

file SHYB

SHOOK, HARDY & BACON

TWENTIETH FLOOR MERCANTILE BANK TOWER

1101 WALNUT

KANSAS CITY, MISSOURI 64106

(816) 474-6560

TELEX 42-6291

TELECOPIER (816) 421-8847

CHARLES L. BACON
DAVID H. CLARA
LANE D. SAUER
FRANK P. SEBREE, II
FREDERICA BEIML
WILLIAM W. SHINN
JOHN C. DODS
DONALD R. HOEL
EVERETT A. OLSON, JR.
JOHN T. MARTIN
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WILLIAM R. WOOD, JR.
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GARY L. WHITTIER
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VIVIAN W. WISBERG
DENNIS R. DOW
DONALD G. STOFFER

FRANK P. SEBREE
(1884-1940)

SAM S. SEBREE
(1886-1956)

EDGAR SHOOK
(1884-1970)

DAVID R. HARDY
(1877-1978)

JAMES H. OTTMAN
OF COUNSEL

WASHINGTON, D. C. OFFICE
COOK & HENDERSON, P. C.
1736 K STREET, N. W.
WASHINGTON, D. C. 20006
(202) 331-0787

April 27, 1979

Mr. Thomas F. Ahrensfield
Mr. Max H. Crohn, Jr.
Mr. Joseph Greer
Mr. Arnold Henson
Mr. Ernest Pepples
Mr. Arthur J. Stevens

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LAW DEPARTMENT

Gentlemen:

I attended a seminar of the American Bar Association National Institute in Washington, D. C., on April 20-21, 1979, after several of you forwarded to Bill Shinn program materials that had been sent to you by Martin Haley. The seminar was entitled "Law, Science and Technology in Health Risk Regulation" and was sponsored by the Science and Technology section of the ABA.

The implementation of legislation and regulations promulgated by federal agencies to control health risks at work and in the environment was the general subject of the seminar. Presentations were made by scientists from the public and private sector, governmental administrators and lawyers, and private attorneys. Keynote addresses were given by Judge David L. Bazelon of the U.S. Court of Appeals, District of Columbia, and Representative James G. Martin of North Carolina. The seminar appeared to be attended by a mixture of attorneys from government, academia, business and private practice.

I was able to obtain press copies of several presentations and these along with the program are enclosed for your interest.

The seminar was divided into a discussion of three major topics: (1) scientific determination of health risk; (2) promulgation of standards by regulatory agencies; and (3) response

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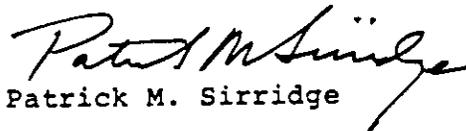
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of industry and interested parties to governmental regulations. As expected, publicized issues such as saccharin and nitrite use highlighted the "acceptable risk" theme while dangers to workers and the public in their respective environments pointed to the need for acceptance of "absolute zero risk" regulations.

Comments involving cigarette smoking were made only in passing and can, in my opinion, be viewed as insignificant. Dr. MacMahon of Harvard made several gratuitous statements that are consistent with his well-known position on smoking. Congressman Martin, in answer to a question on acceptable risk, referred to the Gori scenario to emphasize how politics can affect health risk assessment. However, I call your attention to the discussion in Congressman Martin's presentation (see enclosure) wherein he concludes that only five percent of cancer incidence is attributable to work exposure.

The underlying issue raised by the seminar, in my view, is whether American society will decide ultimately that life involves the acceptance of certain health risks. If answered in the affirmative, this could lead to more "balancing" by governmental authorities and an increased use of benefit/risk analysis.

Sincerely,


Patrick M. Sirridge

PMS:sh

Enc.

cc & enc: Mr. Alexander Holtzman
Mr. Horace R. Kornegay