study in 1995 purporting to show that a large part of the UK dioxin burden is generated on bonfire night.<sup>[1]</sup>

Several similar claims have been made with some massive assumptions about the proportion of dioxins derived from fireworks thrown in.

The paper also played an important part in the UK's dioxin consultation *Dioxins and Dioxin-like PCBs in the UK Environment Consultation Document*, (Department for Environment, Food and Rural Affairs, Scottish Executive, Welsh Assembly, Government Northern Ireland Department of the Environment, October 2002):

As the major identified sources of dioxins are controlled or eliminated by regulatory controls and process changes the smaller, more diffuse, and harder to control sources start to assume greater significance. As an example, studies in the USA have shown that the combustion of domestic rubbish in barrels (akin to burning rubbish in a dustbin) may release high levels of dioxins, of the order of 1000g I-TEQ per year. UK studies also indicate that the atmospheric concentration of dioxins increases dramatically during the period of the 5th November 'Bonfire Night' celebrations with the estimated release of dioxins due to bonfires and fireworks being up to around 14% of total UK annual emissions.

Identifying and controlling these small diffuse sources is likely to be more difficult than has been the case so far in tackling large industrial point sources. Note that the UK also relies on the higher levels in Lemieux and published as Gullett, B., Lemieux, P., Lutes, C., Winterrowd, C., Winters, D., 2001. 'Emissions of PCDD/F from uncontrolled, domestic waste burning.' *Chemosphere* 43: 721-725. Rather than the lower emissions reported in Wevers, M., De Fre, R., Desmedt, M., 2003. 'Effect of backyard burning on

dioxin deposition and air concentrations'. *Chemosphere*. In Press. (?)

I have just seen the second attached paper on bonfire night 2002 and thought the fig 2 was particularly interesting. This shows that the meteorological conditions at the time of the Lee sampling (Nov 1995) resulted in the by far the highest recorded PM10 concentrations. Assuming, as seems reasonable, that there is a correlation between PM and dioxin levels then if any other year had been used as a base the Lee results would have given far lower dioxin emissions from bonfires. It would be surprising if scientists working on this such as Lee (and even more so Jones and the DETR civil servants) would not have been aware of this.

1) The paper relies upon only two measurements for the period 3-6/11/95 which are then averaged over the whole of the UK (including Northern Ireland) in a crude box model

2) The assumptions made include that all the dioxins in the air were generated by the UK - i.e that the incoming air was *completely clean*.

3) The typical air mass trajectory for the Hazelrigg site near Lancaster where all the sampling was undertaken, is from the west of the UK, but for the period over bonfire night the air mass passed right over the midlands and the Manchester/Liverpool conurbations - it would therefore have been expected to have higher dioxin levels in any case. On the other occasion, in October 1995, during the sampling when the wind blew from the south/south west high PCDD/F concentrations were also recorded. (Figure 2 in the original paper)

4) The estimate in the Lee paper is for the TOTAL dioxin production over a three day period therefore it would be anticipated that >1 % of the UK dioxin inventory would be produced over that November period in any case, and that this should be subtracted from any emissions attributed to bonfires/fireworks.

5) The sampling was undertaken in 1995 and therefore the appropriate

comparator would be 1995 total emissions not those from 1998. This was 540g for IPC processes alone, therefore it would be anticipated that >5.5g would be released from IPC regulated sites alone without any additions from other sources.

6) The National Atmospheric Emissions Inventory data do not correlate well with the Chemical Release Inventory data for dioxin emissions. Furthermore *Chemosphere* published in 1998 "An updated UK PCDD/F atmospheric emission inventory based on a recent emission measuring programme<sup>[2]</sup>", and indicates that the total measured emissions for municipal incinerators for 1997 was in the range 122-199 g TEQ/annum, sintering plants 25 - 30 g/annum and total fires (natural and accidental 10-93 g/annum).

7) The work by De Fre and Wevers (De Fre, R., Wevers, M. 1998. Underestimation in dioxin emission inventories. *Organohalogen Compounds* 36:17-20.) shows that a standard incinerator emission measurement according to the European standard method EN 1948 during a period of 6 hours resulted in an emission concentration of 0.25 ng TEQ/Nm<sup>3</sup>, while the average over 2 weeks in the same period using the GFA AMESA method was 8.2 to 12.9 ng TEQ/Nm<sup>3</sup>.

This illustrates that the standard measurement may underestimate the average emission by a factor 30 to 50. All the UK data is based on the spot samples which are likely to underestimate the true emissions.

[1] Following a series of correspondence Mr Mike Etkind of the (then) DETR confirmed to Public Interest Consultants on 15/2/01 that the claims made by Mr Meacher relating to dioxin emissions from bonfires relies on the paper by Lee *et al* "Seasonal, Anthropogenic, Air Mass, and Meteorological Influences on the Atmospheric Concentrations of Polychlorinated Dibenzo-p-dioxins and Dibenzofurans (PCDD/Fs): Evidence for the Importance of Diffuse Combustion Sources," *Environ. Sci. Technol.* 1999, 33, 2864-2871.

[2] Ruth Alcock, Robert Glenmill and Kevin Jones, Lancaster University & the Environment Agency, *Organohalogen Compounds* Vol 36. 105-108

## SOUTH EAST COULD GET 27 BURNERS

*Democracy in the UK? It's a political spin!*

**The Guildford Anti-Incinerator Network (GAIN) has highlighted residents anger over the exclusion of a crucial item on waste incineration from the agenda of a Full Council meeting involving all Surrey County Councillors which took place on Tuesday 17<sup>th</sup> June (2003).**

At Surrey County Council's Executive Committee meeting on Tuesday 10<sup>th</sup> June the ruling Conservative administration refused to endorse an incinerator-free approach to waste management in the region, opening the way for up to 27 incinerators in the South East, including Surrey [1]. Full Council should have had an opportunity to endorse or reject this decision.

Colin Matthews Chairman of GAIN commented "Residents expected the Executive decision to be debated and voted on at the Full Council meeting this week, and are angered that the item was excluded from the agenda preventing Members of the Executive being called to account for their controversial and deeply unpopular decision."

GAIN points out that SEERA's Draft Regional Strategy identified six waste management options, which would meet the regions waste targets, including TWO incinerator-free options based on enhanced recycling and composting. Colin Matthews added "Surrey residents have repeatedly demonstrated their overwhelming support for an incinerator-free approach as evidenced by 75,000 objections to incineration in the County. SEERA has confirmed that an incinerator-free approach is both feasible and the best environmental option. Residents are becoming increasingly angry and frustrated over the refusal of the Conservative administration at

County Hall to endorse residents' aspirations."

Residents' anger over the exclusion of the waste item from the Full Council agenda was heightened when it became clear that a similar item regarding a response to consultation on runway options at Gatwick airport had been included.

Commenting on the disparity, Mr Matthews said, "Residents have noted the similarities between the waste item and the Gatwick item. Both were considered at the Environment and Economy Select Committee on 5<sup>th</sup> June 2003, both were decided on at the Executive Committee on 10<sup>th</sup> June 2003 and both involve consultations which end later this month before the Full Council meets again in July."

He added "As a consequence of all this, the Gatwick consultation response has been considered by all Councillors before its submission whilst County Hall expects that the waste response can be submitted without challenge or scrutiny. This is completely unacceptable."

At the Full Council meeting this week, Councillor John Hobrough and Councillor Joe Bullock asked why the SEERA consultation item did not appear on the agenda. Responding for the Conservative administration, Councillor Andrew Crisp gave an assurance that the waste item would be considered at the next Full Council meeting in July. Mr Matthews commented "Of course, the next Full Council meeting is after the SEERA waste consultation deadline expires on 23<sup>rd</sup> June 2003. Therefore, GAIN is calling on Surrey County Council to delay submission of its response to SEERA until after the Full Council meeting in July. The County can simply write to SEERA explaining that the

submission has not gone through all the necessary stages. We trust that SEERA and our County Council will wish to respect the democratic process."

In response to a question from Councillor Nick Brougham, Councillor Crisp said that incineration would only be used in Surrey "as a last resort". Commenting on this statement, Mr Matthews said "There are two fundamental problems with the last resort position on incineration. Firstly, by not ruling out incineration, the County Council leaves Surrey exposed to speculative incinerator proposals. Secondly, the last resort philosophy is self-fulfilling. If the County continues to hold back its £100 million Private Finance Initiative funding for "last resort" incinerators, it cannot invest this money in the recycling facilities we need to avoid incineration."

Questions on waste were also submitted at the Full Council meeting by Councillor Tom Sharp and Councillor Janet Maines.

Prior to the Full Council meeting this week, GAIN alerted Councillors to the exclusion of the controversial waste item. Residents attended the meeting to explain their concerns to Councillors as they arrived for the meeting.

Whilst Surrey County Councillors were being denied the opportunity to consider the County's response to the SEERA consultation, a major demonstration in support of an incinerator-free approach in the South East took place. The demonstration was held in Guildford High Street and was organised by Friends of the Earth. Anti-incinerator groups from across the region including GAIN, took part in the event.

**"There are two fundamental problems with the last resort position on incineration. First, by not ruling out incineration, the County Council leaves Surrey exposed to speculative incinerator proposals. Second, the last resort philosophy is self-fulfilling. If the County continues to hold back its £100 million Private Finance Initiative funding for "last resort" incinerators, it cannot invest this money in the recycling facilities we need to avoid incineration."**

Mr Matthews commented, “It is ironic that those in support of an incinerator-free approach in the region were demonstrating in Surrey’s County Town at exactly the same moment in Kingston, Councillors and residents were being denied the opportunity to scrutinise the County’s response to this crucial consultation.”

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Kate Gallagher 01483 – 532735  
Source: Guildford Anti-Incineration Network press release Monday 16th June

NOTES:

[1] The Executive’s decision was made in response to a consultation by the South East England Regional Assembly (SEERA) on its Draft Regional Waste Management Strategy for the South East. The area could see the building of 61 burners up to 2025 if they don’t elect sensible councillors.

**ToxCat:** Why are these councillors ignoring the published epidemiological evidence like this below. And why are they ignoring the Tory Waste Management Policy which has called for a 5 year moratorium on the building of incinerators and then only build them if they are proven to be safe? We all know given the amount of incidents and chemicals emitted by even the most modern burner they will never be safe.

## **BIRTH DEFECTS - A HIGHER RISK LIVING CLOSE TO BURNERS**

Yet another report has been published showing women living near incinerators have a higher risk of having a baby with spina bifida or a heart defect.

The study by a team of researchers lead by Professor Loius Parker of Newcastle University also found an increased risk of stillbirths among women who lived close to a crematorium. Their findings in the *Journal of Epidemiology and Community Health*, stressed that they did not find conclusive evidence that living near an incinerator or crematorium caused birth defects or stillbirths, but they said the issue should be investigated further, especially as incineration was becoming a widely used method of waste disposal.

The research analysed births in Cumbria between 1956 and 1993. There were almost 245,000 births, of which 3,234 were stillborn and 1,569 had congenital abnormalities.

The risk of neural tube defects, particularly spina bifida, for babies of women who lived near incinerators was 17 per cent higher, and heart defects 12 per cent higher. For women who lived near a crematorium, the risk of stillbirth was 4 per cent higher and the chance of the baby having a brain abnormality known as anencephalus was 5 per cent higher.

See [ABSTRACTS OF SCIENTIFIC PAPERS'](#) on page 17 for more information.

Floret, N., Mauny, F., Challier, B., Arveux, P., Cahn, J.-Y., Viel, J.-F., 2003. **Dioxin emissions from a solid waste incinerator and risk of non-Hodgkin lymphoma.** *Epidemiology* 14: 392–398

**Background:** It is not clear whether low environmental doses of dioxin affect the general population. We previously detected a cluster of patients with non-Hodgkin lymphoma around a French municipal solid waste incinerator with high dioxin emissions. To explore the environmental route suggested by these findings, we carried out a population-based case-control study in the same area.

**Methods:** We compared 222 incident cases of non-Hodgkin lymphoma diagnosed between 1980 and 1995 and controls randomly selected from the 1990 population census, using a 10-to-1 match. Dioxin ground-level concentrations were modeled with a second generation Gaussian-type dispersion model, yielding four dioxin exposure categories. The latter were linked to individual places of residence, using Geographic Information System technology.

**Results:** The risk of developing non-Hodgkin lymphoma was 2.3 times higher (95% confidence interval \_ 1.4 –3.8) among individuals living in the area with the highest dioxin concentration than among those living in the area with the lowest dioxin concentration. No increased risk was found for the intermediate dioxin exposure categories. Adjustment for a wide range of socioeconomic characteristics at the block group level did not alter the results.

**Conclusion:** Although emissions from incinerators are usually not regarded as an important source of exposure to dioxins compared with other background sources, our findings support the hypothesis that environmental dioxins increase the risk of non-Hodgkin lymphoma among the population living in the vicinity of a municipal solid waste incinerator.

**Discussion:** We found a 2.3-fold risk for non-Hodgkin lymphoma associated with residence in areas classified as highly exposed to dioxin emitted from a municipal solid waste incinerator (as estimated by an airborne dispersion model), compared with very low exposure areas; the low and intermediate exposure categories did not exhibit an excess risk. In summary, we find an increased risk of non-Hodgkin lymphoma in the highest exposure zone around a municipal solid waste incinerator that emitted high levels of dioxins. This finding, together with the non-Hodgkin lymphoma mortality excess reported by Bertazzi *et al* 26,28 around Seveso, lends support to the hypothesis that airborne dioxin exposure may be a public health concern.

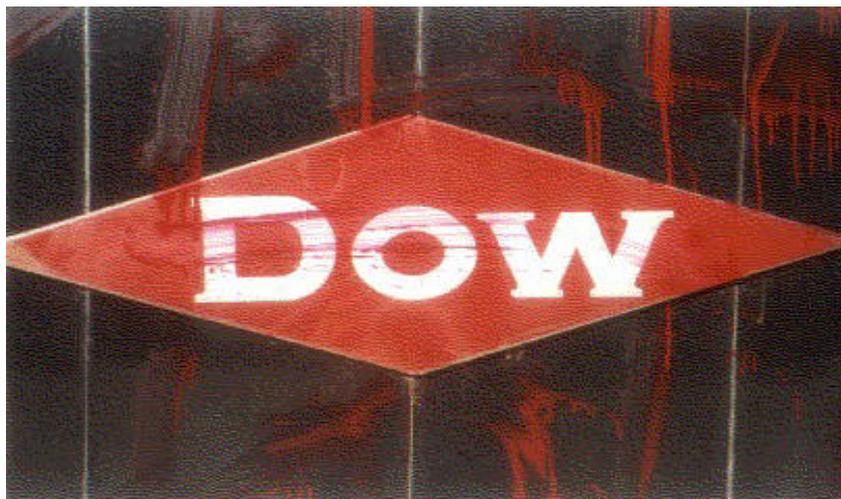
## Agrochemical Shareholders Call for Corporate Accountability

During the 2003 "Annual Meeting Season," shareholders strongly signaled the three largest agrochemical companies to acknowledge the environmental and health risks of their products.

Led by socially responsible investment firms, shareholders at Dow and Monsanto requested detailed information about the handling of dangerous pesticides and byproducts and the possibility of costly lawsuits. Although not legally required, this information helps investors to assess their risk and promotes a corporate commitment to environmental health and safety. Bayer shareholders, meanwhile, highlighted the board's insufficient response to a tragic poisoning in Peru.

Investors at Monsanto's annual meeting in April 2003 expressed concern about the company's handling of unregistered, carcinogenic and obsolete pesticide stocks. A resolution submitted by Harrington Investments, Inc. called on Monsanto to disclose its policies and procedures for exporting probable or likely carcinogens and pesticides not registered in the U.S. to developing countries. Since training and safety equipment are often limited or unavailable in these countries, Harrington Investments also requested disclosure of training and educational information Monsanto provides to farmers and farmworkers using these dangerous pesticides.

The resolution garnered support from 13.32% of the voting shareholders. John Harrington, said of the vote, "For a first year resolution this vote was loud and clear to Monsanto: Don't continue dumping dangerous chemicals overseas. This only adds another level of financial and legal risk to an already very risky stock."



Harrington went on to explain, "Monsanto is exporting numerous dangerous chemicals to developing countries, exposing workers and other citizens to carcinogenic chemicals. The company is clearly at risk from product liability claims if workers or others are poisoned, suffer ill health, or death from such U.S. banned pesticides." Investors fear that such liability claims would strongly impact the company's valuation.

Meanwhile, at Dow's annual meeting on May 8, 2003, a proxy filed by the socially responsible investment firm Trillium Asset Management expressed concerns for liability from the emission and disposal of dioxins and other persistent toxic pollutants. Trillium listed concerns about lawsuits already filed by residents living near Dow facilities in Michigan and Louisiana and demanded full disclosure of Dow's known and potential liabilities.

Dow's board challenged the resolution at the U.S. Securities and Exchange Commission (SEC) and urged shareholders to vote against the proposal. Dow board members explained that Dow's web site contains

sufficient information on dioxin to enable investors to assess the associated risks.

Shelley Alpern, at Trillium, disagreed, saying, "Dow has not informed investors on the extent of contamination at existing Dow facilities nor quantified the associated long-term liabilities as requested in the resolution. Dow shareholders don't need another unknown and open-ended risk."

Dow is one of the world's leading emitters of dioxins, which form as the byproduct of numerous industrial processes, including pesticide production, and is one of twelve chemicals targeted for a worldwide ban under the 2001 Stockholm Convention on Persistent Organic Pollutants (POPs). Dioxins are environmentally persistent and accumulate in the tissues of humans and other animals, where they are thought to cause cancer, reproductive illnesses and developmental disorders. According to the U.S. Environmental Protection Agency there is currently no known safe level of dioxin exposure.

Trillium's request comes just months after Dow released informa-

**Monsanto is exporting numerous dangerous chemicals to developing countries, exposing workers and other citizens to carcinogenic chemicals. The company is clearly at risk from product liability claims if workers or others are poisoned, suffer ill health, or death from such U.S. banned pesticides. Investors fear that such liability claims would strongly impact the company's valuation.**

tion on long-term asbestos liabilities from its purchase of Union Carbide. Dow acknowledged a potential US\$2.2 billion in liabilities, and charged US\$832 million against fourth quarter 2002 revenues. Dow continues, however, to reject liability claims for widespread contamination caused by the 1984 explosion of a Union Carbide pesticide plant in Bhopal, India. Bhopal survivors are pursuing claims against Dow in courts in India and the U.S.

The Germany-based Bayer was the third company to come under fire as Luis Gomero of Pesticide Action Network Peru appeared before the Board in late May to demand justice for the victims of the 1999 Folidol (methyl parathion) poisoning in Taucamarca, Peru.

Folidol, a pesticide produced by Bayer, killed 24 school children and badly poisoned 18 others after it was mistaken for milk powder at a local school. Bayer had marketed the pesticide, a white powder with no strong odor, in small plastic bags labeled in Spanish and without any appropriate pictograms to indicate its use or danger. The Spanish text was of little help to the local farmers, most of whom speak Quechua and are illiterate. Citing these failures, a Peruvian Congressional Subcommittee found Bayer criminally responsible for the poisonings in 2002.

In order to ensure justice for the Taucamarca victims, Gomero would like the Dow Board to accept responsibility for the poisoning; provide medical monitoring, care and special education for the surviving children as necessary; establish a functioning health post in the village; and recognize the families' suffering, in part through financial compensation.

