

# Chapter 11

## THE FEARMONGER FACTOR

*There are scientists in existence today who are deeply distrustful of, or even hostile to, science as well as technology. They are guided by the belief that Western industrial civilization will, if not arrested and reversed, destroy life on earth.*

— Edith Effron, *The Apocalypitics*<sup>1</sup>

*It is increasingly apparent that there is something fundamentally wrong with much of the science underlying our environmental health regulations, as we have seen in recent episodes on asbestos, dioxin, and PCB, where risks have been dramatically overstated at simply enormous cost to the public.*

— Rep. John Dingall<sup>2</sup>

AMERICANS' CURRENT horror of secondhand tobacco smoke is only one in a series of hyped-up menaces they have been taught to fear in the past several decades. Not *big* fears like nuclear holocaust or an earth-destroying collision with an asteroid, but a succession of health and environmental and consumer-product scares that have been perpetrated against a timorous and gullible public.

I use the word “perpetrated” deliberately. These recurring scares have been created—*manufactured*—by so-called “consumer crusaders” or “consumer advocates,” both in and out of government, with in most cases little or no hard scientific evidence to warrant them. And in *all* cases—having injured if not destroyed a business, forced the removal of a useful product from the marketplace or prevented it from becoming available in the first place, having cost American industry and

consumers untold millions of dollars—without a word of apology when scientific investigation proves their scare-of-the-week to have been unfounded or grossly exaggerated, without the slightest self-doubt of their righteousness and the purity of their motives, these guardians of the public weal eagerly move on to the next “cause.”

And like Charlie Brown and the football Lucy promises to hold for him to kick and then always whips away at the last instant, the public continues to be suckered in every time.

More often than not, too, after creating an alarm, the fearmongers are unable to back off when the facts catch up with them. To do that would be not only to admit to deception or incompetence but, almost as bad in their thinking, it might encourage public “complacency” about other scares. It would “send the wrong message.” Thus their typical reaction is to minimize or ignore findings that contradict them. This is, lamentably, as true of the people in government agencies as it is of the professional “public-interest” advocates.

At the same time, paradoxically, the fearmongers can never really claim success; they can never say that a peril has been vanquished. This is especially evident in the case of lead in the environment, which I discuss below. Even as blood lead levels in people have fallen drastically in recent years, the campaign against lead has been stepped up. For both public and private crusaders, to announce that a problem has been reduced to a minimal stage (if it even was a problem in the first place) would be to invite funding cuts and questioning of their indispensability as protectors of the nation’s health.

Human beings of course have always been fearful of things they don’t understand and have no control over, from the mysterious calamities of the natural world attributed to vengeful spirits or punitive gods in the infancy of the race, to the socially revolutionizing technological innovations of the 19th and 20th centuries. Technology is still mysterious to most of us. Thus we are easy prey to those who capitalize on both our general ignorance of science and the scientific method and a vague, nagging apprehension that the fast-changing modern world is a dangerous place fraught with perils. Prey, too, to the media, for which the latest scary allegation is like raw meat but the follow-up facts showing the scare to be unfounded are dull oatmeal and seldom reported.

In my college days, I once had an argument with a freethinking

fellow student. He maintained that human beings were every bit as superstitious and credulous as they had been in the Middle Ages. How can you say that? I exclaimed. Look at science. Look at the modern world. We don't burn witches anymore, do we?

I realize now that he was right and I was wrong. Look at junk science. Look at the modern world. No, we don't burn witches anymore (or hang them, as they did in kinder, gentler Salem, Massachusetts, in 1692); today we simply imprison them and destroy their lives and reputations, as witness the notorious and absurd child-abuse witch hunts at day-care centers in Los Angeles and Edenton, North Carolina, and elsewhere in 20th-century U.S.A. Witness the variety of "New Age" nonsense (which is really age-old nonscience) like astrology or the "channeling" of ancient spirits; the widespread belief in abductions by UFO aliens; the popularity of "psychic hotlines"; the mass suicides of the followers of charismatic leaders at Jonestown and of the Heaven's Gate cult members in California, and so on and on.

