

Mark Nicas, PhD, CIH
School of Public Health
Division of Environmental Health Sciences
University of California
Berkeley, CA

July 28, 2016

Dear Dr. Nicas,

Re: Airborne asbestos exposures associated with the installation and removal of roofing products, Jason T. Lotter, Ben Roberts, John L. Henshaw & Jennifer S. Pierce (2016), Journal of Occupational and Environmental Hygiene, 13:8, D121-D131, DOI: 10.1080/15459624.2016.1183010

We are writing to you as the Editor-in-Chief of the Journal of Occupational and Environmental Hygiene to express our serious concerns regarding the above article.

The article puts forward unacceptably flawed and distorted information leading to a false conclusion: “The findings indicate that exposures from the installation, removal, and replacement of various asbestos-containing roofing products are typically well below applicable occupational exposure limits, and also well below published NOAELs (no-observed-adverse-effect-levels) for asbestos-related diseases.”

We understand that a request has been submitted to the JOEH to retract the article on account of its serious scientific flaws.¹

We wish to submit additional concerns regarding conflict of interest and improper standards involved in the publication of this article.

The article was funded by the consulting company Cardno ChemRisk and written by four scientists employed by Cardno ChemRisk. The company and two of the four authors have extensive financial ties to asbestos interests. These conflicting interests were disclosed in the article.

The editor of the Case Study Column, who approved the Lotter article for publication, was Charles Blake. The JOEH provides no information about Mr. Blake or whether he has any conflicting interests regarding the Lotter article. A court document, however, shows that Mr. Blake has extensive financial ties to asbestos interests and has testified in 118 court cases on behalf of asbestos defendants in the past four years.

It demonstrates unacceptable incompetence, in our opinion, that Mr. Blake approved for publication an article that contains such misleading and inaccurate information. It is particularly disturbing that the scientific misinformation contained in the article serves his interest in defending companies facing asbestos litigation. Furthermore, the Lotter article contributes to harming the health of populations where asbestos-containing roofing products are still being manufactured and installed around the world.

The article is beneficial to the financial interests of the international asbestos industry. It is important to note that the asbestos industry sells approximately two million tons of chrysotile asbestos every year in the global South. Most of this material is used for asbestos-cement roofing in countries where workers cut, saw, hammer and break the roofing with very few if any occupational health protections in place.

The lobby organisation for the global asbestos industry, the International Chrysotile Association, is promoting the JOEH article on its website² as the article's misinformation regarding alleged harmlessness of installing and removing asbestos-cement roofing assists the asbestos industry to sell asbestos-cement roofing in developing countries.

It is, in our opinion, particularly disturbing to see manipulation of scientific evidence when those involved in the writing, approval and publication of the misinformation have significant financial ties with the vested interests who benefit from its publication.

We are also troubled by the fact that the article was published as a "case study" under a JOEH column but is a technical article and not a case study. The JOEH states: "Columns are intended for presentation of new information, small studies, and recent developments in occupational and environmental hygiene; they are not peer-reviewed, and are not expected to meet all of the criteria for a full technical paper in JOEH." It constitutes, in our opinion, improper conduct on the part of Mr. Blake to publish the article as a column article, thus avoiding the requirement for peer review and the standards required of technical articles.

We submit the following requests:

1) The JOEH is a member of the Committee on Publication Ethics (COPE) and is therefore expected to comply with COPE's Code of Conduct for Journal Editors.

- Section 17 of the Code of Conduct addresses Conflicts of interest and states: "Editors should have systems for managing their own conflicts of interest as well as those of their staff, authors, reviewers and editorial board members." The JOEH had no system in place to deal with Mr. Blake's conflicts of interest.
- COPE recommends as a best practice that editors publish lists of relevant interests (financial, academic and other kinds) of all editorial staff and members of editorial boards (which should be updated at least annually).

We therefore request that the JOEH respond by indicating its commitment to adhere to these recommendations.

2) We request that when an article on a particular product, or broad grouping of products, is funded by an entity that has financial ties to the industry involved in that product and/or is written by scientists with financial ties to that industry, the JOEH show due diligence and integrity by requiring that the editor in charge of the article, as well as peer reviewers for the article and anyone who deals with the article, be independent and have no financial or other conflicting interests with that industry.