In his response to Gomero's testimony, Bayer Chairman Werner Wenning asserted that the pesticide that poisoned the Taucamarca children was not a Bayer product and that Peruvian courts had dismissed any claims against Bayer. However, representatives of the Taucamarca families point out that Bayer registered both pesticides implicated in the case (methyl parathion and ethyl parathion) for use in Peru, and the Peruvian court

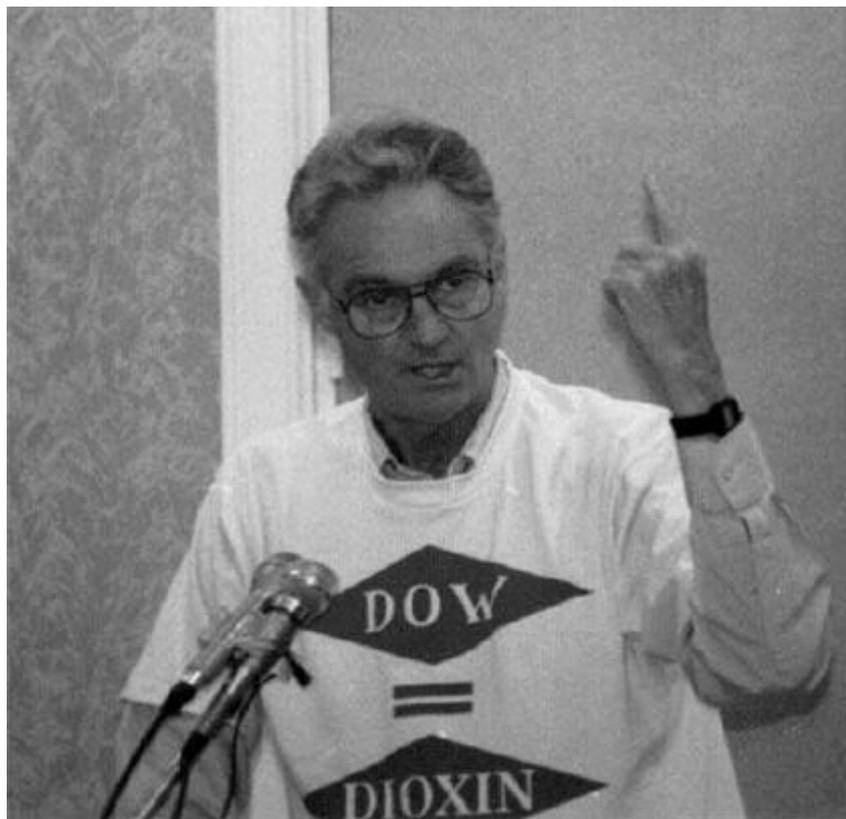
**“Dow has not informed investors on the extent of contamination at existing Dow facilities nor quantified the associated long-term liabilities as requested in the resolution. Dow shareholders don't need another unknown and open-ended risk.”**

has not yet received all relevant documents, and has not ruled in the case.

Gomero's appearance was coordinated by the German group Coordination gegen BAYER-Gefahren (CBG) using Bayer shares held by Pesticide Action Network Germany. CBG has been working since 1978 to increase Bayer's transparency, publicise its global abuses and violations, and ensure appropriate response and compensation.

The impact of these recent shareholder actions remains uncertain, but John Harrington reminds investors that “companies with greater corporate responsibility and transparency prosper long-term.”

Sources: Harrington Investments Press Release April 25, 2003; Trillium Investments Press Release May 6, 2003; Trillium's Agenda 5 Proxy, <http://www.proxyinformation.com/dow/summary.htm> Dow Response to 2003 Proxy Statement, <http://www.dow.com/financial/2003prox/agenda5.htm%00> Coalition Against BAYER-Dangers Press Release, [http://www.cbgnetwork.org/ubersicht/presseinfos/presseinfos\\_2003/hauptversammlung\\_2003/hauptversammlung\\_2003.html](http://www.cbgnetwork.org/ubersicht/presseinfos/presseinfos_2003/hauptversammlung_2003/hauptversammlung_2003.html) Global Pesticide Campaigner, August 2002.



**Peter Montague, editor of *Rachel's Environment & Health NEWS* had a few choice words to say about Dow Chemicals during a Citizens' Conference on Dioxin in Baton Rouge.**

## SchNEWS

## MENWITH BALLS



**“If you want a picture of the future, imagine a boot stamping on a human face - forever.”**

George Orwell, Nineteen Eighty Four.

It's the largest electronic monitoring station in the world. The Big Brother of all global spy installations, it's gigantic golf balls listening in on our every word. The Menwith Hill spy base near Harrogate in North Yorkshire, is run by America's National Security Agency (NSA), part of their global network of spy bases, which monitors the world's communications and relays information back to NSA HQ at Fort Meade in Maryland, USA.

One of Menwith's spying systems is called Echelon which as one report put it “has sifted the private international messages, telegrams, and telephone calls of citizens, corporations or governments to select information of political, military or economic value to the United States.” (see SchNEWS 379). Meanwhile Britain's very own GCHQ staff filter through ‘key word’ information, then pass any juicy segments onto the likes of MI5, Special Branch and Scotland Yard. It's believed that Menwith is capable of tapping two million telephone calls an hour.

Since 1951, the giant NSA base has occupied land in a “secret relationship” between the US Air Force and the Ministry of Defence. It employs more than 1,800 staff, the majority from America, and the ever-expanding spy station covers over 560

acres of land, surrounded by a security fence topped with razor wire, watched by CCTV cameras and patrolled by Ministry of Defence Police.

Journalist Duncan Campbell who has spent years monitoring Menwith said “Although it is impossible for analysts to listen to all but a small fraction of the billions of telephone calls, and other signals which might contain ‘significant’ information, a network of monitoring stations in Britain and elsewhere is able to tap all international and some domestic communications circuits, and sift out messages which sound interesting.

Computers automatically analyse every telex message or data signal, and can also identify calls to, say, a target telephone number in London, no matter from which country they originate.”

Menwith played a crucial role in both Gulf wars and even won an award for its work during the first one.

Mark Thomas's words: “Menwith is a key part of the US war machine in Britain...”

It is also central to plans for the “Star Wars” National Missile Defence programme which is part of Americas plans for “Full Spectrum Dominance”, giving the US control of space itself.

Washington says the missile defence system is designed to protect the US from the potential new threat of missiles fired by “rogue” states such as North Korea, Iran and er, Iraq. However US bases in Britain will be used not for the defence of Britain, or even

of continental Europe, but just for the good ‘ole US of A!

For more on Menwith contact the Campaign for Accountability American Bases: 01943-466405 [www.caab.org.uk](http://www.caab.org.uk) or Yorkshire CND; [www.cndyorks.gn.apc.org/mhs/](http://www.cndyorks.gn.apc.org/mhs/)

## Bechtel Basics

Several hundred peaceful protesters blocked the entrances to Bechtel headquarters in San Francisco in protest at the corporation's involvement in the war against Iraq. Police, who outnumbered protesters, made numerous arrests and eventually got the building opened around lunchtime, by which time many employees had been told to take the day off.

Bechtel have got one of the biggest rebuilding contracts in Iraq. Worth \$680 million over 18 months, it includes rebuilding and repairing everything from electrical grids to water and sewage systems. The contract was, naturally, granted in backroom deals without open and transparent bidding processes, and the content remains hidden behind a veil of secrecy. Corporate Watch say that “details of the contract have not been publicly disclosed to American taxpayers, who will be paying the majority of the bill. While there is no doubt that Bechtel has experience in these areas, it is an experience from which the people of Iraq should be spared.”

To read Corporate Watch's report on Bechtel's dodgy dealings see:

[www.corpwatch.org/issues/PID.jsp?articleid=6975](http://www.corpwatch.org/issues/PID.jsp?articleid=6975)

## Arrested for performing poetry in Stratford-upon-Avon!

In another clamp down on the use of ‘public’ spaces, a poet in William Shakespeare's own Stratford-upon-Avon, was arrested for performing in a public space without a licence. A licence would have set him back £52. Poor old Willy must be turning in his grave.

**Who said this ain't a police state?**



## ABSTRACTS OF SCIENTIFIC PAPERS



Huang, H., and Beukens, A. **On the mechanisms of dioxin formation in combustion processes.** *Chemosphere* (1995) 31(9): 4099-4117.

\* "... the important streams of dioxin emissions from incinerators are ESP ash, filter cake and stack gas accounting for about 56.7%, 22.7% and 11.8% of the total TE output respectively."

\* "... The typical dioxin "fingerprints" from combustion sources are: furan/dioxin ratio (w/w) is larger than 1, the weight distribution of the homologues increases with increasing degree of chlorination for PCDDs, but shows a maximum at P5CDF or H6CDF for PCDFs, and the isomer pattern contains almost every isomer. Dioxins from other sources, e.g., pulp bleaching and chloralkali electrolysis have different dioxin "fingerprints".

\* "Product distribution: The typical combustion "fingerprint" of dioxins is produced, the molar ratio of organochlorocompound products is approximately PCDD: PCDF: PCBz: PCPh: PCNP: PCB= 1 : 1.6 : 75 : 6 : 0.6 : 0.3, the phase distribution of PCDD/Fs is about 0.7%, 37% and 95% in the gas phase at 250, 300 and 350 C respectively."

\* "Gas phase chlorine is not involved in de novo synthesis of dioxins as shown in laboratory experiments, on the other hand, the amount of chlorine in municipal waste is about six orders of magnitude in excess of the chlorine present in dioxins emitted from incinerators, therefore the controlling factor in dioxin formation may not be the chlorine supply but rather the formation of the binary structure of dioxins. Chlorine is however a well-known flame inhibitor, its presence in municipal waste may increase carbon formation in flames and hence the dioxin formation to some extent."

\* "In actual combustion systems whether they are gas, liquid or solid, combustion sooting flames can be recognised from the bright yellow coloration of the flame and the dark black coloration of the ash and smoke. Technical measures that can maintain stable operation of incinerators, reduce carbon formation in the combustion zone, enhance carbon burnout in the freeboard and inhibit low-temperature carbon oxidation in the post-combustion zone are expected to reduce dioxin emissions."

\* "... The de novo synthesis seems to be the dominant mechanism of dioxin formation in actual combustion systems. As de novo synthesis experiments indicate that carbon morphology of certain degenerated graphitic structure is essential for dioxin formation, the morphologies of the particulate emissions from actual combustion sources are examined and it appears that soot particles formed in gas phase combustion reactions consisting of degenerated graphitic structures are the plausible source for de novo synthesis of dioxins."

The data reported in the current study provide evidence of a correlative relationship between prenatal PCB exposure and poorer response inhibition in children. .... response inhibition is frequently impaired in children with Attention-Deficit Hyperactivity Disorder (ADHD): Stewart, P., Fitzgerald, S., Reihman, J., Gump, B., Lonky, E., Darvill, T., Pagano, J., Hauser, P., 2003. **Prenatal PCB exposure, the corpus callosum, and response inhibition.** *Environmental Health Perspectives*. In Press.

### Abstract

The current study reports the association between prenatal PCB exposure, the corpus callosum, and response inhibition in 4 ½ year- old children. Children (n=189) enrolled in the Oswego study were tested using a continuous performance test (CPT). The splenium of the corpus callosum, a pathway implicated in the regulation of response inhibition, was measured (mm<sup>2</sup>) using magnetic resonance imaging (MRI). Results indicated a dose-dependent association between cord blood PCBs and errors of commission. The splenium, but not other brain areas, predicted errors of commission (r<sup>2</sup>=0.20), with smaller spleniums associated with more errors of commission. There was an interaction between splenium size and PCB exposure. The smaller the splenium, the larger the association between PCBs and commission errors. If the association between PCBs and response inhibition is indeed causal, then children with suboptimal development of the splenium are particularly vulnerable to these effects.

### Conclusions

The data reported in the current study provide evidence of a correlative relationship between prenatal PCB exposure and poorer response inhibition in children. These data are consistent with the rodent data (Berger 2001) and the small number of studies performed in nonhuman primates exposed to PCBs (Mele *et al.* 1986; Rice 1997; Rice 1999a; Rice 1999b). ... However, there is reasonable evidence that the size of this association is strongly modulated by intrinsic central nervous system structures which may normally serve to regulate response inhibition (e.g.; the splenium). The evidence suggests that in children with optimal development of these structures, the PCB association may be absent. Conversely, in children with suboptimal development of these structures, the PCB association may be strong.

## 1st Study of PCBs in Adipose Tissue of Turkish Women

Cok, I., Satiroglu, M., 2003. Polychlorinated biphenyl levels in adipose tissue of primiparous women in Turkey. *Environment International*. In Press

### Abstract

Polychlorinated biphenyls (PCBs) are a mixture of 209 possible congeners with different chlorine substitutions and they are potentially hazardous compounds in the environment for human beings. The high lipophilicity and the resistance to biodegradation of PCBs allow the bioaccumulation of these chemicals in the fatty tissues of organisms. The objective of this study was to determine the levels of PCBs in the adipose tissue of women living in Ankara, Turkey. For this purpose, levels of seven major persistent PCB congeners (IUPAC Numbers: 28, 52, 101, 118, 138, 153, 180) were measured in 29 primiparous mothers' adipose tissue samples by gas chromatography with electron capture detection (GC-ECD). PCB IUPAC numbers 138, 153 and 180 were the most abundant congeners, each accounting for > 20% of the total PCB content of adipose tissue. PCB 153 was the dominant congener in all the samples (141.7 +/- 132.3 ng/g lipid wt. basis). The results are compared with the similar studies from other countries. The concentrations of PCB 28, PCB 52 and PCB 101 were found to be higher than those found in industrialised countries. This study is important in terms of being the first study of determination of PCB levels in adipose tissue samples in Turkey.

This study was designed to examine the hypothesis that pesticides used commonly in mid-Missouri (and rely in urban counties) contributed to the poor semen quality in men from Columbia, MO, relative to those from Minneapolis, MN. The data presented here support that hypothesis, and identify several currently used herbicides (particularly alachlor and atrazine) and one insecticide (diazinon) that are associated with decreased semen quality in MO. ... This is the first population-based study to demonstrate links between specific biomarkers of environmental exposures and biomarkers of male reproduction in humans. Given the current widespread use of these pesticides, if further study confirms these findings, the implications for public health and agricultural practice could be considerable.

Swan, S., Kruse, R., Liu, F., Barr, D., Drobni, E., Redmon, J., Wang, C., Brazil, C., Overstreet, J., the Study for Future Families Research Group, 2003. **Semen quality in relation to biomarkers of pesticide exposure.** *Environmental Health Perspectives*. In Press.

### Abstract

We previously reported reduced sperm concentration and motility in fertile men in an agrarian area (Columbia, MO) relative to men from urban centers in Minneapolis, MN, Los Angeles, CA and New York, NY. The present study addresses the hypothesis that pesticides currently used in agriculture in the Midwest contributed to these differences in semen quality. We selected men in whom all semen parameters (concentration, % normal morphology and % motile) were low (cases) and men in whom all semen parameters were within normal limits (controls) within MO and MN (sample sizes 50 and 36 in MO and MN, respectively) and measured metabolites of eight non-persistent, current-use pesticides in urine samples provided at the time of semen collection. All pesticide analyses were conducted blind with respect to center and case-control status. Pesticide metabolite levels were elevated in MO cases compared to controls for the herbicides alachlor and atrazine, and for the insecticide diazinon (2-isopropoxy-4-methylpyrimidinol, or IMPY) (P-values for Wilcoxon rank test = 0.0007, 0.012, and 0.0004, for alachlor, atrazine and IMPY, respectively). MO men with high levels of alachlor or IMPY were significantly more likely to be cases than men with low levels (OR=30.0, 16.7 for alachlor and IMPY, respectively), as were men with atrazine over the LOD (OR=11.3). The herbicides 2,4-D and metolachlor were also associated with poor semen quality in some analyses, while acetochlor levels were lower in cases than controls (P=0.04). No significant associations were seen for any pesticides within MN, where levels of agricultural pesticides were low, or for the insect repellent DEET or the malathion metabolite MDA. These associations between current-use pesticides and reduced semen quality suggest that agricultural chemicals may have contributed to the reduction in semen quality in fertile men from mid-Missouri we reported previously.

[More abstracts on page 17](#)

## GENERAL INFORMATION

The following website was developed by a large group of United States organisations including the Centres for Disease Control, the National Library of Medicine, etc. It is of course very US-oriented. However, it has some very useful information and links to even more information on toxic chemicals common to homes, schools, etc. In addition, it is a very well-designed, very accessible and very information-rich website. An introduction to toxic chemicals and environmental health risks you might encounter in everyday life, in everyday places. <http://toxtown.nlm.nih.gov/town/main.html>



Copyright ©Brian Manza

**The Military deny Agent Orange was ever used in Guam. But levels of dioxin as high as 19,000 ppm are reported at a former fire training area on the main air base. Workers and ex-service personnel suffer known dioxin-related illnesses.**

**Robert Burgett remembers hauling big steel drums of chemicals from naval facilities to the supply yards on Andersen Air Force Base when he was assigned on the island for temporary duty in the late 1960s.**

“We would move these barrels and the stuff would spill and go all over us,” he said. “We’d just wash off and keep going.”

In the 34 years since then, Burgett has had his vocal chords removed after developing cancer of the larynx, he has had a large cyst removed from his neck and has been diagnosed with skin cancer. Understandably perhaps he is now beginning to wonder what was in those barrels.

Burgett thinks it was Agent Orange, and he is not alone in thinking this. Several other veterans have come out to testify that the pesticides Agents Orange, White and Blue were stored and used on Guam during the Vietnam War. They also claim they are in contact with dozens of other veterans who believe their health problems are connected to exposure to those chemicals while stationed in Guam.

Local military officials said they are waiting for more information from the investigation, but added that they had spent millions cleaning up Andersen Air Force Base.

In June Illinois Congressman Lane Evans wrote a letter to Department of Defence Secretary Donald Rumsfeld requesting declassification of any information the Pentagon may have about the presence of the pesticides on Guam. Numerous calls to Department of Defence communication officers in Washington, D.C., have been ignored.

Agent Orange and similar pesticides were sprayed extensively in Vietnam during that war to thin the jungles and make it easier for U.S. Troops to advance. But the military has never reported using or storing the chemicals on Guam although the federal government provides medical benefits to veterans with health problems as if they had served in Vietnam, veterans who did not serve in that country have to prove that they were exposed to the pesticides that have now been linked to diabetes, cancer, lymphoma, birth defects and a number of other serious diseases.

Burgett believes he is living proof the chemicals were used in Guam. He said during his three temporary duty assignments there his job consisted mostly of transporting barrels of chemicals from naval facilities to Andersen, and sometimes to planes leaving for Vietnam.

“I didn’t know exactly what I was handling,” he said. “When I had my cancer, the doctors could not figure out a man my age having this kind of cancer as I was only in my 40’s.”

The Veterans Administration (VA) doctor that Burgett visited asked what he did in Guam. “Everything looks to be that you’ve been exposed to Agent Orange” he said.

“I didn’t know nothing about Agent Orange and when I came back I started thinking. I found these pictures of the supply yards that I took in Guam,” Burgett said, “When I got to looking at these pictures here, I saw these barrels, Agent White was there and so was Agent Orange,” he said.

Burgett said he can identify the barrels because the colours of the agents were painted on the lids and in a stripe around the middle of the drums. He sent the photographs to the Veterans Administration after getting three men who worked with him at the time, one of whom was in the photographs, to write letters testifying to the fact that they were in Guam when the photographed were taken and they were sure of the contents of the barrels. Burgett says all three of these men now experience health problems associated with the chemicals.

Burgett said his job entailed not only transporting the drums, but also using their contents. "I have a picture of this field that we sprayed with these chemicals," he said. "It was dead. Everything we sprayed, it killed."

#### More witnesses

Vancil Sanderson, a radioman for the Naval Communications Station on Guam from 1966 to 1967, believes he also was exposed to Agent Orange while here.

"We saw them spraying around the barracks and around the perimeters of the base. They would come in and remind you to close the windows in the barracks, then they would hit it with the stuff and all the geckos and everything would disappear. Then they would be gone for two or three month, and then they would come back," he said. "They used Agent Orange and these herbicides all over. It was part of pest management in those days."

Sanderson said he has been in contact with about 50 people who claim to know of others affected by pesticide use in Guam or believe themselves to be affected.

"Most everyone remembers the spray from the jeeps and vehicles, and from the hand attachments around the roadways and the perimeters," he said. "Many of them have health problems, the most prevalent seems to be cancer." Sanderson himself has had such health problems.

"I've had a rare form of cancer called soft tissue sarcoma that is associated with Agent Orange," he said. "It's very high in Vietnam veterans, and in the veterans in support of Vietnam, those on Guam and on the ships and so on, the rate is just as high. The one difference is that (the support troops) have a higher death rate."

A public health assessment published early last year by the U.S. Department of Health's Agency for Toxic Substances and Disease Registry said dioxins, the contaminant in Agent Orange, were found in soil samples from ten sites on Andersen.

The highest level reported was in a former fire training area on the main base, where soil samples showed dioxin counts up to 19,000 parts per



million, according to *Pacific Daily News* files. The U.S. Environmental Protection Agency's recommended residential cleanup goal is one part per billion, according to EPA's Web site.