To be sure, the perils we live with have often been very real. Way back in 1906, Upton Sinclair's book, *The Jungle*, exposed shoddy practices in the meat-packing industry and led to passage of the Pure Food and Drug Act and establishment of the Food and Drug Administration. The "muckrakers," as Sinclair and other early activists were called, were responsible for a long list of needed reforms, from purer foods to child-labor laws.

Today, however, there is such an avalanche of scares-of-the-week that it is becoming more and more difficult to distinguish which social or environmental problems deserve national attention and concerted efforts to remedy them and which are sheer fabrications of the fearmongers. I place the origin of this predicament with the publication in 1962 of Rachel Carson's *Silent Spring*, in which, in lyrical and compelling language, she issued a chemophobic doomsday warning about the deleterious effects of pesticides on us and the other living things with whom we share the world. But what could have been a cautionary wake-up call to a public theretofore confident that there was no end to, and no unforeseen costs to be paid for, "better living through chemistry," became the bible—doomsday myths and all—of the environmental movement, with consequences on American society as fateful as the release two years later of the first surgeon general's report on smoking and health.

It is true that the environmental awareness created by *Silent Spring* helped end the misuse and overuse of the pesticide DDT, which had seriously depleted populations of eagles and falcons and other raptorial birds that live high on the food chain by thinning their egg shells. Unfortunately, the book also led to the ending in 1972 of the entire use in this country of a chemical that had saved millions of human lives since its advent in World War II as a treatment for such diseases as malaria\* and typhus.

But like the experience with the tranquilizer thalidomide, which the Food and Drug Administration refused to approve because of suspicions, which were eventually dramatically confirmed, that its use by pregnant women in Europe caused birth defects, the bird-shell lesson of DDT has been learned too well. Critics of the FDA say that because the agency was right about thalidomide does not justify years-long foot-dragging on the approval of other drugs, even when their safety and effectiveness has been demonstrated in other countries. Similarly, the misuse or overuse of DDT does not justify banning all uses of that chemical, much less justify the general fear of all pesticides. “Rachel Carson’s legacy is not entirely positive,” says Robert Gwadz, a malaria researcher at the National Institutes of Health. “DDT is one of the more benign pesticides known.”<sup>4</sup>

It can be argued that books like *Silent Spring* have to be couched in dramatic “the end is near” tones in order to get people’s attention, although I think that, like crying wolf too many times, this tactic ultimately defeats its purposes. An example of that is Paul Ehrlich’s *The*

\*Banning DDT may have been fine in the United States, where malaria has not in the 20th century been the serious problem it is in less developed countries. The seesaw use and disuse of DDT in Mexico provides a good example of the value of this pesticide. In that country, there were almost 140,000 cases of malaria in 1959, before DDT was used. By 1970, when three million houses were being sprayed annually, the number of annual cases of malaria had dropped to about 40,000. By 1973, when the number of households sprayed had decreased to about one million, the number of cases of malaria had risen to more than 100,000. But by 1985, when the number of households sprayed increased to almost seven million, the number of cases of malaria had dropped to less than 10,000. Thanks to environmental concerns, however, DDT use in Mexico declined again in the late 1980s and early 1990s, and the number of cases of malaria again increased.<sup>3</sup>

*Population Bomb*, which in 1968 predicted worldwide mass starvation by the 1970s that would kill hundreds of millions. Three decades later a similar but much modified warning was issued by Lester Brown, president of the Worldwatch Institute, who warned that “The deterioration of the Earth’s ecosystem is slowing growth in world food production during the ’90s and ushering in an era of scarcity.”<sup>5</sup>

People like Ehrlich and Brown who make these kinds of apocalyptic predictions are often called Cassandras, after the prophetess of Greek mythology who was cursed by Apollo with being always right but never believed. The difference with our modern Cassandras is that they are a curse in reverse—never right but always believed.