3) In our opinion, Mr. Blake has failed to demonstrate the scientific and ethical standards one would expect from the editor of a reputable journal. He has demonstrated a disregard for standard conflict of interest practices by neither excluding himself as editor of the Lotter article nor disclosing his extensive financial ties to asbestos interests. We therefore ask that Mr. Blake not continue in any role at the JOEH.

4) We ask that the article be retracted because it is scientifically flawed; because it is contaminated by conflict of interest; and because its misinformation serves to cause harm to occupational and public health.

5) We ask that you, as Editor-in-Chief, publish in the JOEH a description of the actions that have been taken to correct this situation.

We ask that you give our requests the serious consideration they warrant and look forward to receiving your response.

Sincerely,

NOTE: Titles and affiliations of the individual signers below are given for identification purposes only.

Kathleen Ruff, Senior Human Rights Adviser, Rideau Institute, Canada; Director, Right On Canada; Expert Adviser on human rights and ethics to the Executive Committee and Chair, International Joint Policy Committee of the Societies of Epidemiology (IJPC-SE).

Dr. Peter Infante, D.D.S., Dr.P.H., F.A.C.E., Peter F. Infante Consulting, LLC; Formerly Director, Office of Standards Review, Health Standards Program, Occupational Safety & Health Administration (OSHA), Washington, D.C., USA.

Dr. Peter Orris, MD, MPH, Professor and Chief of Service, Occupational and Environmental Medicine, University of Illinois Hospital and Health Sciences System, Chicago, IL, USA.

Hans-Joachim Weitowitz, M.D. Professor Emeritus, former Director of the Institute and Outpatient Clinic of Occupational and Social Medicine (Public Health) of the Justus-Liebig University of Giessen, Faculty of Medicine, Germany.

Dr. Colin L. Soskolne, Professor Emeritus, University of Alberta, Edmonton, Canada; Adjunct Professor, Faculty of Health, University of Canberra, Australia; Chair, International Joint Policy Committee of the Societies of Epidemiology (IJPC-SE); Past President, Canadian Society for Epidemiology and Biostatistics; Fellow, American College of Epidemiology; Fellow, Collegium Ramazzini, Italy.

Dr. Paul Brandt-Rauf, DrPH, MD, ScD, Professor Emeritus at Columbia University, New York City, USA.

Dr. Tushar Kant Joshi, FRCS., FFOM., Director, OEM Programme, Centre for Occupational & Environmental Health, Maulana Azad Medical College, New Delhi, India; Former Occupational Health Consultant, WHO India; Fellow, Collegium Ramazzini; Visiting Professor, Occupational Health, Drexel University, USA.

Dr. Pierre Gosselin, MD, MPH, Director, WHO-PAHO Collaborating Center on Occupational and Environmental Health, CHUQ-INSPQ-DSP, Québec, Canada.

Dr. Xaver Baur, MD, Professor, Occupational and Environmental Medicine and Internal Pulmonary Medicine, Charité University Medicine Berlin; Fellow, Collegium Ramazzini, Italy; President, European Society for Environmental and Occupational Medicine, Germany.

¹ Letter to Editor, JOEH, July 22, 2016, from Perry Gottesfeld.

² Airborne asbestos exposures associated with the installation and removal of roofing products, International Chrysotile Association, June 2016, <http://www.chrysotileassociation.com/en/>

Conflict Of Interest Statement

Kathleen Ruff, Hans-Joachim Weitowitz, Paul Brandt-Rau, Tushar Kant Joshi, Pierre Gosselin and Xaver Baur have no conflicts of interest to declare. Peter Infante has in the past testified in one case of asbestos exposure and mesothelioma. Peter Orris has in the past been an expert for the injured worker/community member. Colin L. Soskolne was last involved in 2012 as an expert witness in tort actions on behalf of plaintiffs. He was an initial lead author in the International Joint Policy Committee of the Societies of Epidemiology (IJPC-SE) 2012 Position Statement on Asbestos.