"Do you know how high that is?" Sanderson asked. "That means that 1.9% of the soil is dioxins. That is just a huge, huge amount. You can go into Vietnam and not find it like that."

#### After-effects

David Starr and his wife lived in Guam while he was a military police officer in the Marine Corps in 1961-62. He and his family are now suffering from a multitude of health problems he believes are related to exposure to Agent Orange here.

"Right now I have diabetes. I am blind. I have a child with spinal bifida, which is one of the things caused by Agent Orange. I've got a child that has had heart surgery. I've got two children that have extra toes or extra fingers. I've got degenerative bone disease, osteoporosis, arthritis, degeneration of the spine, all that is wrong with me."

Starr remembers going on night manoeuvres and seeing planes overhead spraying them with something. "We always noticed that the damn trees on both sides of the strip was dead, and the grass down in the cracks of the airstrip was always dead." Starr said he has photos of barrels of the chemicals.

"They're going to tell you it wasn't there? Well excuse me, I've got pictures of the barrels, I've got a picture of the labels, I've got a picture of the forklift with a number on it that will correlate with it being on Guam,"

he said. "And they are going to tell you it never happened?"

#### Mitigation

Andersen Air Force Base spokeswoman Sgt. Kim Melchor said the base has as much interest as anyone in learning about the outcome of the investigation.

"Here at Andersen, people are the biggest factor. This is our community too, and we certainly want to find out about this issue just as much as the public does," she said. "But of course since we are not the agency conducting the investigation we cannot discuss the details because we do not have all the facts."

Melchor also pointed out that the Air Force has poured millions of dollars into cleaning up the base since the federal Environmental Protection Agency added it to the national priority list of toxic sites in 1992.

#### Health coverage

Burgett filed a case six years ago with the Veterans Administration in an attempt to get medical coverage for his health problems. He said the military has dragged its feet in the matter.

"The reason why is if I get it, then it opens up the door for all these other people on Guam that have got problems," he said.

Sanderson agreed with that theory. "If they admit it to one, how can they not admit it to everyone else?" he asked.

Starr said he was clueless at the time about the damage he believes was being done to his body while he was in Guam.

"Before, you could have told me anything, I was young and dumb enough to trust whatever you told me, just because you are a higher rank," he said.

"Had I known about Agent Orange I'd have tried to get off that island, that is for damn sure."

Adapted from the article:

*Sick vets report on Agent Orange*

By Katie Worth

Pacific Daily News

<http://www.guampdn.com/news/stories/20030617/localnews/ln-2003-3.html>

Guam Pacific Daily News

June 17, 2003

*Paediatr Perinat Epidemiol.* 2003 Jul;17(3):250-5. **Related Articles, Links**  
**Prevalence of adverse pregnancy outcomes around hazardous industrial sites in Cumbria, north-west England, 1950-93.**

Dummer TJ, Dickinson HO, Parker L.

School of Clinical Medical Sciences, University of Newcastle, Sir James Spence Institute, Royal Victoria Infirmary, Newcastle, UK.

The objective of this study was to investigate the risk of stillbirth, neonatal death and lethal congenital anomaly in relation to proximity to hazardous industrial facilities at the time of birth in Cumbria, 1950-93. A retrospective cohort study was carried out using all 4325 stillbirths, 3430 neonatal deaths and 1569 deaths from congenital anomaly among the 287993 births to mothers living in Cumbria between 1950 and 1993. Logistic regression was used to investigate the risk of each outcome in relation to proximity at birth to hazardous industrial sites, stratifying the analysis by time period and adjusting for social class, year of birth, birth order and multiple births. Continuous odds ratios for trend with proximity to sites were estimated. No significantly increased risk was found for stillbirth, lethal congenital anomaly or neonatal deaths in relation to proximity to hazardous industrial facilities, except for deaths from congenital heart defects in 1983-93. Overall, there was no evidence to suggest an increased risk of adverse lethal pregnancy outcome among babies whose mothers lived closer to hazardous industrial sites. The significantly increased risk of lethal congenital heart defects with proximity to these sites was likely to be a chance finding, given the large number of outcome groups and time periods analysed. However, effective environmental monitoring of industrial processes is required to enable studies to investigate the potential health risks of industrial pollution. PMID: 12839536 [PubMed - in process]

**Pesticide Action Network UK Research Monitor No.60 March-June 2003**

E Dallegrave, F D Mantese, R S Coehlo, J D Pereira, P R Dalsenter, and A Langeloh, The teratogenic potential of the herbicide glyphosate-Roundup® in Wistar rats, *Toxicology Letters*, 2003, 142: 45-51.

**Abstract.** Teratogenic potential of glyphosate-Roundup®

Wistar rats were fed glyphosate-Roundup® (500, 750 or 1000 mg/kg/day) from day 6 to 15 of pregnancy. The glyphosate used was that present in a formulation of roundup marketed in Brazil that also contains polyoxyethyleneamine (36% w/v glyphosate, 18% w/v polyoxyethyleneamine).

Caesarian sections were performed on the rats at day 21 of pregnancy. At the highest dose of glyphosate-Roundup® 50% of the rats died. At all three doses of glyphosate-Roundup® the fetuses carried a significant increase in the frequency of skeletal abnormalities compared with the control group. These results indicate that both the maternal toxicity and teratogenic potential of glyphosate-Roundup® is higher than those reported for glyphosate alone. This is likely due to the presence of other chemicals in the formulation (e.g. polyoxyethyleneamine). While the concentrations of glyphosate used in this study are higher than are likely for any human exposure the results highlight the inadequacy of testing pesticide active ingredients in isolation rather than in the formulations in which they are encountered.

Chang, M., Lin, J., 2001. **Memory effect on the dioxin emissions from municipal waste incinerator in Taiwan.** *Chemosphere* 45: 1151-1157

... Due to the simplicity in engineering and its high efficiency, activated carbon injection (ACI) has become the popular retrofit technology for reducing dioxin emissions at most MWIs. The ACI has been widely used with wet, semi-dry and dry scrubbers for dioxin removal. ...

...Studies conducted in other countries indicate that the dioxin removal efficiencies achieved with ACI are typically about 97.0- 99.9% ...

The most dioxin output in MWI-A is discharged with cyclone ash (47%) and about 26% of total dioxins are emitted via the stack without AC injection.

With AC injection, most dioxins in flue gas are removed by injected AC which are then disposed with reacted ash and the percentage of dioxin flow via flue gas decreases greatly to about 1%. It is because AC adsorbs dioxins in the flue gas and is captured by fabric filter. The AC injecting technology transfers the dioxins in gas phase to particle-bound phase. Besides, the increase of the carbon source and catalysts (i.e. CuCl<sub>2</sub>, FeCl<sub>2</sub>, etc. in AC) in fabric filter cake by AC injection and ideal temperature range (150-300 C in APCDs) caused more dioxin generation with AC injection than without AC injection. The total dioxin emissions from MWI-A (flue gas + cyclone ash + reacted ash) were much greater than dioxin inlet before APCDs (1.3 times in Fig. 6 and 2.4 times in Fig. 7). [Note: the data show that, in one case, total dioxin releases were 1.3 times greater than the quantity of dioxins leaving the boiler and, in the other case, 2.4 times greater.]

... After sampling the flue gas before and after APCDs [air pollution control devices] ... for two years, the results indicate that the AC injection technology can effectively decrease the flue gas dioxin concentration, but increases the total dioxin emissions (including those existing in fly ash and flue gas) from MWIs.



## VICTIMS OF WARS CHILD RADIATION

Dear Reader,

Below is information about a new charity being set up to deal with the growing evidence of large radiological contamination of Iraq from the recent conflict (and from Gulf war one). We would be very grateful if groups can circulate and support this valuable initiative.

**CHILD RADIATION VICTIMS OF WAR** aims to give grassroots support to communities suffering from the radiological and toxicological effects of war.

### Working group:

Joanne Baker, Mabel Sumner, Sanaa Al-Khayyat  
Abdul-Haq Al-Ani, Beatrice Boctor, Felicity Arbuthnot

### Overview:

#### The Environment and War.

Modern warfare leaves a serious radiological and toxic legacy. This is due mainly to the deliberate targeting of nuclear and chemical sites and the use of uranium or depleted uranium metal in conventional weaponry. No clean up of target areas is offered and vital information regarding the location of sites and the nature of the weapons used generally withheld. This has resulted in health crises in Iraq and surrounding countries, the Balkans and Afghanistan.

#### Why Children?

Children are most susceptible to radiological and toxic assault at a cellular level because of their fast cell growth. Many are also affected within the womb. Pre and post natal screening and support would be offered to women in exposed areas.

#### Project Iraq

During the 1991 Gulf War around 350 tons of depleted uranium was used in southern Iraq and many chemical facilities were bombed. Shortly after the war a German professor noted disturbing health trends amongst the Iraqi population. These included:

1. A considerable increase in infectious diseases caused by most severe immuno-deficiencies in a great part of the population.
2. Frequent occurrence of massive herpes and zoster afflictions, also in children AIDS-like syndromes.
3. A hitherto unknown syndrome caused by renal and hepatic dysfunctions.
4. Leukaemia, aplastic anaemia and malignant neoplasms.
5. Congenital deformities caused by genetic defects, which are also found in animals and plants.
6. Cancer rates in Iraq have now increased ten fold, with the incidence of cancers and leukaemia among children in Basra rising 384.2% and 300% respectively. There has also been a substantial increase in genetic disorders including neural tube defects which have had a notable 55% rise between 1998 and 2000; a staggering 250 000 increase in eye deformity and a 4.5 increase in Down's Syndrome births.

The amount of uranium or depleted uranium used by U.S.-led coalition forces during their attack on Iraq in March and April is unknown but may have been between 1000 and 2000 tons. The looting of nuclear sites and chemical sites is also posing a long-term health crisis.

#### Aims of the Project:

1. To support doctors and health workers on the ground in Iraq.

#### Learning from the Chernobyl experience!

Scientists at the Research Institute of Radiation Medicine and Endocrinology in Minsk, Belarus, have looked at many ways of treating children exposed to radionuclides.

One such study has been on the use of Spirulina.

Spirulina is a blue-green algae. It is a 60% all-vegetable protein, rich in beta carotene, iron, vitamin B-12 and the rare essential fatty acid, GLA. It offers a striking profile of vitamins, minerals and phytonutrients. It is potentially a valuable means of self-help for Iraqi people.

#### The following studies have been made:

- a. *Spirulina- natural sorbent of radionuclides* by L.P. Loseva and I.V. Dardynskaya. Sept 1993 Research Institute of Radiation Medicine, Minsk, Belarus. 6th Int'l Congress of Applied Algology, Czech Republic. Belarus. Spirulina, a natural food supplement, reduced urine radioactivity levels by 50% in only 20 days. This result was achieved after giving 5 grams a day to children at the Institute of Radiation Medicine in Minsk, Belarus. The Institute has developed a program to treat 100 children every 20 days. This 1993 report confirms 1990-91 research on the beneficial health effects of spirulina on children with radiation sickness. It concludes: "Use of spirulina decreases

radioaction dose load received from food contaminated with radionuclides, Cesium-137 and Strontium-90.

Spirulina is favourable for normalising the adaptive potential of children's bodies in conditions of long-lived low dose radiation."

**b. Means to normalise the levels of immunoglobulin E, using the food supplement Spirulina** by L. Evets, *et al.* 1994. Grodenski State Medical Univ. Russian Federation Committee of Patents and Trade. Patent (19)RU (11)2005486. Jan. 15, 1994. Russia.

Immunoglobulin E (IgE) of children living in highly radioactive areas is greatly above normal. Studies with 270 children show that consuming about 5 grams per day of spirulina tablets normalised IgE within 6 weeks. Children not consuming spirulina did not change IgE levels. No side effects were observed. Spirulina lowers the amount of IgE in the blood, which in turn normalises and reduces allergies in the body.

**c. Spirulina platensis and specialties to support detoxifying pollutants and to strengthen the immune system** by L.P. Loseva. Sep 1999. Research Institute of Radiation Medicine, Minsk, Belarus. 8th Int'l Congress of Applied Algology, Italy. (Belarus).

Main purpose of the study is researching the influence of spirulina platensis on the immune system on normalisation of peroxide lipid oxidation and anti-oxidant activity, also on the content of long-life radionuclides. In the studies were involved children and teenagers residing in the areas with radiant pollution and people injured by the Chernobyl catastrophe. To achieve desirable results with spirulina it is recommended to take it during 3 months and if not continued, this course should be repeated in half a year again.

#### **Possible therapeutic mechanisms:**

(i) The natural combination of nutrients supports the formation of non-absorbable complexes of radionuclides through analogues such as calcium, potassium etc., and promotes their excretion.

(ii) the general intake of easily digestible micro and macro elements of spirulina has a positive influence on many functions of the immune system.

#### **2. Spirulina Farming**

Aim to establish sustainable production and distribution routes within Iraq.

**3.** Try to send self-help structures for small communities to co-operate to produce clean water.

**4.** Educational support at a grassroots level. People are seriously at risk because they are not aware of the dangers of internal radiation. Children play on the burnt out tanks and bomb craters. They play with DU penetrators and other scraps of metal.

These they may collect and take back to their homes.

During the recent looting of nuclear sites, containers of uranium hexafluoride were emptied and used by families to collect and store water in. This water is being used to drink and bathe in.

**5.** Testing for anthropogenic uranium within the body.

**6.** Support to pay for both emergency treatment and long term medication.

**7.** Study and research new ways to combat ecological pollution, especially radioactive pollution.

If the Iraq project is successful, it could be extended to countries such as Afghanistan and the Balkans.

For further information:

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Web address: [www.desertconcerns.org](http://www.desertconcerns.org)

#### **BANK DETAILS:**

Child Radiation Victims of War

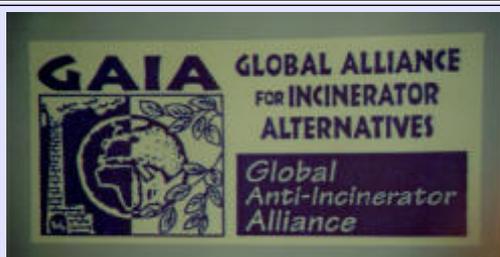
Sort Code: 40-16-07

Account No: 61164643

HSBC

58 Chesterton Road

Cambridge CB4 1EW



We all know the environmental and public health threats of incinerating waste. The evidence of increased ill health among communities hostage to landfill sites cannot be ignored. GAIA members are encouraging authorities around the world to pursue the goal of ZERO WASTE. ZERO WASTE applies to the whole production and consumption cycle - raw material extraction, product design, production practices, how products are sold and

delivered etc. ZERO WASTE advocates see nature as the ultimate production model - a system in which all materials are recycled back for productive use and nothing is wasted.

**JOIN GAIA. 1442A Walnut Street, #20, Berkeley, CA 94709, USA**

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# INDEPENDENT SCIENCE PANEL LAUNCHED

*Michael Meacher at Launch of Independent Science Panel*

Sacked UK Environment Minister **Michael Meacher** addressed a historic gathering at which dozens of prominent scientists launched themselves as a Independent Science Panel (ISP) to counteract what they see to be a concerted campaign by the government and the scientific establishment to promote genetic modification (GM) under the guise of 'sound science.'

"This amounts to open scientific rebellion, possibly unprecedented in history," said Mae-Wan Ho, Director of the Institute of Science in Society, who started the move, and confessed to having been taken by surprise, and delighted, by the positive response of the scientists contacted.

Many scientists are frustrated at the lack of open public debate on a whole range of scientific and other issues. The 'discussion meetings' organised by the government is invariably stacked with pro-GM scientists hyping the potential benefits of GM, and giving the public bland assurances that "there is no evidence of harm".

But the move to set up an Independent Science Panel (ISP) was precipitated by the interview with Meacher, published in the March issue of *The Ecologist*, in which Meacher suggested that GM technology is not necessary to solve world hunger and could prove dangerous over the longer term, something that the scientists have been saying for years.

The strong ISP on GM was officially launched ten May in King's College, London University, at a special public conference, GM Crops: Do We Need Them? Are they Safe? The launch coincided with the release of their much awaited draft report, The Case for a GM-Free Sustainable World <http://www.i-sis.org.uk/ISP.pdf>, published on the ISIS website ([www.i-sis.org.uk](http://www.i-sis.org.uk)), which calls for banning GM crops to make way for all forms of sustainable agriculture.

Imagine their collective delight, when within days of the conference, Mr Meacher office rang up to say that he would be attending the conference.

Meacher arrived punctually at 1:25pm on the day, full of smiles as usual; and was met at the door by an ad hoc welcoming committee of several ISP members.

**Peter Saunders, Prof.** of Applied Mathematics, King's College, who chaired the conference, welcomed Meacher with the words: "One good thing the present Labour government has done was to appoint an environment minister who took the job seriously; and when they discovered that he actually took the job seriously, left him in the post."

Meacher addressed the conference, and made clear that the GM Science Review will not be making their final report until after the public debate, and welcomed the ISP's input into the national GM debate. He hoped his presence at the launch would demonstrate that the government was keen to hear as many viewpoints as possible to inform policy-making, and stressed, "contributions from scientists of all shades of opinion are being included, in what is intended to be a fully participative process". He said, "I do believe that this launch today is an important development, and I look forward to its contribution to what needs to be balanced, rigorous, thoughtful and comprehensive scientific debates."

Meacher stayed for the next hour to hear the first two talks, by **David Bellamy** and **Arpad Pusztai**. As he left, Meacher said privately he was "very pleased" to have met and heard Pusztai, apparently, for the very first time. History is being made indeed, in more ways than one.

## Scientists Rebelling with A Cause

"Miraculous", "Event of the year", "Brilliant" and "Wonderful" were some of the praises heaped upon the launching conference of the ISP by the 200 enthusiastic participants.

"All too often, debates on GM begin by taking it for granted that science is as industry and the other supporters of GM say it is," said **Peter Saunders**, as he opened the 5-hour long conference, "and that no one except anti-science Luddites are opposed to GM".

Not any more; the launching of the Independent Science Panel, its draft report released on the day, and the conference itself, all bear witness to the fact that it is the science of GM that is most debatable, and that is why the ISP is needed.

When independent scientists in molecular genetics and other relevant disciplines come out with evidence of GM hazards, that for far too long have simply been ignored and dismissed, the pro-GM establishment can no longer get away with sweeping assurances: "Trust me, I am an expert."

The conference was not due to start until 1:30pm, but people started arriving at noon, and by the time Meacher came, there must have been at least 200 in the lecture theatre.

**David Bellamy**, Britain's best-loved botanist, broadcaster, and campaigner for Mother Earth, gave the first lecture, which, uncharacteristically, he read out from a prepared text, showing just how seriously he took the event.

**Many scientists are frustrated at the lack of open public debate on a whole range of scientific and other issues. The 'discussion meetings' organised by the government are invariably stacked with pro-GM scientists hyping the potential benefits of GM, and giving the public bland assurances that "there is no evidence of harm".**

Bellamy decried the folly of the human race that put us at odds with Nature, and lamented the trappings of modern universities, with knowledge commodified and subject to market forces. He called for a return to the original meanings of education and philosophy, which are essentially teaching about life in a holistic manner. “We are doing that today; we are discussing no small matter, of how we ought to live,” he said. He noted that the issues (including GM) are complex, and “that’s why we need this panel of independent scientists”.

**Arpad Pusztai**, formerly of the Rowett Institute, Scotland, and then **Stanley Ewen**, consultant histopathologist, Grampian University Hospitals Trust, followed with the clearest most damning evidence that GM food is by no means safe, in the still only systematic investigation ever carried out in the world. **Pusztai, Susan Bardocz** and **Ewen** had just published their most up-to-date and comprehensive paper in a book on food safety. The ‘growth factor’ effects found in young rats fed GM potatoes may be early warnings of a progression to cancer, according to **Ewen**. There were also non-specific signs of viral infections. **Michael Meacher** was clearly impressed as he left after Pusztai’s talk.

**Malcolm Hooper** gave a galloping review on the hazards of the broad-spectrum herbicides, glufosinate ammonium and glyphosate, that together, are used with more than 75% of all GM crops grown today. These broad-spectrum herbicides not only kill plants indiscriminately, they are also harmful to practically all species of animal wildlife and to human beings. Both of them are systemic metabolic poisons that affect many vital functions.

**Gundula Azeez**, Policy Manager of the Soil Association, made clear that GM crops cannot co-exist with non-GM crops without risking large-scale contamination with all the attendant problems, especially for organic farmers.