Back in 1948, long before Rachel Carson, I read a book I believe was called *This Plundered Planet* that my father got from the Book-of-the-Month Club. I haven’t been able to locate that title anywhere, but I do recall being very concerned by its warnings about soaring population growth and the depletion of soil and forests and other natural resources (although, as with my immediate reaction to the surgeon general’s 1964 report about smoking, only temporarily concerned). That year I was a freshman at Western Reserve University (now Case Western Reserve) and a professor who taught a required introductory science course for nonscience majors was famous for frequently reminding us students that “where man has lived the longest, there you will find the world’s greatest deserts.”

Since 1948 (and 1968) the world’s population has continued to soar and we continue to be running out of everything, yet most people, including those in the Third World, are living better than ever, or are at least no worse off than they have historically always been. Certainly there is a limit to how many people the earth can sustain and still leave room for a few other species besides *Homo so-called sapiens*, but somehow “the end” keeps retreating into the future.\*

\*Actually, it may be *depopulation* that confronts the world in the 21st century. According to a 1996 projection by the United Nations, based on fertility trends in both developed and developing countries, “global depopulation would commence in a little over four decades. Between 2040 and 2050, the world’s population would fall by about 85 million. From then on, world population would shrink by roughly 25% with each successive generation.” Moreover, by 2050 the median age of those alive then would be over 42,

It was not until after Carson, however, that the modern environmental movement began to take hold. Human-engineered catastrophe became a theme in movies and books in which the basic premise was to take a trend—any trend, such as population growth—and extrapolate it beyond all plausibility. The 1973 film “Soylent Green,” for example, depicted a New York City of the 21st century whose 50 million inhabitants were reduced to eating processed human corpses, and a world in which all life in the oceans was dying.

Another example is a novel I got in the 1970s from the Science Fiction Book Club. I remember the title, *Sheep Look Up*, but I forget the author’s name. He was a Brit who apparently disliked the United States very much. He depicted a country in which a malfunctioning microwave oven cooks a fetus in its mother’s womb, children playing in their own yards are cut down by buried toxic wastes, acid rain and air pollution are everywhere and young people are deliberately going mad on drugs to escape the horrific world created by runaway industrialization. It was the only book I ever threw in the trash can.

“Soylent Green” and *Sheep Look Up* were pure fantasy, but purportedly realistic scare books continue to be written, including a recent one whose name I won’t publicize that alleges that manmade chemicals in the environment are disrupting the body’s hormone system, causing everything from cancer to Attention Deficit Disorder, as well as being responsible for allegedly falling sperm counts in industrialized nations.\*

More important, and long-lasting, fallout from *Silent Spring*, however, was the great expansion of the federal government’s regulatory powers during the supposedly conservative Nixon administration,

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compared with about 20 in 1900. Such a worldwide aging of populations would have profound social, political and economic consequences in every country.<sup>6</sup>

\*Some studies in Finland, France and Britain have reported falling sperm counts, with explanations (guesses) ranging from pesticides to food additives or other chemicals which might affect development of the testes in male fetuses at a critical stage in the womb, to tight pants and hot saunas.<sup>7</sup> On the other hand, other studies have found that semen samples sent to different fertility laboratories can produce counts varying as widely as three million to 240 million sperm.<sup>8</sup> Is the world running out of sperm? Obviously, “more studies are needed.”

which saw the creation, among others, of the Occupational Safety and Health Administration, the National Highway Traffic Safety Administration, the Consumer Product Safety Commission and, most regrettably of all, the Environmental Protection Agency. These and a host of other regulatory agencies have been given, or have assumed, rule-making powers affecting the most minute activities of both business and private individuals in America to an extent that a central planner in the defunct Soviet Union would have envied.

Thanks not only to the emergence of the “nanny state” but also to an army of product-liability lawyers, the result has been a disturbing (but, I hope, only apparent) change in the American character, once characterized as one of rugged individualism and self-reliance. Today in our crybaby culture there is no such thing as an accident. Whatever tragedy befalls the individual, it’s always someone else’s fault, and that someone else must be made to pay.