**Vyvyan Howard**, toxico-pathologist, University of Liverpool, exposed the ‘fact-free’ anti-precautionary risk assessment that industry and regulators routinely use, that’s based on little or no relevant data, but often on models that have no contact with reality. He gave examples of early warnings being ignored and the late responses of regulators (e.g. in the case of radiation, asbestos and greenhouse gases). Given the potential serious impacts of GM technology and the long time lags involved, caution is warranted, as this is “self-replicating pollution”.

**Brian John**, geomorphologist, environmental scientist and member of the coordinating group for GM Free Cymru, gave an eloquent and rousing speech attacking the corruption of science by commercial imperatives, which makes this science no longer fit for public consumption. He

spoke for the sentiment of the ISP as well as for the audience. There was a standing ovation for **Brian John**.

**Mae-Wan Ho** gave the final talk, and displayed her penchant for play and the unexpected by images of “A time and a place for gene transfer” which makes the point that genetic engineering is breaking all the rules of evolution by increasing the scope and the tendency for horizontal gene transfer and recombination, precisely the processes that generate new disease agents that cause major epidemics and trigger cancer.

And as the conference was in progress, so was an “indefinite hunger strike”, which begun 22 April in the Philippines, led by a member of the ISP, **Roberto Verzola**, Secretary-General of the Philippine Greens, in protest of his governments approval of Bt maize. “We will continue the hunger strike for as long as necessary to convince the government to hold in abeyance the commercial sale of Bt corn in the Philippines.” Verzola said. An electronic copy of the draft ISP report was dispatched to the hunger strikers, to present to the Philippine President, together with a letter of support from the ISP.

#### A GM-Free London?

**Noel Lynch**, a Green Party member of the London Assembly, brought some good news to the conference. He reported that the Mayor, **Ken Livingstone**, has included the following statement in London’s Biodiversity Strategy: “The mayor will oppose commercial or experimental release of genetically modified organisms (GMOs) into the environment in London”. The Greens in the Assembly are now lobbying determinedly for the Mayor to declare London a GM-free zone.

This article can be found on the I-SIS website at <http://www.i-sis.org.uk/ISP.php>

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Science Society Sustainability <http://www.i-sis.org.uk>  
General Enquiries [sam@i-sis.org.uk](mailto:sam@i-sis.org.uk)

**Mae-Wan Ho gave the final talk, and displayed her penchant for play and the unexpected by images of “A time and a place for gene transfer” which makes the point that genetic engineering is breaking all the rules of evolution by increasing the scope and the tendency for horizontal gene transfer and recombination, precisely the processes that generate new disease agents that cause major epidemics and trigger cancer.**

# PRENATAL EXPOSURES AND DISEASE

## At last, an ancient problem has been solved.

More than 2000 years ago people knew that the quality of the natural environment affected their health. During the first century BC, the ancient Roman architect, Vitruvius, highlighted the relationship of environment to disease in his book "De Architectura."<sup>[1]</sup> However, getting hold of reliable information on the subject remained impossible for more than 2000 years.

Even with the rise of modern science and medicine over the past 600 years, reliable information on environment and disease remained difficult or impossible to lay hands on. Published in obscure journals or books, stored in relatively few libraries, and written in jargon that the public could not understand, good information about environment and disease remained under wraps -- accessible only to a privileged few with special training and special access.

Now the situation is rapidly improving because of two developments:

- (1) A "scientific information movement" begun in the 1950s by Barry Commoner and Margaret Mead and their colleagues within the American Association for the Advancement of Science became a broader "public interest science" movement in the 1970s thanks to Ralph Nader and his co-workers.<sup>[2]</sup> Those pioneering efforts have now engendered two generations of scientists who conduct studies that serve public needs and who translate scientific findings into terms that people can understand so that citizens can make informed decisions; and
- (2) The world wide web now allows people almost anywhere to get their hands on reliable plain-language descriptions of scientific and medical

studies that link the environment to human disease. Today almost anyone with access to a public library (or a \$500 home computer and a telephone) can tap into a vast body of plain-language information explaining how environmental contamination causes human disease. The most exciting developments in web-based information are evolving as we speak.

In particular, three related web sites now offer daily updates of news stories, scientific studies, and medical reports linking environmental contamination to human disease. See <http://www.environmentalhealthnews.org> and <http://www.protectingourhealth.org/newest.htm> and <http://www.ourstolenfuture.org/New/newstuff.htm>

When you dive into these three web sites, you may find yourself thinking, as I did, "This is why everyone needs access the world wide web!" There is simply no substitute for what these web sites offer. Breaking news stories and current reports, with pictures, and with hyperlinks to background information, provide real depth of understanding.

Current-awareness information doesn't get any better than this. These three web sites are related, but different, so it's good to check each of them often.

The newest of the three is [www.environmentalhealthnews.org](http://www.environmentalhealthnews.org). This one provides breaking news. Every day, seven days a week, you'll find more than a dozen current news stories from around the nation and the world. Furthermore, the site is interactive -- citizens can add their own news, and their own reports. This site is still in the test phase, but it already contains a wealth of information on environment and health.

The other two sites, somewhat older, are truly rich sources of

information. The "Our Stolen Future" site, <http://www.ourstolenfuture.org/New/newstuff.htm> is focused on studies of hormone-disrupting chemicals and their effects on plants and animals. Using hyperlinks, the site provides explanatory materials that will give you all the depth you could want as you learn about the role of hormones and other biological signaling systems, which can be disrupted by a growing list of industrial chemicals. My description does not do justice to the depth of this site -- to appreciate it, you will need to spend some time there yourself.

The third web site, maintained by CHE (the Collaborative on Health and the Environment) <http://www.protectingourhealth.org> -- offers a unique resource:

peer-reviewed overviews that evaluate the medical literature linking environmental contamination to asthma, brain cancer, breast cancer, childhood leukemia, endometriosis, infertility, learning and behaviour disorders, prostate cancer, and testicular cancer. Other overviews of other diseases are in the works.

CHE's "peer-reviewed overviews" project has been guided by physician Ted Schettler, whose books have provided convincing evidence that children's mental development can be derailed by exposure to low levels of chemicals in the environment.<sup>[3]</sup>

Together these web sites represent a phenomenal -- and phenomenally useful -- intellectual tour de force. Many people contribute to these web sites, but the chief architect and driving energy behind all three is John Peterson ("Pete") Myers, Ph.D., biologist and co-author of *Our Stolen Future* -- the book that propelled the scientific community onto its successful search for industrial poisons that

**The world wide web now allows people almost anywhere to get their hands on reliable plain-language descriptions of scientific and medical studies that link the environment to human disease. Today almost anyone with access to a public library (or a \$500 home computer and a telephone) can tap into a vast body of plain-language information explaining how environmental contamination causes human disease.**

can disrupt the fundamental signaling systems that control growth, development, and behaviour in plants and animals.<sup>[4]</sup>

When important new scientific studies appear, Pete Myers often describes them in considerable detail -- how the study was conducted, what it found, its relationship to previous studies and hypotheses, and its scientific limitations. For non-experts concerned about environment and health, this is a unique trove of real treasure.

The web also provides a unique perspective. Browsing a paper library can be slow and tedious. The web is fast and smooth.

When you browse a web library, new patterns jump out at you. Recently, as I was scanning the archives of these three web sites, I noticed that many recent studies have now confirmed that much human disease is linked to prenatal exposures -- exposures that occur in the womb. It's as if a gun goes off later in life, but the trigger is pulled before birth. This is a chilling new picture of human disease. To cite but four recent examples:

\*\* A study published in the *Journal of the American Medical Association* (JAMA) revealed that attention deficit hyperactivity disorder (ADHD) has a real physical basis, and that the disease may well begin in the womb.<sup>[5]</sup> F.X. Castellanos and colleagues found that children with ADHD have brains that are significantly smaller than the brains of children without ADHD. Furthermore, they concluded that the events initiating ADHD are likely to occur in the womb.

\*\* Lennart Hardell and his colleagues reported in *Environmental Health Perspectives* in June that there is a strong association between young men who get testicular cancer and the levels of long-lived organochlorine pesticides measurable in their mother's blood (but, importantly, not in the blood of the men themselves).<sup>[6]</sup> Exposure in the womb seems crucial in the development of many testicular cancers.

\*\* In April, Linda Birnbaum and Suzanne Fenton reviewed a wide array of animal and human studies, concluding that exposure to hormone-disrupting chemicals in early development can cause cancer and/or increase sensitiv-

**If certain chronic diseases (some cancers, some immune disorders, and some diseases of the nervous system, for example) -- many of which are increasing today -- are being caused by run-of-the-mill prenatal exposures, then people must be protected from exposure to disease-producing chemicals even before they are born.**

ity to cancer-causing agents later in life.<sup>[7]</sup> They point out that the danger of prenatal exposures is firmly established in the medical literature, yet few human studies have made use of the information. For example, most breast cancer studies have measured chemicals in the blood of women at the time they were diagnosed with cancer -- probably the wrong time to be looking for a connection between chemicals and cancer, Birnbaum and Fenton suggest. The critical exposure likely occurred many years earlier. If you look for answers during the wrong time-period, you will get wrong answers. (This important study is available in PDF at <http://www.rachel.org/library/getfile.cfm?ID=182>

\*\* In January, research in two New York City neighbourhoods found a correlation between environmental contamination and babies born with low birth weight and small head circumference.

Dr. Frederica Perera, the lead author of the study, told the *New York Times* that the results were particularly troubling because these birth outcomes are predictors of "poor health and mental problems later in life."<sup>[8]</sup>

If prenatal exposures to environmental chemicals really do give rise to lifelong disease, it means that the present systems for medical care, public health, and environmental protection can never achieve their goals. This should be a profound wake-up call.

If certain chronic diseases (some cancers, some immune disorders, and some diseases of the nervous system, for example) -- many of which are increasing today -- are being caused by run-of-the-mill prenatal exposures, then people must be protected from exposure to disease-producing chemicals even before they are born. Present-day public-health systems are not remotely capable of achieving such a goal. This is a powerful argument

against business as usual, an argument that is unlikely to fade any time soon.

In recent years, corporations that manufacture or use large quantities of industrial poisons have devised two responses to this distinctly-unwelcome new picture of disease.

In the past decade, corporations have spent tens of billions of dollars to inject doubt and uncertainty into the debate about low-level environmental exposures causing disease. Under the present risk-based system, scientific uncertainty creates a "green light" for chemical contamination. So long as the link between exposure and disease has not been proven to a scientific certainty, exposures can continue.

This is why corporate/governmental leaders created our present regulatory system, based on "risk assessment." The risk-based system assumes that we can determine "safe" (or "acceptable") levels of all industrial poisons if we simply study the problem long enough. And until we have completed such studies, contamination can continue because that is what "individual liberty" combined with "free markets" would dictate. (Never mind that corporations are nothing like individuals and therefore should never be accorded the liberties that individuals enjoy -- an argument seldom heard in polite company.<sup>[9]</sup>)

This risk-based approach has allowed the entire planet to become contaminated with potent industrial poisons -- with grievous consequences for wild creatures -- and has allowed chronic human disease to proliferate.

If you want to be reminded of the terrible consequences of this risk-based approach, check daily at: <http://www.environmentalhealthnews.org>

If you sit in a quiet place to read these daily reports of contamination and disease, you can hear the hum of the industrial system grinding up the biosphere, day by day. You hear the self-assured voices of corporate offi-

cials denying their personal responsibility, claiming there is no alternative, explaining that jobs will be lost if they behave any other way (subtly shifting blame to working people for management's refusal to innovate). In the background, you can hear the monotone murmur of government officials doing their jobs, deflecting public concern with the language of risk assessment: "No immediate threat to health." "Acceptable risk." "Well within the guidelines." And the grinding continues day after day after day.

In recent years, it has become indisputably clear that low-level environmental exposures *DO* matter, and so a new rationale for business-as-usual was needed. The newest corporate/governmental answer to these problems is "genes."

Billions of dollars are now being poured into genetic studies to show that it is our individual susceptibility to disease that must be fixed -- not the industrial poisons that attack our genes to cause disease.

The fundamental idea behind this genetic approach is that we can continue to flood the environment with exotic disease-producing chemicals because we will be immunised against harm by expensive improvements to our genetic heritage. Or, alternatively, we will be cured of disease after it occurs -- again, by expensive rearrangement of our genes.

The very latest corporate "solution" is nanotechnology, whose advocates assure us that environment-related diseases such as cancer will one day be cured by tiny "nanobots" -- infinitesimally small machines designed to motor through our arteries and identify (and then zap) diseased cells<sup>[10]</sup> So we should spend billions on nanobot research and forget about the traditional basis of public health -- primary prevention. There is simply no money in prevention.

All these new approaches like genes and nanobots share one common feature: they will all increase our de-

**Billions of dollars are now being poured into genetic studies to show that it is our individual susceptibility to disease that must be fixed -- not the industrial poisons that attack our genes to cause disease.**

pendence on corporate "experts" who will hold our lives in their hands, for which we will, no doubt, be required to pay dearly. (Those who cannot afford to pay are presumably lazy good-for-nothings whom we can profitably allow to expire, preferably somewhere out of public view.)

But sooner or later the ancient wisdom of prevention seems sure to prevail because the facts are driving us relentlessly toward that necessity. Prevention is really the only affordable (and feasible) solution to medical, public health and environmental problems. Therefore, sooner or later, prevention must prevail.

The European Union is currently trying to institutionalise prevention of harm in its proposed new policy toward industrial chemicals.<sup>[11]</sup> The E.U. has made the audacious proposal that chemicals should actually be tested to discover their effects on health and the environment BEFORE they are marketed. This precautionary approach is captured in the phrase, "No information, no market."

In response to this common-sense E.U. proposal, chemical corporations world-wide have joined forces to declare all-out war on the E.U.'s environmental ministry, and they have the full force and power of the U.S. government behind them.

The National Journal recently described the U.S. vs. E.U struggle this way: "The conflict over the chemicals legislation goes deeper than the usual arguments over dollars and cents. The root cause is the E.U's use of the so-called precautionary principle. This is a concept, codified in the European Union charter, that government can and should make policy based on the significant possibility of risk, even before all data is compiled. It is on the

opposite end of the spectrum from the way policy is usually set in Washington, where the government does not usually pass broad reforms until there is concrete evidence of harm.

"By contrast, the European chemicals policy is pre-emptive, requiring a massive amount of testing in the hope of reducing harm before it occurs.

"Although the costs involved with the chemicals legislation will not be cheap, the European Union argues that the change will pay off in the long run. According to E.U. estimates, the indirect costs of higher chemical prices to European manufacturers and consumers over 15 years would be as high as \$29.3 billion. But on the benefits side, the E.U. Estimates that in 30 years, there will be 2,200 to 4,300 fewer cases of cancer, and savings of \$20.3 billion to \$61 billion in occupational health expenditures."<sup>[12]</sup>

*(ToxCat: However, lobbying by industry and Tony Blair and Co has watered down the initial plan. (See enclosed flyer)*

The chemical industry and the U.S. government are allies in a titanic struggle for their right to continue poisoning people and the planet unabated. Nevertheless, sooner or later, I believe, common sense will prevail and a preventive approach will be adopted everywhere.

I do not think for a minute that it will be easy. Millions -- many millions -- more people (not to mention wild creatures) will have to live and die with birth defects, cancers, attention deficits, asthma, diabetes, and low IQ before corporations are brought to heel.

Corporations have captured control of our publicly-owned airwaves, harnessed our public universities to satisfy a corporate agenda,

**The fundamental idea behind this genetic approach is that we can continue to flood the environment with exotic disease-producing chemicals because we will be immunised against harm by expensive improvements to our genetic heritage. Or, alternatively, we will be cured of disease after it occurs -- again, by expensive rearrangement of our genes.**

seized direction of our federal government's research budget, defiled scientific advisory committees worldwide by packing them with corporate shills, dumbed down our public schools, corrupted our federal courts, and bribed the executive and legislative branches of our government through the simple device of funding election campaigns.

About the only feature of our democracy that corporations have not yet entirely debauched is our right of free speech. And of course they are working on that one, too. SLAPP suits and veggie libel laws are intended to silence critics of corporate violence. The best-known veggie libel lawsuit is that of TV star Oprah Winfrey, who was hauled into court by Texas meat mavens, charged with defaming red meat, a crime under Texas law. Winfrey won the lawsuit but it reportedly cost her upwards of \$3 million to do

so. No doubt, many a reporter and editor now thinks twice before publishing new information about the many dreadful diseases linked to excessive red meat in our diet. Recently Monsanto, the St. Louis chemical bully, sued dairy farmers in Maine who had the temerity to advertise to their customers that their milk contains none of Monsanto's patent-medicine artificial hormones.<sup>[13]</sup>



Comments on beef landed Oprah Winfrey with a \$3million court bill- and she won the case

No doubt, the assault on our right of free speech is a purposeful, coordinated, long-term corporate strategy, and extremely dangerous.

Yet despite this bleak picture of a world corrupted and intimidated by corporate power, the ancient truth about environment and disease continues to leak out through the cracks in the system. Indeed, on the web, the truth fairly gushes out. This alone is powerful reason for hope. With the creation of new web sites like those maintained by Pete Myers, it IS possible to arm ourselves with information, to resist tyranny. The truth shall set you free.

Source: RACHEL'S ENVIRONMENT & HEALTH NEWS #796 May 15 2003.

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In Book 1, Vitruvius wrote,  
"Skill in physic enables him [the architect] to ascertain the salubrity of different tracts of country, and to determine the variation of climates, which the Greeks call klimata: for the air and water of different situations, being matters of the highest importance, no building will be healthy without attention to those points."  
And in Book 2:  
"7. Natural consistency arises from the choice of such situations for temples as possess the advantages of salubrious air and water; more especially in the case of temples erected to Sculapius, to the Goddess of Health, and such other divinities as possess the power of curing diseases. For thus the sick, changing the unwholesome air and water to which they have been accustomed for those that are healthy, sooner convalesce; and a reliance upon the divinity will be therefore increased by proper choice of situation."  
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## GM - BENEFITS THE RICHEST NOT THE HUNGRIEST

**A new report, *Voices From the South*, systematically refutes a number of widely promoted myths about genetically engineered (GE) food.**

Released by Pesticide Action Network North America and Food First just days before a ministerial level agricultural conference promoting GE foods gets underway in Sacramento, California, the report counters the claims of the biotech industry and the U.S. Department of Agriculture that GE crops are a solution to hunger in the Third World.

In the report, leading activists, scientists and farmers from countries as diverse as Ethiopia, India and Ecuador argue that the development of GE crops has not focused on feeding people but rather on securing market share for the world's largest agrochemical/biotech companies. "Genetically engineered crops are instruments of industrialised agriculture," said Silvia Ribeiro of the ETC Group in Uruguay, one of the authors. "They benefit the richest people in the world, not the hungriest. GE crops are designed to take the control of food production away from local communities, by creating greater dependence on agribusiness corporations for seed and pesticides."

The report addresses six common myths spread by the biotech industry about GE crops, with responses by leading Third World analysts. "You can break down these myths into three basic components: Green washing, poor washing, and hope dashing" said Anuradha Mittal, co-director of Food First, who is from India. "Green washing suggests that biotech will create a world free of pesticides; poor washing would have us believe that we must accept genetically engineered crops if we are to feed the poor in the Third World; and hope dashing claims there are no alternatives. But in this report, this rhetoric is systematically dismantled by the very people GE crops are supposed to benefit."

Research by Food First reveals that the industry claim that there is not enough food to feed the hungry is not based in fact. The world today produces more food per inhabitant than ever before. The real causes of hunger are

poverty, inequality and lack of access. Too many people are too poor to buy the food that is available (but often poorly distributed) or lack the land and resources to grow it themselves.

"What farmers in the developing world need are policies that give farming communities control over their own resources and build on local ecological knowledge" writes Timothy Byakola, also an author, who coordinates PAN East Africa, "not another technological quick fix."

The authors note that there is already enough food to feed the world one and a half times over, and that genetically engineered crops have caused economic and ecological problems where they have been grown. The report argues that the poor and hungry of the developing world need economic and social policies that address the root causes of hunger in poverty and inequality, not quick technological fixes that largely benefit foreign corporations.

The report highlights traditional farming methods that involve sustainable use of land, water and seeds in a system that guarantees food sovereignty. Current global trade and economic policies which force privatisation, centralisation and commercialisation are a threat to food sovereignty in southern countries.

*Voices from the South: The Third World Debunks Corporate Myths on Genetically Engineered Crops* is published by Pesticide Action Network (PANNA) and Food First/The Institute for Food and Development Policy, as part of the work of both organisations to bring the views of grassroots activists of the global south to the political debate about the risks and costs of GE food.

Voices from the South is available online at <http://www.foodfirst.org/>

Source: *Voices from the South, The Third World Debunks Corporate Myths on Genetically Engineered Crops*, Ellen Hickey and Anuradha Mittal (editors), June 2003, PANNA, 49 Powell St. #500 San Francisco, CA 94102, (415) 981-1771, <http://www.panna.org/> PAN UPS - Pesticide Action Network Updates Service  
Voices From the South Debunk GE Myths - June 20, 2003



**Traces of Tc-99 radioactive waste** from Sellafield have been found in packets of farmed smoked salmon sold in the six leading supermarkets, including Sainsbury's, Tesco and Marks & Spencer.

"People would need to eat 700 portions of salmon a day for a year to reach the annual permitted EU radiation dose," said Dr. Andrew Wadge, the FSA's director of Food Safety, "This means consumers have no need to be alarmed. Low levels of Technetium-99 are found routinely in lobster, shellfish and other fish from waters around Sellafield. "...our initial results show there is no cause for concern." "It's amazing how an FSA official can use the contamination of other seafood in water around Sellafield with Tc-99

as a sign of safety for salmon eaters. Are these people really this thick?" asked Ralph Ryder of CATs.

According to the Department for the Environment, Food and Rural Affairs "There is no evidence that, at the current rate of discharge, Tc-99 poses any risk to the health of people or the environment."

The tests, commissioned by *Greenpeace* and carried out by Southampton University's oceanography centre on fresh and smoked salmon all showed levels of less than two becquerels of Tc-99 per kilogramme to more than 20.

The salmon farms on the west coast of Scotland feed their salmon on pellets made from fish caught off Chile or in the North Sea and are considered 'pristine'. The discovery will cause increased concern in Norway, one of the largest salmon farming industries in the world.

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## Nuke news

# TALKS ON THE THREAT OF TERRORIST NUCLEAR ACTION

**The International Conference on Security of Radioactive Sources was held 10-13 March 2003 in Vienna, Austria. US secretary of Energy, Spencer Abraham, presided over the conference, which was co-sponsored by the Government of the Russian Federation and the U.S. Government and hosted by the Austrian Government.** It was organised by the IAEA in co-operation with the European Commission, the World Customs Organisation, the International Criminal Police Organisation (ICPO-Interpol) and the European Police Office (EUropol). Over 700 delegates from more than 120 countries attended the conference.

Dr Mohamed El Baradei, Director General of the International Atomic Energy Agency, said during the conference opening "the security of radioactive sources has taken on a new urgency since 9/11. There are millions of radiological sources used throughout the world. While most are very weak, what we are focusing on is preventing the theft or loss of control of the power radiological sources.' To effectively deal with the potential terrorist threat posed by so-called dirty bombs, the conference called for new international initiatives aimed at facilitating the location, recovery and securing of high risk radioactive sources throughout the world, under the aegis of the IAEA. The conference also called for a concerted worldwide effort under IAEA leadership to implement the principles in the Code of Conduct on the Safety and Security of Radioactive Sources, which is now being revised to account for security concerns, in order to promote adequate radiation safety and security control infrastructures. States should also adhere to

the security-related principles contained in the international Basic Safety Standards. The conference has offered numerous specific findings for addressing security concerns, identifying high-risk sources, and strengthening government actions to minimise radiological risks. Among the key recommendations were:

- \* implementation of all States of national action plans for locating, searching for, recovering and securing high-risk radioactive sources

- \* strengthening measures to detect, interdict and respond to illicit trafficking in high-risk radioactive sources

- \* public awareness campaigns to foster - among legislators, source users and the public - a better understanding of real threats and the appropriate responses in the event of a radiological emergency

- \* concerted efforts by all States and the IAEA to enhance the current national and international arrangements to respond proactively to the possible malevolent use of high-risk radioactive sources.

"It is our critically important job to deny terrorists the radioactive sources they need to construct such weapons,' United States Energy Secretary Spencer Abraham told the conference on Tuesday. "Our governments must act to identify all the high-risk radioactive sources that are being used and have been abandoned. We must educate our officials and the general populace, raising awareness of the existence of these dangerous radioactive sources and the consequences of their misuse."

Source: *British Nuclear Energy Society Jnl.* June 03

For more details see the IAEA-WorldAtom website: <http://www.iaea.org/worldatom/>.

## Chernobyl Fallout - Agricultural Restrictions Still in Place

An interview with a Welsh hill farmer and a Swedish farmer regarding the restrictions on animal movements and sale of products revealed that agriculture is still being contaminated with Chernobyl fallout.

The Welsh farmer said that he still had to get permission to move his flock to new pastures and that he was restricted in the sale of his animals. The Government pays him and others a compensation rate of £1.30 per head. At the height of the fallout he remembers animals registering 4,000 Bq/kg of Cs137. A lot of the animals were not monitored but just had paint put on them to mark them. During the first 7 years he said that he witnessed very high levels of death and deformed limbs, extra limbs, head deformities etc. The Swedish farmer said that they could sell animals for consumption if levels of Cs-137 were below 300 Bq/kg but in Northern Sweden the levels of restriction was 1,500 Bq/kg. This was because it was estimated that people consumed less reindeer meat, fungi and fruit. When asked how long it would be before the land became less contaminated and restrictions removed the farmer said that permanent pasture land would take between 2 and 300 years but ploughed land would take less.

Of course permanent pasture land would be constantly re-contaminated from the droppings of grazing animals which bio-accumulate radionuclides and thus the faeces is more radioactive.

25 April 2003 Farming Today, Radio 4. 25 April 2003



## BAYER SOLD AIDS INFECTED BLOOD PRODUCT TO HAEMOPHILIACS

**An examination of internal Bayer company documents by *The New York Times* reveals that the company was engaged in unsavoury, probably criminal marketing practices.**

The documents reveal that Bayer continued to sell contaminated blood plasma causing thousands of haemophiliac patients to be infected with AIDS. The company continued to sell the contaminated blood in Asia for over a year when it had already introduced a safer, heat-treated blood plasma version in the US and Europe in February 1984.

The documents examined by *The Times* provide evidence of unrestrained corrupt practices by a pharmaceutical industry giant. According to *The Times*, records suggest that the reason for continuing to sell an AIDS infected blood product, was to get rid of inventory and “the company hoped to preserve the profit margin from ‘several large fixed-price contracts.’”

This previously uninvestigated case demonstrates how this industry's lies and crimes are shielded by officials at the Food and Drug Administration. *The Times* reports that in 1985 FDA's Dr. Harry Meyer willingly helped Bayer cover up “one of the worst drug-related medical disasters in history.” Meyer suggested that the issue should be “quietly solved without alerting the Congress, the medical community and the public.” This culture of accommodation continues to prevail at the FDA.

### **2 Paths of Bayer Drug in 80's: Riskier Type Went Overseas**

A division of the pharmaceutical company Bayer sold millions of dollars of blood-clotting medicine for haemophiliacs — medicine that carried a high risk of transmitting AIDS — to Asia and Latin America in the mid-1980's

while selling a new, safer product in the West, according to documents obtained by *The New York Times*.

The Bayer unit, Cutter Biological, introduced its safer medicine in late February 1984 as evidence mounted that the earlier version was infecting haemophiliacs with H.I.V. Yet for over a year, the company continued to sell the old medicine overseas, prompting a United States regulator to accuse Cutter of breaking its promise to stop selling the product. By continuing to sell the old version of the life-saving medicine, the records show, Cutter officials were trying to avoid being stuck with large stores of a product that was proving increasingly unmarketable in the United States and Europe.

Yet even after it began selling the new product, the company kept making the old medicine for several months more. A telex from Cutter to a distributor suggests one reason behind that decision, too: the company had several fixed-price contracts and believed that the old product would be cheaper to produce.

Nearly two decades later, the precise human toll of these marketing decisions is difficult, if not impossible, to document. Many patient records are now unavailable, and because an AIDS test was not developed until later in the epidemic, it is difficult to pinpoint when foreign haemophiliacs were infected with H.I.V. — before Cutter began selling its safer medicine or afterward.

But in Hong Kong and Taiwan alone, more than 100 haemophiliacs got H.I.V. after using Cutter's old medicine, according to records and interviews. Many have since died. Cutter also continued to sell the older product after February 1984 in Malaysia, Singapore, Indonesia, Japan and

Argentina, records show. The Cutter documents, which were produced in connection with lawsuits filed by American haemophiliacs, went largely unnoticed until *The Times* began asking about them.

“These are the most incriminating internal pharmaceutical industry documents I have ever seen,” said Dr. Sidney M. Wolfe, who as director of the Public Citizen Health Research Group has been investigating the industry's practices for three decades. Bayer officials, responding on behalf of Cutter and its president at the time, Jack Ryan, declined to be interviewed but did answer written questions. In a statement, Bayer said that Cutter had “behaved responsibly, ethically and humanely” in selling the old product overseas. Cutter had continued to sell the old medicine, the statement said, because some customers doubted the new drug's effectiveness, and because some countries were slow to approve its sale. The company also said that a shortage of plasma, used to make the medicine, had kept Cutter from manufacturing more of the new product. “Decisions made nearly two decades ago were based on the best scientific information of the time and were consistent with the regulations in place,” the statement said.

The medicine, called Factor VIII concentrate, essentially provides the missing ingredient without which haemophiliacs' blood cannot clot. By injecting themselves with it, haemophiliacs can stop bleeding or prevent bleeds from starting; some use it as many as three times a week. It has helped haemophiliacs lead normal lives.

But in the early years of the AIDS epidemic, it became a killer. The medicine was made using pools of plasma from 10,000 or more donors,

***The Times* reports that in 1985 FDA's Dr. Harry Meyer willingly helped Bayer cover up “one of the worst drug-related medical disasters in history.” Meyer suggested that the issue should be “quietly solved without alerting the Congress, the medical community and the public.”**

and since there was still no screening test for the AIDS virus, it carried a high risk of passing along the disease; even a tiny number of H.I.V.-positive donors could contaminate an entire pool. In the United States, AIDS was passed on to thousands of haemophiliacs, many of whom died, in one of the worst drug-related medical disasters in history. While admitting no wrongdoing, Bayer and three other companies that made the concentrate have paid haemophiliacs about \$600 million to settle more than 15 years of lawsuits accusing them of making a dangerous product. The Cutter documents — a few of them have surfaced in recent years in television and newspaper reports about Cutter's marketing practices — were gleaned from that litigation. But because the documents did not relate directly to the suits, most went uninvestigated. The documents — internal memorandums, minutes of company marketing meetings and telexes to foreign distributors — reveal and chronicle Cutter's decision to keep exporting the older product after it began making the new one, which was heat-treated to kill H.I.V. The heat treatment rendered the virus "undetectable" in the product, according to a government study. (There are few available records documenting the actions and decisions of the three other American-based companies that also sold non-heated concentrate after offering a heat-treated product.)

Doctors and patients contacted overseas said they had not known of the contents of the Cutter documents. Bayer and other blood-product companies, though admitting no wrongdoing, have already made some payments to foreign haemophiliacs. It is unclear if Bayer could now face legal liability specifically for selling the older product after a safer one was available. Federal regulators helped keep the overseas sales out of the public eye, the documents indicate. In May of 1985, believing that the

**“Can we in good faith continue to ship non-heat-treated coagulation products to Japan?” a company task force asked in February 1985, fearing that some of its plasma donors might be H.I.V. positive. The decision, records show, was yes.**

companies had broken a voluntary agreement to withdraw the old medicine from the market, the Food and Drug Administration's regulator of blood products, Dr. Harry M. Meyer Jr., summoned officials of the companies to a meeting and ordered them to comply. "It was unacceptable for them to ship that material overseas," he said later in legal papers.

Even so, Dr. Meyer asked that the issue be "quietly solved without alerting the Congress, the medical community and the public," according to Cutter's account of the 1985 meeting. Dr. Meyer said later that he could not recall making that statement, but another blood-product company's summary of the meeting also noted that the F.D.A. wanted the matter settled "quickly and quietly." Dr. Meyer died in 2001.

Whether Cutter was behaving ethically became an issue in internal company discussions. "Can we in good faith continue to ship non-heat-treated coagulation products to Japan?" a company task force asked in February 1985, fearing that some of its plasma donors might be H.I.V. positive. The decision, records show, was yes.

Taken together, the documents provide an inside view of Cutter's bottom-line strategising and efforts to manage the flow of information amid growing public anxiety about the safety of its product.

When a Hong Kong distributor in late 1984 expressed an interest in the new product, the records show, Cutter asked the distributor to "use up stocks" of the old medicine before switching to its "safer, better" product. Several months later, as haemophiliacs in Hong Kong began testing positive for H.I.V., some local doctors ques-

tioned whether Cutter was dumping "AIDS tainted" medicine into less-developed countries. Still, Cutter assured the distributor that the unheated product posed "no severe hazard" and was the "same fine product we have supplied for years." Li Wei-chun said her son, who died in 1996 at the age of 23, was one of the haemophiliacs in Hong Kong who got AIDS after using that product. "They did not care about the lives in Asia," Ms. Li said in a recent interview. "It was racial discrimination."

### **How It Started - Discovery That Blood Spreads the Disease**

At the beginning of the epidemic, more than two decades ago, fear over what would later be known as AIDS was centered mostly among gays and intravenous drug users. But that changed on July 16, 1982, when the federal Centers for Disease Control reported that three haemophiliacs had acquired the disease. This gave epidemiologists a strong reason to believe that the disease was being spread through blood products. And that belief carried grave implications for the many thousands of haemophiliacs who routinely injected themselves with concentrate made from giant pools of donated plasma. Because an AIDS test had not yet been developed, federal health officials had no idea how many plasma donors carried the disease.

By March of 1983, the C.D.C. went so far as to warn that blood products "appear responsible for AIDS among haemophilia patients." The unfolding story had not gone unnoticed at Cutter headquarters. Back in January, Cutter's manager of plasma procurement had acknowledged in a letter: "There is strong evidence to suggest

**When a Hong Kong distributor in late 1984 expressed an interest in the new product, the records show, Cutter asked the distributor to "use up stocks" of the old medicine before switching to its "safer, better" product. Several months later, as haemophiliacs in Hong Kong began testing positive for H.I.V., some local doctors questioned whether Cutter was dumping "AIDS tainted" medicine into less-developed countries.**

that AIDS is passed on to other people through . . . plasma products.”

With sales of concentrate beginning to slip, Cutter got more bad news in May 1983: after learning that a Cutter rival had begun to make heat-treated concentrate, France decided to halt all imports of clotting concentrate until it could figure out what to do. Fearing a loss of customers, Cutter conceived a marketing plan that stopped well short of full disclosure. “We want to give the impression that we are continuously improving our product without telling them we expect soon to also have a heat-treated concentrate,” an internal memo said.

Several weeks later, Cutter tried to minimise the danger haemophiliacs faced when using blood products. “AIDS has become the center of irrational response in many countries,” the company said in a June 1983 letter to distributors in France and 20 other countries. “This is of particular concern to us because of unsubstantiated speculations that this syndrome may be transmitted by certain blood products.” The French decided to keep using non-treated concentrate, and Cutter said it sold them more of the non-heat-treated product in August 1983. Later, two French health officials were sent to prison for continuing to use up old

**“They needed to get the return for what they invested,” explained Michael Baum, a Los Angeles lawyer who has represented dozens of United States hemophiliacs in suits against blood-product companies. “They paid the donors. They had processed the plasma, put it into vials, kept it in warehouses, and all that expense had already been incurred.”**

stocks of non-heat-treated concentrate in 1985, when a heat-treated product was available.

Cutter finally received United States approval to sell heat-treated concentrate on Feb. 29, 1984, the last of the four major blood product companies to do so. Though some doctors and patients held out against the heat-treated product, a safer era had clearly begun for haemophiliacs in the United States.

#### **Market Considerations - Bayer Says Some Wanted Old Product**

For five months more, until August 1984, Cutter said it continued to make the old, non-heat-treated medicine. The records suggest that the company hoped to preserve the profit margin from “several large fixed-price contracts.” But in its statements to *The Times*, Bayer also said that some customers still wanted the old medicine, initially believing — incorrectly, it turned out — that heating the concen-

trate could leave it less effective and possibly dangerous.

The new product, meanwhile, was selling briskly, leaving Cutter with a problem: “There is excess non-heated inventory,” the company noted in minutes of a meeting on Nov. 15, 1984.

“They needed to get the return for what they invested,” explained Michael Baum, a Los Angeles lawyer who has represented dozens of United States haemophiliacs in suits against blood-product companies. “They paid the donors. They had processed the plasma, put it into vials, kept it in warehouses — and all that expense had already been incurred.” (One vial is roughly equivalent to a small dose, though more may be needed to stop severe bleeding.)

At the November meeting, the minutes show, Cutter said it planned to “review international markets again to determine if more of this product can be sold.” And in the

**...[C]utter conceived a marketing plan that stopped well short of full disclosure. “We want to give the impression that we are continuously improving our product without telling them we expect soon to also have a heat-treated” concentrate, an internal memo said. Several weeks later, Cutter tried to minimise the danger haemophiliacs faced when using blood products. “AIDS has become the center of irrational response in many countries,” the company said in a June 1983 letter to distributors in France...**

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months that followed, it had some success, exporting more than 5 million units (a typical vial might contain 250 units) in the first three months of 1985, documents show.

“Argentina has been sold 300,000 units and will possibly order more, and the Far East has ordered 400,000 units,” according to a March 1985 Cutter report. Two months later, the company reported that “in Taiwan, Singapore, Malaysia and Indonesia, doctors are primarily dispensing non-heated Cutter” concentrate.

By then, while there were still a small number of buyers in the United States, nearly all of the non-heat-treated concentrate was being sold abroad, available records show. All told, Cutter appears to have exported more than 100,000 vials of non-heat-treated concentrate, worth more than \$4 million, after it began selling its safer product.

Gary Mull, an international product manager for Cutter at the time, said no one at the company had ordered him to sell the non-heat-treated concentrate as a way of avoiding a write-off. “If I had reason to personally believe, let alone the company” that any of the material was highly infectious, “we wouldn’t have sent it out,” he said.

Mr. Mull, who now works for another blood-product company, added, “I wasn’t the shipping person, but I would still be the person in charge of queuing it up.”

Bayer, which is based in Germany, said in its statement that an overall plasma shortage in 1985 had kept Cutter from making more heat-treated medicine. But Cutter may actually have contributed to that shortage — by using some of its limited plasma supplies to continue making the old product.

Bayer’s response also emphasized that some countries were slow to approve its new product. For example,

Bayer said “procedural requirements” imposed by Taiwan had delayed its “ability to apply for registration” and had led to other delays as well.

But an official at Taiwan’s health department, Hsu Chien-wen, said recently that Cutter had not applied for permission to sell the new, safer medicine until July 1985, about a year and a half after it began doing so in the United States.

In one case, records show, Cutter officials even discussed trying to delay Japan’s approval of heat-treated concentrate so the company could shed stocks of the older product. Bayer said Cutter did not act on that idea. Officials from the three other American-based companies that continued to sell non-heat-treated concentrate — Armour Pharmaceutical, Baxter International and Alpha Therapeutic — either declined to be interviewed or denied wrongdoing, in some cases citing the same reasons Bayer did for its decisions. Still, what is not in dispute is that by the spring of 1985, few researchers doubted the connection between AIDS and unheated concentrate. The previous October, the federal Centers for Disease Control, using a prototype H.I.V. test, had reported that 74 percent of haemophiliacs who used unheated concentrate had tested positive for H.I.V. In the same report, the agency said a study done with Cutter had shown that heat treatment rendered the virus “undetectable.” (Bayer said no one knew “definitively” that this heat treatment killed the AIDS virus until eight months later.)

By May 1985, as the AIDS scare reached haemophiliacs in Hong Kong, Cutter’s distributor there placed an urgent call to Cutter headquarters, records show. Sounding distraught, he told of an impending medical emergency. Haemophiliacs were frightened. Children were being infected with H.I.V. Parents were hysterical.