The tragedies can range from the serious, like leukemia allegedly (and unprovably) caused by the proximity of a toxic waste dump, to the frivolous, like a woman spilling hot coffee in her lap and suing McDonald’s for several million dollars. Also in the frivolous category was the “hair-eating” Mattel Cabbage Patch Snacktime doll. The parents of a 9-year-old girl in California sued Mattel for no less than \$25.5 million, claiming the entire family was traumatized and would need extensive therapy and counseling because the doll “attacked” the girl.<sup>9</sup>

A child could not have foreseen that a doll might attempt to “eat” her long hair, but even adult consumers are no longer expected or trusted to exercise even ordinary common sense in avoiding everyday hazards. Another trivial, but typical, example is a “California Proposition 65” warning I found on a package of manufactured fireplace logs. (Proposition 65 requires the state to publish a list of chemicals “known to cause cancer, defects, or reproductive harm” and requires California businesses to warn the public of potential exposures to these chemicals resulting from the use of their products.)

The warning read:

Burning fireplace or wood stove fuels, natural gas, and manufactured fireplace logs, results in the emission of carbon monoxide, soot, and other combustion by-products which are known to the State of California to cause cancer, birth defects, or reproductive harm.

Many factors affect the operation of your fireplace. A properly installed and maintained fireplace and chimney will dramatically reduce the likelihood of combustion products entering your home. An inadequate air supply could cause fireplace malfunction. If you suspect your unit is not functioning properly, a qualified contractor should be consulted.

The sovereign State of California neglected to warn that placing one's hands or head inside a fireplace in which a fire is actively burning could result in severe physical trauma and/or asphyxiation! Asphyxiation from carbon monoxide is of course the greatest and most immediate danger from a malfunctioning fireplace, yet the State of California seems more worried about long-range perils that will probably never happen and which nobody can prove what caused them if they do happen.

I told an e-mail correspondent of mine who lives in California about this label and he sent me a "Public Warning" that was enclosed with his bill from Pacific Gas and Electric Company:

PG&E uses fossil fuels (natural gas and petroleum products) in its operations. The combustion of fossil fuels can generate by-products such as carbon monoxide, soot, formaldehyde and diesel and gasoline engine exhaust. These chemicals are "known to the State of California" to cause cancer and birth defects and reproductive harm . . .

PG&E conducts sandblasting at compressor stations, which can release sand. Sand naturally contains crystalline silica, a chemical "known to the State of California to cause cancer."

Natural gas, in its original state, contains radon and benzene, chemicals "known to the State of California to cause cancer." It also contains toluene, a chemical "known to the State of California to cause reproductive harm." [All quotation marks in original.]

And so on. For some reason, the State of California doesn't post sand warning signs along its famous beaches. Doesn't it care about the millions of swimmers, surfers and sunbathers who are exposed to all that dangerous silica?

In short, despite the fact that people are healthier than ever and living longer than ever, we have been conditioned to believe that life is becoming more and more dangerous, with hidden hazards lurking around every corner. Time and chance no longer happeneth to us all. To bring Ecclesiastes up to date, when shit happeneth today, when



accident or disease strike, *somebody* is responsible. And since you can't take Mother Nature to court, the only remedy is to sue that somebody, usually a corporation with deep pockets, and pass more laws. (Never mind that the ultimate pocket that is picked is not the corporation's but that of users of its products, who wind up paying more for those products as a result of the litigation.)

*SILENT SPRING* REMAINS the holy writ of the environmental movement, just as the surgeon general's 1964 report, *Smoking and Health*, is the scripture that continues to inspire and infuse the antismoking crusade. Though both are no longer read (if, indeed, the SG's report ever was), their alarmist messages of present and imminent threats to the public's health and well-being—threats which, their authors contended, demanded concerted national “remedial” efforts—still resonate throughout daily American life. To my mind, however, it was in 1965, with one man and one book (also no longer read), that the danger-is-everywhere, the consumer-is-always-innocent, the culpability-in-high-places, the corporate-greed-and-malfesance and the government-must-protect-us-from-everything school really got its biggest boost: Ralph Nader's *Unsafe at Any Speed*, the most notorious chapter of which was the trashing of a fine little car, the Chevrolet Corvair.

At the time, I still shared what seems to be a built-in bias of journalists against big business and was as guilty as the rest of the media in elevating Nader to hero status. Here was a young unknown David of a lawyer daring to take on one of the world's largest corporations, General Motors, even more of a hero when that Goliath blunderingly stooped to trying to impugn the character of the man instead of refuting his allegations. Nader became *the* Consumer Crusader, a demigod status he still enjoys today among his admirers and imitators.\*

\*Evidence of that status and of the devotion, as well as dismay, Nader still engenders in people was a page I found on the Internet posted by *The Nation* magazine when Nader was running for president in 1996.<sup>10</sup> (More accurately, when he *allowed* himself to be put forward as the candidate of the tiny, 83,000-member Green Party of California. A man who refused to campaign or to file with the Federal Election Commission or to disclose his personal finances or political expenditures or even to stand on the Green Party's platform could hardly be said to have been “running.”) On that page there

In 1964 I was writing editorials for Newspaper Enterprise Association in New York City, having been transferred early that year from Cleveland. Living in Manhattan I had no use for a car but had decided that if I ever got one again it would be a Corvair, America's first mass-produced rear-engine automobile and GM's most innovative response to the growing invasion of small foreign cars. That desire was fortified when that fall the redesigned and sharp-looking '65 model was introduced. The following spring I persuaded the company to send me back to Cleveland, and the year after that I did become the proud owner of a 1966 four-door Corvair Monza sedan—despite *Unsafe At Any Speed*. and despite reading an article in *Consumer Reports* disparaging the Corvair as “lacking versatility” because it had only two forward speeds and warning that the side windows were a hazard because they had no frames around them. In six years of ownership I never missed that extra gear or gouged an eye out on the corner of a window.

Nader's allegations, of course, involved the 1960-63 models, specifically the alleged tendency of their rear wheels to “tuck under” without warning, throwing the car out of control. Yet in a long technical article about the very first production Corvairs, *Car and Driver* had concluded that except for a tendency to oversteer in a hard turn “that is easily countered by the excellent steering,”

[the Corvair] is a veritable technical orgy, and a promising basis for a long and useful development life. But most of all it personifies what we feel is important in the field of automotive safety: its fine steering and stable braking restore to the driver of an American car the kind of honest and precise control over his vehicle that he has had to do without for some three fast-moving decades. It has live nerves and quick reflexes that are worth more than all the seat belts and crash pads in the world. In the bargain, it's sparkling fun to drive.<sup>11</sup>

Even discounting this by 50 percent to make allowance for automobile writers' proclivity for hyperbole, it would seem that the Corvair was initially considered to be a pretty neat car.

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must have been 500 “links” to articles and messages (I lost count at about 200) discussing pro and con every aspect of the Master's candidacy. The key words “Ralph Nader” also produced a minimum of 2,000 links to other pages on the World Wide Web with the AltaVista search engine.

Although I harbored a basic skepticism about Nader's allegations regarding the early Corvairs, along with growing disenchantment with consumer crusaders in general, I was just as glad that my '66 was free of the defect he wrote about. What a great car! So responsive and nimble you didn't need power steering or power brakes. It was the only car I ever really loved and I kept it until 1972, when it was stolen out of a Shaker Heights, Ohio, Rapid Transit parking lot, one of two Corvairs stolen that day, their air-cooled engines probably removed and sold to some honest citizens who were building dune buggys and looking for a bargain.

I don't recall when or how I saw a copy of *Unsafe At Any Speed*, but I do know that I didn't finish the first chapter, which dealt with the Corvair. I stopped at the place where Nader (so I remembered) asked the reader something like, "Have you noticed how many Corvairs have dented rear ends?" The implication was that the damage was caused by the cars going out of control. I knew this to be ridiculous and misleading. The engine air-exhaust grille below the rear bumper of Corvairs was just a thin sheet of metal easily damaged simply by backing into a high curb.

Realizing that my brain has also suffered damage from years of smoking, when I started this chapter I thought it might be a good idea to read *Unsafe* to verify that memory. A number of Nader's books were listed in the Cobb County, Georgia, public library system but not this one.