Couldn’t the company send the new, safer product? Cutter replied that most of the new medicine was going to the United States and Europe, and that there was not enough left for Hong Kong, though a small amount was available for the “most vocal patients.” Dr. Chan Tai-kwong, who treated haemophiliacs at Queen Mary Hospital in Hong Kong, said doctors asked Cutter’s distributor for the heated concentrate but could not get it; 40% of his patients were H.I.V.- positive, Dr. Chan said.

Dr. Patrick Yuen, who worked at another hospital, gave a similar account. “The local distributor asked us to keep using it,” he said. “They said not to be afraid.” Even so, Cutter knew the market for the older medicine had all but dried up. “It appears there are no longer any markets in the Far East where we can expect to sell substantial quantities of non-heat-treated,” a Cutter official wrote in May 1985. Bayer said Cutter stopped shipping non-heat-treated concentrate in July 1985.

Later, in the early 1990’s, two members of a Hong Kong government commission that concluded the tragedy could not have been avoided, expressed concern when told of the internal Cutter documents. Dr. Yuen, a member of the panel, said Cutter failed to warn doctors and haemophiliacs in Hong Kong about the dangers of non-heat-treated concentrate. “It should tell the whole world, not just Europe and America,” he said.

Bayer also said Cutter did fully inform foreign customers about the heated product. And Bayer said it took more than a year to get Hong Kong’s approval to sell it. But Dr. Cindy Lai, assistant director of Hong Kong’s health department, said that in the 1980’s Cutter needed only to get an import license. “It normally took one week,” she said.

**...in Hong Kong, Cutter’s distributor there placed an urgent call to Cutter headquarters, records show. Sounding distraught, he told of an impending medical emergency. Haemophiliacs were frightened. Children were being infected with H.I.V. Parents were hysterical. Couldn’t the company send the new, safer product? Cutter replied that most of the new medicine was going to the United States and Europe, and that there was not enough left for Hong Kong, though a small amount was available for the “most vocal patients.”**

The delay harmed more than just the haemophiliacs, said Mrs. Li, the mother of the young haemophiliac who died of AIDS in 1993. Infected with a terrible and still mysterious disease, haemophiliacs were often shunned by family, friends and employers.

"It was the immoral drug company that caused some families to fall apart," she said. "They blamed and tortured each other. It was better to die than to live."

### The Message Gap-Many Slow to Hear of the Problems

Today, in the Internet age, vast amounts of the most up-to-the-minute medical information is available at the click of a mouse. News moved less efficiently in 1985. In Taiwan, Dr. Shen Ming-ching, who ran the country's largest clinic for haemophiliacs, recalled in a recent interview that it was not until he traveled to the United States for a conference in July 1985 that he learned for certain that heat treatment killed H.I.V. Upon returning home, he said, he immediately insisted that Taiwan authorities stop importing the old concentrate. For his efforts on behalf of the haemophiliacs in Taiwan, Dr. Shen said, the government gave him a certificate and "a beautiful med-

al." As for the haemophiliacs themselves, 44 of Dr. Shen's patients got AIDS, including a 2-year-old. He said 23 had died. None of the Taiwan patients interviewed by *The Times* said they knew that Cutter had begun selling the safer medicine in the United States in early 1984.

One Taiwan patient who received Cutter's old concentrate was Lee Ching-chang. Mr. Lee said he got his first concentrate in November 1983 at age 22, and continued receiving the non-heat-treated type into 1985. Mr. Lee said he tested positive for H.I.V. in 1986. "I am bitterly angry," he said. Mr. Lee said he was too sick to work.

Six other haemophiliacs with H.I.V. or their families spoke to *The Times* about despair, discrimination, job loss or in some cases thoughts of suicide. Mr. Lee was the only haemophiliac with H.I.V. willing to be photographed. Tang Fu-kuo helps AIDS patients in Taiwan. "I cannot tell myself that it's just history; let's forget it," Mr. Tang said. "Nobody wants to acknowledge fault."

### ToxCat:

This is the sort of corporate exposé more national journalists should be

working on instead of just regurgitating industrial and political spin.

Source: *THE NEW YORK TIMES* May 22, 2003, by WALT BOGDANICH and ERIC KOLI

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## Chemical Turns Oysters into Hermaphrodites

Nonylphenol, a commonly used industrial chemical has been found to cause sexual deformities in oysters, turning large numbers of them into hermaphrodites with both male and female sex organs, claims a new British study. The damage could threaten the species because these deformed oysters self-fertilise and produce offspring that don't live long enough to reproduce.

Nonylphenol is a breakdown product from a surfactant that's widely used in cosmetics, herbicides, detergents and spermicides. It is a known endocrine disrupter that interferes with the hormones of animals and is discharged through sewage effluent and as a result can be found widespread in the aquatic environment.

"Our results may cast doubt on the widespread use of this chemical in many human products, including contraceptive spermicides," said researcher Dr. Helen Nice, of the University of London in a news statement.

Dr. Nice and her colleagues exposed oyster larvae to environmentally realistic levels of nonylphenol and found that developing oyster larvae exposed to levels as low as 0.1 micrograms per litre of water experienced developmental delays.

Nearly a third of the oyster larvae that did survive the exposure to the chemical developed into hermaphrodite adults. There were no hermaphrodites in a control group of oysters not exposed to nonylphenol.

The findings indicate that the chemical may pose a threat to the oyster industry and be a potential threat to other creatures.

"The Pacific oyster plays a vital role in many food webs and is commercially important worldwide. These results are worrying, not only because of the damage to the oysters themselves, but also because this chemical may well be affecting other organisms sharing their environment," Dr. Nice says.

The report appears in the July 17 issue of the *Marine Ecology Progress Series*.

# AstraZeneca Pleads Guilty in Cancer Medicine Swindle

**Numerous overseas agencies have reported that the large pharmaceutical company AstraZeneca, pleaded guilty to a felony charge of health care fraud and agreed to pay a massive \$355 million to settle criminal and civil accusations that it engaged in a nationwide scheme to illegally market a prostate cancer drug.**

We have here the tip of the iceberg being revealed. This case was so big it could not be conveniently brushed under the carpet, but is an example of a widespread situation. What the industry has to learn is that all good things eventually come to an end. Those involved in these despicable practices will in due course be found out and have to pay the penalty for all the harm that they do. That is one of the immutable laws of nature.

The steps this industry take in order to manipulate the market are amazing. Astronomical sums of money are involved. The world's gold market is miniscule by comparison. Their greed is corrupting and damages the economies of the many countries throughout the world that provide health care. The resultant burden is spread unfairly over the innocent as well.

It is seldom that members of the drugs industry are brought to book over health care fraud. This industry has few regulatory controls and is a law unto itself. The stakes are so high that the temptation is overwhelming to abuse the system. Such misdemeanours in other professions would not be tolerated.

The \$355 million that AstraZeneca, a British company, agreed to pay is among the largest settlements in a health care fraud case. Of that

amount, about \$64 million is a criminal fine. The company will pay about \$266 million to the federal government to settle most of the civil accusations. An additional \$25 million will go to settle accusations that it defrauded the Medicaid programs, which are partly financed by the states.

The USA government alleged that the company's employees had given illegal financial inducements to as many as 400 doctors across the country to persuade them to prescribe the drug, Zoladex. Those inducements included thousands of free samples of Zoladex, worth hundreds of dollars each, which the physicians then billed to Medicare and other federal health care programs, prosecutors said. The company also gave doctors financial grants, paid them as consultants and provided free travel and entertainment, the government said.

The largest fine for health care fraud was in a settlement made in October 2001 by TAP Pharmaceutical Products. It agreed to pay \$875 million to settle criminal and civil accusations that it had engaged in a scheme that largely mirrors the allegations made by prosecutors against AstraZeneca.

Richard G. Andrews, first assistant United States attorney for the District of Delaware, said at a news conference "We want doctors to prescribe what is best for their patients and not what is best for the doctor's bank account," He and other prosecutors said the government's action should send a message to all pharmaceutical companies that such conduct will not be tolerated. Prosecutors said that they did not plan to charge any AstraZeneca employees for the illegal

activities that they say began in 1991 and continued until last year.

AstraZeneca had reported false and inflated prices for Zoladex to the federal government so that doctors could earn significant profits by prescribing the drug. Medicare reimbursed the doctors based on the inflated prices that AstraZeneca reported, while the company charged doctors for the drug at deep discounts.

For example, the company reported to the government that the average wholesale price for a monthly dose of Zoladex was about \$300, but doctors were charged about \$170 for that dose. Resulting in a \$130 profit to the doctor.

A spokeswoman for AstraZeneca, said today that the company was accepting responsibility for giving doctors free samples of Zoladex with the understanding that they would bill the government for them. These activities, which took place from 1993 to 1996, resulted in the criminal charge.

The company however disagreed with prosecutors on the other charges, including the accusation that it had provided false and inflated pricing information to the government.

"We disagree with the government on this, but to put it behind us, we are agreeing to a settlement today,"

"We believe that this is in the best interest of our company and employees."

"We strongly believe that the pricing for Zoladex was at all times lawful," she added.

Zoladex is one of a limited number of medicines that doctors buy directly from drug companies and that Medicare now pays for. Many of these

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medicines are used for cancer patients and are administered in doctors' offices.

Earlier, the government charged three urologists with conspiring to bill the free Zoladex samples they received from the company to the federal government. Two of those doctors have pleaded guilty and await sentencing.

"Whether any further doctors should be charged is an ongoing question," the prosecutor said.

The two companies compete aggressively in the prostate cancer market, with TAP, a joint venture of Abbott Laboratories and Takeda Chemical Industries, selling a drug called Lupron. Both drugs are considered equally effective at halting the production of testosterone, but they are administered differently. Zoladex consists of tiny pellets that must be injected with a larger needle than that used for Lupron, which comes in a liquid form.

The government's seven-year investigation of the marketing of Zola-

dex began after an executive at TAP, a competitor, filed a whistle-blower lawsuit against both TAP and AstraZeneca, prosecutors said.

The criminal investigation in the TAP case is continuing. More than a dozen current and former employees have been charged with conspiracy to pay kickbacks to doctors, including Alan MacKenzie, who was the president of Takeda Pharmaceuticals North America at the time of the indictments. One employee has pleaded guilty; the others have denied any wrongdoing.

Several urologists were also charged in the TAP case.

The whistle-blower, Douglas N. Durand, a former vice president for sales at TAP, will receive \$47.5 million of the settlement in the AstraZeneca case as allowed by federal law. Mr. Durand already received \$77 million from the TAP case. If we had inducements like this in other countries I'm sure that some interesting cases would be exposed.

Lupron has long dominated the market and prosecutors said that

was why AstraZeneca was not forced to pay as high a fine as TAP. Sales of Lupron were \$876 million in the United States last year, compared with \$212 million for Zoladex.

AstraZeneca disclosed earlier this year that federal prosecutors in Boston had requested documents about the sale of Prilosec, a drug for ulcers and severe heartburn. The company also said the Federal Trade Commission was investigating its advertising and marketing of Nexium, the company's new heartburn drug. The two cases are part of a growing number of investigations and lawsuits into the marketing practices of pharmaceutical companies.

Kiwi Joe

The "Kiwi Joe" news letter is provided as a free service to promote the benefits of natural medicine and healing as opposed to drug therapy. All information obtained is from reputable, professional and renowned correspondents throughout the world, leaders in their particular fields.

I have always found that those wishing to find out about developments in their communities, which may involve a toxic threat, have been able to turn to CATs for thorough and well presented information. Mr Ryder has a gift for being able to translate scientific literature into text that is understandable by the non-specialist.

*Dr. C.V. Howard MB, ChB, PhD, FRC Path, Toxic-Pathologist.*

Over the years CATs has gained much experience and knowledge of campaigning against proposals for inappropriate and polluting disposal facilities. It has shared and passed on this experience very effectively through its written material and most importantly by directly supporting people and organisation who find themselves addressing these issues for the first time.

*Maddie Cobbing, Env Consultant.*

The highly relevant and reliable information you send out via emails, as well as your publication *ToxCat* that you make available to us in the far

flung corners of the earth has proven invaluable. It arms us with facts and figures and case studies with which to counter the seemingly unending drive by profit driven waste-to-energy projects. Your prompt responses to queries has been of great help to us, as likewise your moral support and encouragement.

*Marie-Lou Roux, Executive Officer, Habitat Council, Cape Town, South Africa.*

...[T]hank you for the help you have given so willingly and unstintingly since we began exploring the issue of waste management in the county borough of Wrexham. Your email network has given us valuable information to which we would not otherwise have had access... It is very reassuring to know that we can turn to

you for background and specific environmental information as we tease out our local issues.

*Mrs C Pilsbury, TCC, Wrexham.*

May I say I think your work is of central importance to the environment movement in this country. You have made a great difference to the awareness of the toxicity of modern production (not least my own) and efforts to clean up hazards and to prevent them in the first place.

*Robin Murray, Ecologia.*



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## EXTREME THREAT TO CLASS ACTION LAWSUITS IN THE USA

**Sometime during July, right-wing extremists in Congress expect to achieve another major milestone in their radical revamping of the U.S. court system.**

If they attain their goal, successful environmental class-action lawsuits in the US will become as rare as Dodo birds.

Class action lawsuits are the only effective remedy when large numbers of people are harmed but each person sustains relatively small damages, making individual lawsuits inefficient or impossible.

An example would be the current lawsuit being pursued by 6000 residents of Louisiana who say that a Mobil Oil refinery discharged 3.4 million gallons of untreated industrial wastes that contaminated their drinking water. No individual plaintiff could take on Mobil alone, but the total damage may be large, so a class action is the right vehicle for pursuing a remedy.

Class action suits are an essential component of a balanced legal system that is supposed to provide a check on the misdeeds of the powerful, such as oil corporations, by raising the threat of substantial financial penalties.

With large numbers of right-wing extremists now sitting in Congress, corporations see an opportunity to derail class actions. So the elected representatives of the insurance, medical, chemical, oil, and automobile corporations are pushing a new law intended to stifle class actions. The proposed Class Action Fairness Act has already passed the U.S. House of Representatives (H.R. 2115) and is expected to come up for a U.S. Senate vote (S. 274) during July.

If the proposed law passes, it will severely restrict, if not totally derail, class-action lawsuits on behalf of the environment, workers, consumers, and civil rights plaintiffs such as people of colour, people with disabilities, and women.

Few in the environmental community have been paying attention as this bill has made its way through the legislative process. Corporations, on the other hand, know exactly what is at stake and they have poured money and resources into this fight.

At last count, corporations had 475 paid lobbyists working to push this bill through the Senate -- nearly five corporate lobbyists for each U.S. senator. The insurance industry alone has 139 lobbyists promoting the bill. Health maintenance organisations have 59 lobbyists pressing their case; banks and consumer credit corporations have 39; automobile corporations have 32; the chemical industry has 20 and the oil corporations have another 19. If this proposed law did not matter, would corporations field such an army?

Essentially the proposed law moves all class action lawsuits out of state courts and into federal courts, which are already clogged and fraught with delays, and where the rules and most of the judges are biased against environmental, labour, consumer and civil rights plaintiffs such as women, people of colour and people with disabilities. Much of the federal court system is now grossly pro-corporate, often to an extreme degree. This is no accident.

Making the courts friendly to corporations has been high on the agenda of the right wing for 30 years. The reason is simple: there are only

about 900 federal judges. They are appointed by the President, not elected. The Senate must approve their appointment but by "gentleman's agreement" it is rare for the Senate to veto a judicial appointment.

Federal judges serve for life, so once they are appointed they become unstoppable. They also have almost complete freedom to make any legal interpretation that suits their ideology. The only real check on their rulings is the threat of reversal (an embarrassment, nothing more) by one of the nation's 13 federal circuit courts of appeal. But judges on the appeal courts are often chosen from the ranks of the more extreme federal judges, so they are all pretty much cut from the same ideological cloth. It's a closed system with stupendous power to change an entire culture. When an extremist right-wing agenda cannot be enacted through legislation, it can be engineered through the courts.

This explains why right-wing ideologues set out in the mid-1970's to pack the federal courts with their own kind, then to "educate" the judges about economics and ideology by inviting them to all-expense-paid "workshops" held at vacation resorts,<sup>[1]</sup> and then to engineer changes in precedents and procedures -- all for the purpose of making federal courts sympathetic to corporations and the rich.

Previously, no one had ever set out to take over the entire federal court system. The plan was breathtaking in its reach and it was generously funded by the banking and oil fortunes of the Mellon-Scaifes of Pittsburgh, the manufacturing wealth of Lynde and Harry Bradley of Milwaukee, the

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energy revenues of the Koch family of Kansas, the chemical fortune of John M. Olin of New York, the Vicks patent medicine empire of Smith Richardson of North Carolina, and the brewing fortune of the Coors family of Colorado. Over two decades, the plan unfolded with huge success.

Now that the courts are dominated by right-wing judges, the extremists in Congress want the "Class Action Fairness Act" to require all class-action suits to be heard by "their" judges, not by state court judges who are often elected and therefore less likely to espouse extreme legal theories.

Though no one likes to mention it, there is also a simple electoral goal behind The Class Action Fairness Act. The Democratic Party has three identifiable sources of major funding: organised labour, Hollywood, and plaintiffs' lawyers who handle most of the nation's class-action lawsuits. Derailing class actions would add substantially to the Republicans' financial advantage at election time.

The original plan to bend the courts to corporate/ideological purposes was hatched in 1971 by a southern lawyer named Lewis F. Powell, Jr., who drafted a document called "Confidential Memorandum: Attack on the American Free Enterprise System."<sup>[2]</sup> The U.S. Chamber of Commerce circulated the Powell memo to all its members.

Powell argued in 1971 that the U.S. economic system was under sustained attack and might not survive if its critics were allowed to continue unopposed. He identified four areas where he thought corporations and the rich needed to fight back aggressively and regain control: higher education, the media, Congress, and the courts. Two months after circulating his memo, Powell was appointed to the U.S. Supreme Court by Richard Nixon.

Ultimately the Chamber of Commerce decided not to lead the charge that Powell tried to incite. But when others read the Powell memo they ignited a right-wing revolution.<sup>[3]</sup> Adolph Coors -- the beer magnate -- acknowledged that the Powell manifesto convinced him to put the first \$250,000 into what would become the

**Adolph Coors -- the beer magnate -- put the first \$250,000 into what would become the Heritage Foundation, an important think-tank for extremist views to this day. Modeled on the Heritage Foundation, we now have the Manhattan Institute, the Cato Institute, Citizens for a Sound Economy, and dozens of other think tanks that crank out right-wing propaganda, policy proposals, books, magazines, reports, and attacks on the US nation's liberal heritage.**

Heritage Foundation, an important think-tank for extremist views to this day. Modeled on the Heritage Foundation, we now have the Manhattan Institute, the Cato Institute, Citizens for a Sound Economy, and dozens of other think tanks that crank out right-wing propaganda, policy proposals, books, magazines, reports, and attacks on the nation's liberal heritage.

Their basic message is rather simple: a Libertarian devotion to individual rights (and denial that a "common good" even exists) mixed with worship of a mythical "free market" which opposes regulation of any kind -- except regulation that helps transnational corporations achieve global dominance.

Veteran journalist Jerry M. Landay has described the 30-year effort to transform the U.S.:

"The house that so-called New Conservatism built has operated on the principle that 'ideas have consequences' The principal 'ideas' they marketed were individual gain over public good, deregulation, big tax cuts, and privatisation. For two decades, since the installation of Ronald Reagan in 1980, the radical right has run a tightly coordinated campaign to seal its hold on the organs of power, ranging from the highest law courts to the largest corporations, from the White House to Capitol Hill, from television tubes to editorial pages, and across college campuses.

"They have constructed a well-paid activist apparatus of idea merchants and marketeers -- scholars, writers, journalists, publishers, and critics -- to sell policies whose intent was to ratchet wealth upward....

"They shifted the nation rightward; tilted the distribution of the nation's assets away from the middle class and the poor, the elderly, and the

young; they red-penciled laws and legal precedents at the heart of American justice. They aimed to corporatise Medicare and Social Security. They marketed class values while accusing their opponents of "class warfare." They loosened or repealed the rights and protections of organised labour and the poor, voters, and minorities. They slashed the taxes of corporations and the rich, and rolled back the economic gains of the rest. They came to dominate or heavily influence centers of scholarship, law, and politics, education, and governance -- or put new ones in their place. Their litigation teams nearly overthrew an elected President. And, to maintain power, proclaimed Constitutionalists on the right, to this day, wage a concerted counter-revolution against such Constitutional guarantees as free speech and separation of church and state....