"Oh, that was about the Corvair, wasn't it?" said the woman in my local library who handled my request for help in finding the book. She'd learned to drive on a 1963 Corvair, she told me, and thought it was a very nice car. I've since learned that my brother's wife had owned a 1961 Corvair before they were married and had also liked it. (It's things like this that make me wonder what's wrong with the people I know or meet. I mean, they smoke and don't get lung cancer . . . they drive Corvairs and don't smash them up . . .)

A copy of *Unsafe* was located at and borrowed from Southern Technical Institute in Marietta. It turned out that the statement I thought I remembered was made not by Ralph Nader but by a sports car racer and writer named Denise McCluggage in an unspecified article Nader had quoted from: "Seen any Corvairs lately with the back end smashed in? Chances are they weren't run into, but rather ran into something while going backwards. And not in reverse gear, either."<sup>12</sup>

Thus I owe Mr. Nader an apology for all the bad thoughts (or at least this one bad thought) I had been thinking about him for all those years. But it is only a semiapology because it obviously served Nader's purposes to take Ms. McCluggage's words literally without allowing for the flashy exaggeration automotive writers indulge in to exhibit their knowledgeability and expertise.

(Nor is Nader above indulging in this kind of alarmist exaggeration on his own. In *The Lemon Book*, a manual on how to handle complaints about automobile defects, jointly authored in 1980 by Nader, Clarence Ditlow and Joyce Kinnard, directors of one of Nader's spin-off consumer advocacy groups, the Center for Auto Safety, this statement appears: "Tires tend to be more defect-ridden than any other single part of a car and the defects generally have more disastrous consequences than other car defects. Evidence of their frequency can be seen along any major highway—chunks of rubber and damaged guardrails are left behind, although the rest of the debris may be towed away."<sup>13</sup>

(Damaged guardrails may very well be evidence of collisions with automobiles that have been towed away, but virtually all the rubber fragments one encounters on every freeway are pieces of retreads thrown off by heavy trucks. I've seen it happen firsthand.)

It also turned out that the copy of *Unsafe* I obtained was not the 1965 edition but a 1972 reprint with a long introductory chapter recounting changes in automotive safety in the previous seven years. Even in 1972 Nader wasn't yet done with the Corvair. In this introductory chapter he marshaled more evidence against it, citing proving-ground tests by both Chevrolet and Ford Motor Company in which prototype and early production models of the Corvair had gone out of control and overturned right and left. Even before I reached the original text, I learned that *all* Corvairs had been dangerous, including my beloved 1966.

Noting that (in 1972) there were "still seven hundred and sixty thousand lethal Corvairs on the highway," Nader told of a suit brought against General Motors in 1962 by a man who claimed to have suffered permanent brain damage as the result of driving long distances in his 1961 Corvair Greenbriar station wagon while breathing in deadly carbon monoxide emitted into the passenger compartment by a defectively designed heating system.<sup>14</sup> Yet in 1971, wrote Nader, in "an incredible agreement" with the National Highway Traffic Safety Admin-

istration, General Motors had been permitted to deny in letters of warning to owners of 1961-1969 Corvairs that their cars' heaters had any defect.<sup>15</sup> The NHSTA thereafter prohibited car manufacturers from such "sabotaging" of defect notification letters, he added.

Repair of the heater would have cost \$170 and was not even a permanent fix, wrote Nader. GM refused to absorb that cost, "even though the need arose from the company's defective design of the vehicle." In any case, he noted, it was unlikely that any owners of these cars would bother to have the repair made because most of them were "now worth not more than two hundred dollars."<sup>16</sup>

I wonder if it occurred to him just why Corvairs would have such low resale value. I also wonder if my brain damage is the result not of smoking but of driving a closed-up Corvair through six Ohio winters. Or possibly it's a combination of both.

The very title of the book was pure hyperbole. The Corvair (and other cars Nader criticized) were unsafe at *any* speed? The subtitle—"The designed-in dangers of the American automobile"—was even more inflammatory, implying that the automakers not only skimmed on safety but *deliberately* made their cars dangerous. It is true that safety was hardly foremost in Detroit's mind back then, yet any car, including today's models embodying the latest safety features, can be dangerous in the hands of a poor or reckless driver. Automobiles will always be dangerous as long as they are driven by human beings.