"This has amounted to the greatest organised power grab in American political history. Astonishingly, it goes largely unreported on television, radio, and most newspapers...."<sup>[4]</sup>

By the time Ronald Reagan came to power in 1980, the right wing was intent on taking over the courts. As the Washington Post observed, "...selection of conservative judges was a cornerstone of the Reagan administration."<sup>[5]</sup> In 1991 the Post noted that George Bush the Elder "is cementing Ronald Reagan's conservative transformation of the federal courts in the biggest turnover of federal judges since the New Deal of Franklin Roosevelt...."<sup>[5]</sup>

When Bill Clinton appointed moderate judges -- 60% of them women and people of colour -- the Senate Judiciary Committee under the control of extremist Orrin Hatch sim-

ply refused to schedule confirmation hearings, thus barring many Clinton appointees from ever taking office. This perfectly-legal manoeuvre created a raft of opportunities for ideological judicial appointments by Bush the Lesser. Those appointments are now in the works.

Not surprisingly, corporations have formed a special lobby group called the Committee for Justice to raise millions of dollars to strong-arm Congress on behalf of Mr. Bush's judicial picks.<sup>[6]</sup> The Committee is dominated by lawyers representing firms like Citigroup, Microsoft and R.J. Reynolds Tobacco, all of which are facing class-action lawsuits. They, more than anyone else, understand the importance of installing right-minded federal judges who can be counted on to render right-minded decisions in class-action suits.

Source:  
RACHEL'S ENVIRONMENT & HEALTH NEWS #768

#### EXTREME THREAT TO CLASS ACTION LAWSUITS IN THE USA References

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May 1, 2003--- (Published July 10, 2003)  
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July 5, 2003, pg. Unknown.  
To inform yourself about this proposed law, you can check with Public Citizen at: [http://www.citizen.org/congress/civjus/class\\_action/articles.cfm?ID=9320](http://www.citizen.org/congress/civjus/class_action/articles.cfm?ID=9320). For details, you can read their 95-page report, "Unfairness Incorporated: The Corporate Campaign Against Consumer Class Actions" (June, 2003), available at: [http://www.citizen.org/congress/civjus/class\\_action/articles.cfm?ID=9846](http://www.citizen.org/congress/civjus/class_action/articles.cfm?ID=9846). You can also learn about the proposed law from the U.S. Chamber Of Commerce at: <http://www.uschamber.com/Search/SearchResults.asp?ct=USCC&q1=class+action+fairness+act>. US readers who decided they want to weigh in on this issue, could call both of their U.S. senators and give them an earful. (To find your senators and their phone numbers, go to <http://www.senate.gov/>.) Proponents of the bill reportedly have at least 55 senate votes in the bag already, so the only way to stop this juggernaut would be a filibuster. (Extremists in Congress are working to revise the filibuster rule too.)

## Corporate Crime Without Shame

By Russell Mokhiber and Robert Weissman

**President Bush's man in charge of the Corporate Fraud Task Force, Larry Thompson, went to the White House this week to let the world know that Bush was cracking down on corporate crime.**

Thompson, who is the second in command under Attorney General John Ashcroft, told the assembled reporters that in the year since the task force was created, it had obtained over 250 corporate fraud convictions or guilty pleas, including guilty pleas or convictions of at least 25 former CEOs, and that it had charged 354 defendants with some type of corporate fraud in connection with 169 cases.

"We have over 320 investigations pending, involving in excess of 500 individuals and companies as subjects of these investigations," Thomp-

son said. That is a pretty impressive accomplishment for one year.

But forcing corporate criminals and their executives to plead guilty is only half the game. The other half is punishment.

What Thompson did not say is that only one high-level corporate executive has gone to jail in that year.

That was Sam Waksal, the former ImClone CEO, who reported recently to Schuylkill Federal Correctional Institution in Minersville, Pennsylvania. Waksal after he was sentenced last month to seven years and three months in prison and ordered to pay about \$4.3 million after pleading guilty to insider trading.

What Thompson also did not tell reporters -- why would he? -- was that he has helped rig the system so that a corporation has a way to get out of a

criminal jam once they commit the crime.

Thompson says that he wants to hold corporations accountable for the criminal culture and conduct they promote. Yet in a memo issued under his name in January 2003, Thompson opened a loophole for corporations to get away with criminal behaviour without effective criminal sanctions.

The memo, titled "*Federal Prosecution of Business Organization*," gives prosecutors discretion to grant corporations immunity from prosecution in exchange for cooperation.

These immunity agreements, known as deferred prosecution agreements, or pre-trial diversion, were previously reserved for minor street crimes. They were never intended for major corporate crimes. In fact, the U.S. Attor-

neys' Manual explicitly states that a major objective of pretrial diversion is to "save prosecution and judicial resources for concentration on major cases."

Since Thompson's memo, there have been a rash of deferred prosecution agreements in cases involving large corporations, including a settlement with a Puerto Rican bank on money laundering charges and a Pittsburgh bank on securities law charges. And some corporate crime defence attorneys believe that it is possible to enter these agreements with the Justice Department so as to avoid any publicity.

"This is a favourable change for companies," said Alan Vinegrad, a partner at Covington & Burling in New York. "The memo now explicitly says that pre-trial diversion, which had been reserved for small, individual, minor crimes, is now available for corporations."

Vinegrad said that while there have been a handful of publicised pre-trial diversion cases by corporations, it is conceivable that the Justice Department can cut these kinds of deals with companies without filing a public document -- and therefore without any publicity to the case. Vinegrad said that one such case has been handled by his office.

"Sometimes the agreement does not require -- depending on how they get done -- the filing of any public documents in court," Vinegrad said. "There wouldn't be that relatively easy means of finding out what happened."

Larry Thompson argues corporations must be criminally prosecuted if they commit crimes. At the same time, he says that if they commit crimes, but cooperate with the government, they can wipe the slate clean, settle the case -- maybe even without public notice -- and avoid punishment without admitting criminal wrongdoing.

The Justice Department also allows corporations to plead out minor units to major crimes when the parent companies should be held responsible. The reason the parent companies aren't forced to plead guilty is because they then would lose federal contracts. Real punishment for real crime cannot allow

**...there have been a rash of deferred prosecution agreements in cases involving large corporations, including a settlement with a Puerto Rican bank on money laundering charges and a Pittsburgh bank on securities law charges. Some corporate crime defence attorneys believe that it is possible to enter these agreements with the Justice Department so as to avoid any publicity.**

that to happen. The fines imposed in connection with such cases generally are minor wrist slaps.

Corporations most fear losing government contracts, major adverse publicity and their executives going to jail. Little of that happens with this Justice Department.

Corporate crime and violence inflict far more damage on society than all street crime combined. Corporate criminals should not be given a special pass. Make them admit guilt. Impose tough sanctions. Publicise the cases.

Adapted slightly for the English public. Russell Mokhiber is editor of the Washington, D.C.-based Corporate Crime Reporter, <http://www.corporatecrimereporter.com>. Robert Weissman is editor of the Washington, D.C.-based *Multinational Monitor*, <http://www.multinationalmonitor.org>. They are co-authors of *Corporate Predators: The Hunt for MegaProfits and the Attack on Democracy* (Monroe, Maine: Common Courage Press; <http://www.corporatepredators.org>) (c) Russell Mokhiber and Robert Weissman. This article is posted at: <http://lists.essential.org/pipermail/corp-focus/2003/000157.html>

Focus on the Corporation is a weekly column written by Russell Mokhiber and Robert Weissman. Please feel free to forward the column to friends or repost the column on other lists. If you would like to post the column on a web site or publish it in print format, we ask that you first

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**ToxCat:** Taking these stories together on the manipulation of the U.S. justice system into a 'corporate friendly' one makes me wonder just what Tony Blair's true agenda is in the removal of the centuries old jury system for some offences committed here in the UK? Blair's preference to let a judge make the decisions has dubious undertones. It was after all a jury that found in favour of the Greenpeace protestors in the case of the incinerator occupations. I think Blair is showing more and more that he is an avid follower of Thatcher, Regan and Bush, and shares their love of anything to do with corporation interests and power. We have witnessed many times that what happens in the U.S. sooner or later happens over here. Be warned!

**TONY BLAIR** boasts that his is the longest serving LABOUR government of all time. This would be true if it really was a 'Labour' government.

What I want to see, but doubt I ever will, is a real caring government. One that cares for the old, the ill, the unemployed, the poorly paid, the poorly educated and the disabled, *before* looking after industry's interests. Blair claims the NHS is doing a wonderful job. But he doesn't mean here in the north west where one stoke victim, with bad bed sores, told his visitors at 3pm that "he hadn't been moved for hours." You could say he was confused, but judging by the remains of his breakfast around his mouth and on his pyjamas top this was obviously fact. No one had been near him since breakfast. When this was mentioned to a nurse she proclaimed "we are short staffed." This patients' meals were put on a tray by the side of the bed and removed uneaten because he is unable to feed himself due to the stroke, so he goes hungry, not a good situation for a diabetic. Also noted was how the alarm button to call the nurse was draped behind the head of the bed out of reach, rather than laid where he could reach it. On one occasion it had been pulled out of the socket altogether.

Blair is spending millions on a war that has nothing to do with us, while patients in the UK are suffering. Is this really the 'Labour' government Blair is so proud of? **THE HORSE WE ARE RIDING IS WELL AND TRULY DEAD - IT'S TIME WE MOUNTED ANOTHER.**

## NEW STUDY SHOWS MMR/AUTISM LINK

A new study, published in *Pediatric Neurology*, Vol. 28, No. 4, is expected to show that MMR and autism are linked, despite the denials of the UK Department of Health and the recent court judgment that ordered two girls to receive the controversial MMR vaccine. World-renowned autism researcher Dr. Vijendra Singh, at the Utah State University, and fellow-researcher Ryan Jensen have announced that their latest study, "Elevated Levels of Measles Antibodies in Children with Autism", points directly to an MMR/autism link.

Singh and Jensen analysed samples from 52 autistic children, all of whom had had the MMR vaccination, and 30 normal children, plus a further 15 siblings of autistic children. They showed that measles antibody levels, a sign of an immune reaction to measles virus, were significantly greater in children with autism compared with the non-autistic children.

Levels of mumps and rubella antibodies were not different from the non-autistic children. Strikingly, they found that 43 out of the 52 (83%) of the autistic children had antibodies to the measles vaccine virus. None of the 30 normal children, and none of the 15 siblings, had these antibodies.

Singh and Jensen have concluded that the antibody results show that many autistic children have suffered an abnormal response to the measles element of the MMR vaccine, causing them to develop "inappropriate" antibodies.

Singh and Jensen were testing a hypothesis that, as viruses are common trigger agents for autoimmune diseases, where the human body attacks itself, then autism could involve a virus-induced autoimmune response, in turn leading to autism. The study looked at 88 autistic children, all of whom had a firm diagnosis of autism. Not all children were tested for all the three viruses, of measles, mumps or rubella.

In those children tested, the level of mumps or rubella antibodies did not attain statistical significance,

leaving the researchers to focus upon the measles element of MMR. None of the autistic children had any history of measles rash or wild-type natural measles infection. This points to the source of the measles antibody as being vaccine strain.

The researchers are undertaking further study work on this crucial aspect. If the new research by Singh and Jensen is correct, then it backs up the claims of many families who have reported that their children became autistic after MMR. It also confirms the validity of the 1998 study by Dr. Andrew Wakefield and other researchers in the UK, and a number of other studies published since that time.

Over 1,000 cases of autism following MMR are being brought before the High Court in London in April 2004. If the claims are upheld, it will have dramatic implications for vaccine policy worldwide, and will throw a spotlight on the way vaccines are licensed and regulated.

Background ARCH - Autism Research Campaign for Health - is a group of parents campaigning for more research into the causes and treatment of autism. It was set up in response to the departure of Dr Andrew Wakefield from the Royal Free Hospital - which ARCH viewed as a sign that medical scientists were no longer free to follow their own lines of enquiry.

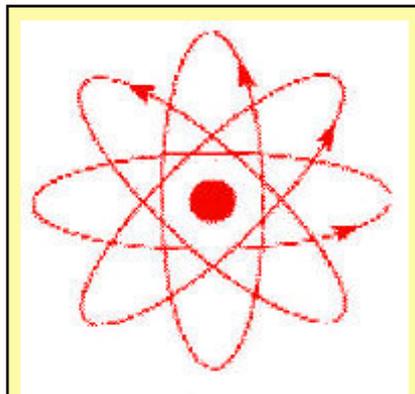
We are profoundly worried that medical science is now dictated by government, the medical establishment and the pharmaceutical industry who between them control the vast sums of research money and determine which topics are legitimate research and which are not. This state of affairs is unacceptable to the growing number of children and parents who must live with the painful consequences of autism, and with the lack of research into the alarming increase in the prevalence of autism in many countries across the world. ARCH believes that there is mounting evidence that suggests MMR is unsafe. It calls on the UK Government to fund clinical research into the effects of MMR vaccine on the

immune system of autistic children and its role in the onset of regressive autism, epilepsy and bowel disease. Visit ARCH on <http://www.autism-arch.org>

[Abstract from *Autism Research Campaign For Health* 23 June 2003. "Elevated levels of measles antibodies in children with autism" by Vijendra K. Singh PhD\*, and Ryan L. Jensen BS.]

**"Real knowledge is to know the extent of one's ignorance."**

**--Confucius**



**Caesium Seized.** Thai police have arrested a man in Bangkok trying to sell 30 kilograms of powdered caesium-137, a highly radioactive material that could be used in 'dirty bombs'. The material allegedly came from Russia, where last year the International Atomic Energy Agency warned that a number of large boxes of powdered caesium had gone missing. Just a few grams of caesium in a dirty bomb would be enough to force the evacuation of a city centre.

*New Scientist* 21 June 03 p6 Dispatches

# RELATIONSHIP BETWEEN CHLORINE INPUT AND DIOXIN FORMATION

Oberg and Ohrstrom have, with incomparable elegance, debunked the myth that there is no relationship between chlorine input and dioxin formation in full-scale combustion systems.

Oberg, T., Ohrstrom, T., 2003. Chlorinated aromatics from combustion: Influence of chlorine, combustion conditions and catalytic activity. *Environ. Sci. & Technol.* In Press

## Abstract

Research on the formation of chlorinated aromatics in combustion processes has mainly taken place in the laboratory. Previous attempts to correlate observation data from commercial plants have been inconclusive. This study reports on the outcome of an industrial experiment in a full-scale afterburner. The influence of chlorine input, combustion temperature, and catalytic activity was investigated in a factorial design with two blocks. Polychlorinated benzenes, dibenzo- p-dioxins, and dibenzofurans were formed both at combustion temperatures and below 400 °C. The results show that all three experimental factors have statistically significant impact on the formation and release of these toxic byproducts. The quantitative dependence between chlorine input and the occurrence of chlorinated aromatics is of particular interest due to previous controversy. The purpose with this study was to ensure that the installation of a boiler for energy recovery would not cause elevated emissions of chlorinated aromatics. The experiment demonstrated that this risk is probably low, since the presence of catalytic material or an increase in chlorine input is required for this to happen. A general conclusion was that industrial experimentation employing the principles of statistical design could improve the validity in recommendations regarding commercial plant operation.

**Relative Importance.** An obvious interpretation of the results from this experiment is that an evaluation of the formation and release of chlorinated aromatics from combustion, and other thermal processes, cannot neglect any one of the three process factors investigated. Chlorine input, combustion temperature, and catalytic activity did all affect the outcome. The relative importance of each of these factors is dependent upon the constraints in the specific situation. It is therefore not possible to generally assign one as more or less important than the other.

The quantitative dependence between the chlorine input and the occurrence of chlorinated aromatics in the flue gases, both before and after the boiler, is of particular interest. Our finding 18 years ago of a strong connection between the level of chlorine input and the production of chlorinated aromatics, from an industrial combustion plant, was followed by several confirming reports (see Introduction section in paper). This quantitative dependence on chlorine input has, however, been questioned from time to time and a recent review observed that “the role of chlorine is still uncertain”, but what is then the degree of uncertainty? Statistical testing provides a generally accepted method to estimate uncertainty, and this report indicates that the probability of falsely rejecting the null hypothesis (lack of dependence) remains below 1%. To abandon this simple and parsimonious model, we would either expect it to be falsified or replaced by a better one that can also incorporate the previous findings.

In this study, the purpose was to ensure that the installation of a boiler for energy recovery would not cause elevated emissions of chlorinated aromatics. The experiment demonstrated that this risk is probably low, since the presence of catalytic material or an increase in chlorine input is required for this to happen. A possible application of the results reported here would thus be to routinely use this or a similar procedure to assess the environmental implications of planned boiler installations.

Another conclusion is to avoid copper as construction material for convective surfaces. Copper is sometimes used in small and compact boilers in order to improve the heat transfer, e.g., in maritime vessels. It is not surprising that increased emissions of chlorinated aromatics have been observed from such boilers, when chlorine-containing fuels are fired. It was in fact this observation that gave us the idea to use a copper lining sheet as a test for the potential of catalytic low temperature formation.

A general problem with pure observation studies is that uncontrolled external factors can both hide real relationships and cause spurious correlations. It is therefore our view that cause-effect relationships should preferably be investigated using a statistical design of experiments. We also believe that much of the controversy surrounding certain environmental issues would dissolve with this approach.



**The Age of Consent**  
**George Monbiot**  
*Flamingo*  
**ISBN: 0007150423**  
[Amazon.co.uk](http://Amazon.co.uk) Review

George Monbiot's reputation as a campaigning journalist and proponent of social justice makes *The Age of Consent* a fascinating prospect. And so it proves. It is nothing less than what its subtitle calls a manifesto for a new world order, a proposal to change the way everything works. This is aiming very high indeed.

Monbiot is interested in the global mechanisms that control war, peace, trade and development, and his manifesto explores the practical means by which the control of these mechanisms can be removed from the hands of the unelected rich and put into those of truly representative democratic bodies. (Many Campaigners within what he calls "our movement" will be disconcerted by the briskness with which he dismisses the parallel options of anarchism and doctrinaire Marxism as useless to his purposes, concluding that a

democratically elected World Parliament is the only possible solution.)

Corporations figure largely in his arguments, as you might expect, but Monbiot's analysis of their current and possible future role in a reformed world system is more nuanced than some offered by his anti-globalisation cohorts. He recognises that global trade is a necessity and that global corporations are best placed to carry this out, but only if they are properly policed, their ability to "externalise" (i.e., dump on someone else) hidden costs, such as environmental damage, rigorously controlled. As Monbiot vividly remarks, a corporation is merely a tool. When it starts demanding, or usurping, the rights of a person, it must be destroyed.

This is thought-provoking stuff. So too is his account of the creation of the World Bank and the IMF in 1944. Above all, *The Age of Consent* is a call to action: all its research and analysis will amount to nothing, says Monbiot, if it doesn't contribute to the process of change for which he sees a vast global will developing. He genuinely believes, and communicates strongly his belief, that the monolithic political and economic forms that constrain the poor world to its subordinate position can be changed, and offers suggestive and practical ways in which this might be achieved by direct and

indirect action. Most powerful among weapons to bring about the transformation of the world is the belief in the effectiveness of collective action. This is fighting talk, powerfully delivered.

**Robin Davidson**

**Book Description**

Naomi Klein's *No Logo* told us what was wrong. Now *The Age of Consent* shows us how to put it right.

**Synopsis**

A manifesto for a new world order. Having made a hugely significant contribution to the increasingly irrefutable, if alarming, diagnosis of the ills of early twenty-first-century consumerist culture and its free-market myths, George Monbiot sets out now with this new book to offer something more constructive, a set of proposals -- political, democratic, economic, environmental -- that might effect the cultural change that many in the West (not to mention those On the outside of the West looking in) now want but scarcely know how to make happen. *The Age of Consent* is provocative, brave, even utopian. But, with most of the twentieth century's Big Ideas dead in the gutter, it's time for a book that can be a touchstone for real debate about the political and economic presumptions and prejudices on which our society has rested since the Second World War.

**From the Publisher**

Monbiot is a very authoritative and persuasive de facto figurehead for the contrarian movements in the UK.

A short, searing call to action - set to be one of the most explosive, much-debated books of the year.

A regular commentator on TV and radio, in the open air and in the press, his previous book, *Captive State*, a ringing litany of political and corporate abuse in Blair's Britain, has become a benchmark and was a Top Ten paperback bestseller.

**About the Author**

George Monbiot is a columnist for the *Guardian* and author of the best-selling *Captive State*. He has held visiting professorships or fellowships at the universities of Oxford, Bristol, Keele and East London, in subjects ranging from philosophy to environmental science.

In 1995 Nelson Mandela presented him with a United Nations Global 500 Award For outstanding environmental achievement. He has also won the Lloyds National Screenwriting Prize and a Sony Award for radio production. His other books include *Poisoned Arrows*, *Amazon Watershed* and *No Man's Land*.

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## Incinerator Given The Royal Seal of Approval

Despite numerous letters from community based group around the world, Her Royal Highness the Princess Royal Princess Ann ignored requests to stay away from the official opening of the Chineham, Basingstoke incinerator.

The Princess certainly cannot claim she had no knowledge of the controversy surrounding the issue of incineration because as well as the flood of letter explaining why, as patron of the Save the Children Fund, she should not open the plant, the facility was the target of mass demonstration by activists from all over the UK last year in protest at the building of these highly dangerous polluting facilities.

“The idea of the Patron of Save the Children Fund opening an industrial facility of a type that is acknowledge by scientist around the world as being the major source of the planet’s dioxin contamination and the likely cause of malformations in children is bewildering” said Ralph Ryder of CATs. “What the Princess has done here is to ignore the concerns of citizens and epidemiological evidence of damage to children’s health around incinerators just to keep industry happy.”

Despite being informed some time ago of the dangers these facilities pose to the developing foetus and young children, it seems the Princess was more than happy to open the plant.

Her spokesman Captain Nick Wright made no comment on the concerns of citizens on the threat this facility would pose to children and public health. In his response to Phil Scott of SAGE he simply referred to recycling and energy production - no doubt taken from a script given to him by representatives of the waste industry.

Letter from the Buckingham Palace:  
23rd September 2003

Dear Councillor Scott,

The Princess Royal has asked me to thank you for your recent thoughtful letter concerning her forthcoming visit to Chineham to open the Integra North Energy Recovery Facility. Incineration is always a matter of heated public debate but as I am sure you are aware the Energy Recovery Facility at Chineham forms a major part of Hampshire’s Integrated

Waste Management Scheme and will reduce waste volume by up to 90% thus saving precious landfill space and also recover around seven MW of electricity. This will in turn be supplied to the National Grid and will power about 7,000 local homes. Furthermore residue from the Incinerator will have the ferrous metal content extracted for recycling and further residue where possible will be used as aggregate for the construction industry.

As I am sure you will appreciate there are always at least two sides to every story, but the fact remains that waste incineration forms a vital part of the overall Government and local council total energy recovery policy. Her Royal Highness has been invited by the Lord Lieutenant formally to open the new facility and has accepted to do so in view of the potential gains to the environment, particularly the saving of precious landfill area, which of course is at a premium in Hampshire.

The Princess was very pleased to receive your thoughtfully written letter and hopes the facility will in future contribute considerable environmental savings.

Yours sincerely

Signed:

Captain Nick Wright, LVO, Royal Navy  
Private Secretary to HRH The Princess Royal

**ToxCat: SHAME ON YOU NICK WRIGHT AND HRH!**



**HRH Princess Ann during a visit to the Visualisation Centre, T H Huxley School of Environmental. Earth Sciences and Engineering.**

**The idea of the Patron of Save the Children Fund opening an industrial facility of a type that is acknowledge by scientist around the world, as being the major source of the planet’s dioxin contamination and the likely cause of malformations in children is bewildering.**

# Tyre Burning Investigation Imminent As Rugby Council Consider Judicial Review

By Tom Hellberg

Since an article in a previous issue (*ToxCat* Vol. 4 Number 9, May/June 2003) the Environment Agency (EA) issued a decision document to allow the tyre burning to proceed in September at the UK largest cement kiln. By Spring 2004 rubber burning will be all systems go and 'in full swing,' according to Rugby Cement.

The EA have yet again failed to follow their own undertakings made freely at innumerable public 'consultation' meetings held over the last two years. Amongst these was the promise to hold a *public meeting* to explain the government decision to allow tyre burning (and I understand at Lafarge Westbury) - meetings were only to be on a 'one-to-one' basis. If they had been of a mind to explain in public why they did not find it necessary to follow the recommendations of the Rugby Primary Health Care Trust, their credibility might have been restored (somewhat). Instead their decision to unilaterally withdraw from last week's Cement Liaison Panel has united all concerned parties against them: the community and pressure groups (*Rugby in Plume*, *New Bilton Against Tyre Burning*) and the Council all the stakeholders except for the operator. We need the officials of the EA to be able to explain themselves in public and hence become more democratically accountable, not withdraw to their bunkers in Bristol when [another] judicial review is in the offing.

The background to all this ducking and diving is that the Government want a competitive UK cement industry burning the cheapest possible fuels, and, as is the case with tyres, regardless of the consequences to its impact on the environment and public health. The laissez-faire attitude of both Government and EA towards health implications due to incineration is disturbing. Rugby Council clearly understands this and will vote in the next few weeks whether to start proceedings against the Agency.



In reality the British Cement Association had only to say that it wanted to raise its use of alternative fuels (chemical waste, tyres, packaging waste, waste oils, animal waste and sewage sludge) from 150,000 tonnes per annum (in 2001) to 1,515,000 tonnes/annum in 3-5 years time, for the Environment Agency to 'rubber-stamp' this request. Dr. Paul Leinster of the EA's policy division has touted the use of such 'recovered fuel' which the people of Rugby know for themselves can come from European sources to European companies based here in the UK (such as RMC)...and when tyres are burnt at Rugby they will not be 'part of the solution' to a British problem, but of German origin!

The driving force for this is the Hazardous Waste directive (coming into force 16 July next year) banning the landfilling of many toxic wastes, including tyres. The Agency is currently re-permitting sites that take hazardous waste to bring them up to the new standards and will have completed the process by this date.

By July next year co-disposal will be at an end and thereafter hazardous waste may only be landfilled at the remaining 10 hazardous waste sites. Dr Leinster stated:

"The Agency is considering further changes to the Substitute Fuels policy, which will be the subject of consultation....". Many suspect the

'consultation' stage will disappear altogether!

Our Primary Health Care Trust (Rugby PCT) called a precautionary approach back in December 2002 when it had only just been formed a few months. I feel sure that had its members had time to study and fully understand the dangers of this experiment they would surely have said an outright "NO" to the trial. Not only that, but the PCT (as a consultee appointed by Government) might have expected the Agency to take notice of them – that the Agency would refuse to take account of ANY of those conditions cannot have crossed their minds.

The widening gap between what is being said in public and what is being said at exclusive industry conferences is widening. Talk of environmental improvement mooted at the start has been shattered by a decision document that predicts 'local' exceedances of particulates and cadmium – but admits to an agency policy of '...contributing to the management of waste streams'.

The full text of the report was only available on request - a 4-page summary was placed on the Agency's web site containing none of the important details, so few people would have been able to take in the essential information.

The intransigence and secrecy of the agency were further highlighted to *Rugby in Plume* when three of us went to meet the policy head of integrated pollution prevention control (IIPPC), Dr. Martin Bigg, in his Bristol bunker earlier this year. It was not a meeting of minds because we received no answers to our concerns about cement kilns as being the new 'catch-all' incinerator.

As Alan Dalton, one time member of the EA writes, 'if cement kilns are given carte blanche to burn whatever they want, it will have great implications for the waste industry, reuse and recycling, and a full examination of whether this is the best way to utilize these waste resources needs to be examined. The cement industry exists to make cement; it has no incentive to utilize waste in the most environmentally effective manner. It is

simply burning toxic waste to save money.'

If this saving is not passed onto the communities that have had to live with the pollution from cement works for years (with unexplained concentrations of rare cancers of the colon and leukaemia's), then resentment is inevitable. *Rugby in Plume* (and other citizens of this country) want cleaner fuels and/or the upgrading of air pollution control devices (e.g. bag house filters as well as the existing electrostatic precipitators).

Instead we have a protocol revised to suit cement industry needs. Government talk of "stakeholder consultation" is like so much chaff in the wind. We are angry in Rugby!

#### Further Reading:

On background, see Rip website: [www.rugbyinplume.org.uk](http://www.rugbyinplume.org.uk)  
Substitute Liquid Fuels (SLF) Used in Cement Kilns – Life Cycle Analysis, EA Technical Report P274, 1999

#### Questions that need answers.

1. Why has the following environmental information been deliberately withheld from residents by the EA? Without this information we, and the health authorities, cannot make a risk assessment:

- # stack height report
- # raw data fed into dispersion model
- # results of the dispersion modelling done by the EA and RMC
- # stoppage time and mean time between stoppages and reasons - to indicate plant stability/instability
- # kiln output on a daily basis - as an indication of plant stability/instability

2. Why does the EA refuse to attend the Cement Forum?

3. Why does the EA refuse to answer any direct questions in a direct manner?

4. Why does the EA ring the cement plant when complaints are received and then "confirm that the plant is running normally" and therefore our complaints are not substantiated?

5. Why does the Minister M Beckett and the EA think that the 90,000 people of Rugby who have asked for a public inquiry are "only a little local issue and of no consequence on a national level"?

6. Why has the EA made a mockery of public consultation ignoring the public, the MP Andy King, the Rugby Borough Council, Warwickshire County Council and the worst of all the Primary Care Trust and the Health Protection Agency?

7. Why has the EA permitted an experimental semi-wet kiln to be built in a town when all wet and semi-wet plants are being shut due to the fact that the emissions cannot be controlled and that they are inefficient using an enormous amount of energy to run them?

8. Why did the EA allow two rural kilns to be shut down and allow a new kiln giving out 4,000 tonnes of gas containing pollutants to be built in a town?

9. Why does the EA not use any scientific method, or base its decisions on sound scientific evidence. Even more - why does it ignore sound scientific evidence?

10. In the Decision Document:

# Why did the EA insist that the quarry and landfill are not part of the Installation - even though they are "technically connected and affect emissions and pollution". Two years after the application was made, in June 2003, the EA asked RMC to remove the quarry from the site plan?

# Why has the EA written an IPPC permit without using BAT (best available techniques) for plant design, raw materials, emission limits, and energy efficiency?

# Why does the EA think that the best scientific method to assess the plume is to "nip outside twice a day and take a look at it" and then to write a report - after 18 months? Has the EA never heard of CCTV cameras - well the EA have said they must be fitted at Padeswood so why not in Rugby?

# Three years into the operation of the plant the EA have set a condition asking the applicant RMC to "investigate" the pollution round the plant? This will probably take the form that the EA use in the landfill, and the quarry, and the plant - "nip out and take a look at the dust then mate".

# Why does the Document contain what would appear to be incorrect/inaccurate figures on the number of ESP trips?

# If some figures are different from those on the Public Register how accurate are the other figures that we cannot check?

# Why does the Document state that there is no odour, noise or dust pollution from the plant when there are hundreds of witnesses and complaints.

# Why do they withhold the energy consumption data so that a BAT assessment cannot be made?

# Why does the Document not provide any evidence of kiln stability without which the Protocol says Tyre trials MUST NOT GO AHEAD>

11. Why has the EA transferred the environmental burden from two old rural cement kilns at Chinnor and at

Southam onto the 50,000 people in the plume grounding area, and the 90,000 residents of Rugby? They have stopped TV reception for thousands, polluted our air, ruined our view, clogged our roads with 500-800 lorries a day, destroyed the road surfaces, allowed smells, vibration and noise to ruin our homes, and in short destroyed the quality of life, (if not actually destroyed life itself?) for thousands of people? This town cannot afford the cement plant - its environmental impact, for which an assessment has never been conducted in contravention of European Law, is far too great a burden for this town to cope with.

**If there is anyone out there who can answer these questions and protect our health? If so then please get in touch as clearly the Environment Agency has abandoned the Rugby residents.**

Tom Hellberg

**ToxCat:** In the 1970s and 80's complaints by workers and residents of Ellesmere Port, Cheshire, about the emissions from an incinerator operating there were ignored by officials of the EA for almost 2 decades. It seems nothing has changed. Can anyone enlighten us as to who is responsible for looking after the citizens health?

## HIGH EMISSIONS FROM MED WASTE BURNER

**An incinerator at Swansea's Singleton Hospital has been emitting highly acidic hydrogen chloride at 30 times the permitted limit.**

The high emissions were discovered in July when independent testing was carried out, but the incinerator was allowed to continue burning until last week.

Swansea City and County Council carries out tests on the emissions from the incinerator every six months. It is claimed that the incinerator's operation will now be reviewed.

On Monday 7th (Oct) Swansea councillor and Welsh Assembly Member Peter Black said he was appalled the council only undertook testing every six months. He wants Swansea's NHS Trust to install equipment which will continuously monitor emissions.

He was shocked at the two-month delay between the discovery of what he called illegal levels of acid gas and action by the council. "This incident has highlighted a major loophole in the way that this incinerator is regulated," he said.

"The fact that checks are so infrequent by the council is also putting residents at unnecessary risk. There is a lot of sophisticated equipment available these days that can monitor emissions automatically on a continuous

basis. That equipment can shut down a plant if it exceeds its allowable limits. I suggest that the council needs to work with the trust to install some of this equipment."

A spokesman for Swansea City and County Council said it took its statutory duties on pollution control very seriously.

"We have acted according to national and legal guidelines and are continuing to investigate the circumstances surrounding the test in July. This is a small incinerator which is why it is monitored by us, not the Environment Agency.

"The July testers took five weeks to send out the results and those results were only sent out both to the NHS Trust and the council two weeks after that. We are investigating the time lapse to consider if further legal action is necessary."

"Once again a community's well being has been put behind industry interests and at serious risk because of inadequate monitoring of a polluting incinerator" said Ralph Ryder of CATs.

"These plants are scientifically acknowledged as being major polluters. No one can say the extent of the damage caused to residents lungs over such a lengthy period of time by such high acid emissions. But I have no doubt the spokesperson for the operators, the councillors and the Envi-

ronment Agency will say "there was no environmental or public health impact."

Who can say what other toxic compounds this plant has been emitting along with the hydrogen chloride acid? And more to the point who cares?

Seemingly not the councillors of Swansea who not long ago gave permission for another incinerators at Crymlyn Burrows that keeps making the newspaper headlines for all the wrong reasons. (See *ToxCat* vol 4 no 11 sept/oct)

**ToxCat:**

\*If communities and planning officials want to see the *reality* of incineration, they only have to look at these two facilities.

\*If they want to see the consequences of having [apathetic?] councillors and planning officers who no doubt only listened to what industry had to say, they only have to look at these two facilities.

\*If they want to see the result of inadequate monitoring and inefficient regulatory bodies, they only have to look at these two facilities.

Source: Adapted from 'Hospital loophole shocks.' AM, Oct 7 2003 by Robin Turner. *The Western Mail*.

**OLDE RED LION**



**CHAT**

“My wife is one of twins” said Ken spotting an identical pair entering the bar.

“Is that right?” said Geoff. “Did you ever find yourself going out with the wrong one when you were courting?”

“No chance of that” replied Ken. “I would have known straight away. Her brothers got a beard.”

*ToxCat welcomes your stories and campaign updates.  
ToxCat is the official newsletter of Communities Against Toxics*



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Membership is open to everyone concerned with the safe handling, transportation and disposal of all forms of toxic, municipal and clinical waste and committed to the development and introduction of non-polluting clean production industrial processes and source reduction, separation and genuine recycling of all forms of waste.

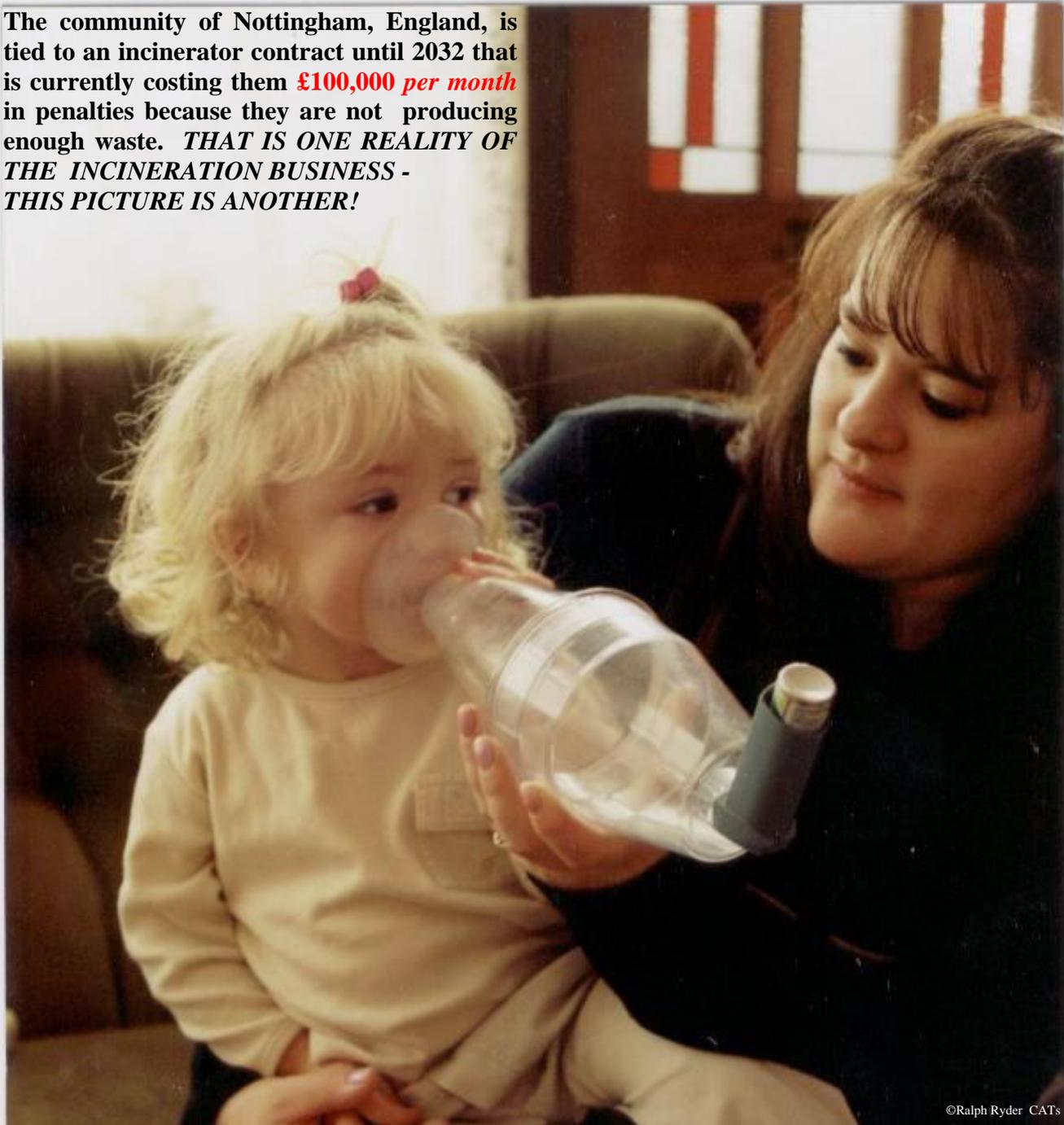
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Email: [ralph.ryder@communities-against-toxics.org.uk](mailto:ralph.ryder@communities-against-toxics.org.uk) or [ralph@tcpublications.freemove.co.uk](mailto:ralph@tcpublications.freemove.co.uk)

The community of Nottingham, England, is tied to an incinerator contract until 2032 that is currently costing them **£100,000 per month** in penalties because they are not producing enough waste. **THAT IS ONE REALITY OF THE INCINERATION BUSINESS - THIS PICTURE IS ANOTHER!**



©Ralph Ryder CATs

An 18 month old child in the North west of England takes her *second daily* dose of steroids for chronic asthma. Despite incinerators being a major source of health damaging chemical particulates that pose a genuine danger to asthma sufferers like this little girl. The British Government is using taxpayers money to subsidise the building of 112 incinerators over the next 15 years. There are alternative, less expensive, less health damaging ways to deal with waste besides incineration.

**TO HELP PROTECT THIS CHILD AND OTHERS LIKE  
HER FROM INDUSTRIAL ABUSE JOIN:  
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