In the very first sentence in the original preface Nader set the tone for the rest of the book: "For over half a century the automobile has brought death, injury, and the most inestimable sorrow and deprivation to millions of people." With nary a compensating benefit, as far as I was able to find. Nader obviously did not and still does not share, or even comprehend, the depths of Americans' love affair (or maybe it should be called love-hate relationship) with the automobile, notwithstanding all the human sorrow and social and environmental problems it has brought about.

I do believe that GM executives, for all their corporate stupidity in the way they tried to handle Nader's attack on the Corvair, were truly blindsided by him. They did not conceive that they were dealing, not with a con artist or opportunist having ulterior motives for questioning the safety of what they knew was a well-engineered automobile, but with an idealistic young man, a veritable ascetic seemingly devoid of

personal vices and above ordinary human failings. General Motors simply did not realize that Ralph Nader was far more dangerous than a con artist: he was a True Believer.

But was the young crusader all that idealistic? As a journalist I was frequently sent books by publishers, although book reviews were not my job. One I received in 1969 was called *The Assassination of the Corvair*, which title naturally intrigued me. Its author, Andrew J. White, founder of Motor Vehicle Research in New Hampshire, had a long list of credentials as an automobile research and testing engineer.

White had had numerous personal contacts with Nader, beginning when Nader was still in Harvard Law School. He tells about receiving one late-evening telephone call in 1965 in which Nader “excitedly” told him that GM had launched a character-assassination plot against him, employing good-looking girls to tempt and compromise him, hiring gumshoes to trail him and interviewing some of his acquaintances in hopes of getting information to discredit him. (White found this hard to believe but it was, lamentably, true.) White said Nader called him again in 1966 seeking confidential file material he could use in a confrontation with General Motors during a scheduled congressional subcommittee hearing into automobile safety in general and the Corvair in particular. White had the feeling that Nader was “brain-picking.” He told Nader he was chasing the wrong vehicle and that his claims about the Corvair had no technical foundation. As for *Unsafe At Any Speed*, White wrote:

Succinctly, this book belongs, in my opinion, in the archives discussing UFOs . . . My impression of Nader’s pseudo-technical nonsense was that it tended to create an impression that our roads were strewn with bodies, mangled and crushed in accidents caused by a “killer car” . . . that General Motors Corporation was a giant monster living among our citizens, eating them up when it was hungry and milking them of their money by selling them metal monsters designed to kill them . . . that General Motors had traded safety for profits by designing the Corvair with papier-mâché components and deleting others which would make the vehicle safe to drive . . . that any changes in the design of a vehicle from year to year are prima facie evidence that the manufacturer did not know what he was doing in the first place . . . that the Corvair was described as behaving abnormally under normal driving conditions.<sup>17</sup>

These statements may also warrant a certain amount of discount-

ing, for White was as favorably disposed toward the automobile industry as Nader was in the opposite direction. Essentially, however, they are an accurate description of the tone and intent of *Unsafe*.

Although all attention was focused on the allegations regarding the 1960-1963 Chevrolet Corvairs, *Unsafe* also condemned the 1963 Buick Roadmaster and the 1964 Ford Mustang, and flailed not only General Motors but all car manufacturers, plus the tire manufacturers. For good measure he also questioned the usefulness and/or integrity of the Society of Automotive Engineers, the National Safety Council, the Auto Industries Highway Committee, the American Association of Motor Vehicle Administrators, the National Committee on Uniform Laws and Ordinances, the Automotive Safety Foundation, the Insurance Institute for Highway Safety, the American Automobile Association, the Auto Industries Highway Safety Committee—in short, the entire automobile and highways and traffic safety establishment, both federal and local, private and nonprofit. Not neglected were the media for what he considered to be their uncritical support of the auto industry. As for automobile design in general, enough nits were picked to place the lice population on the endangered species list.

Unlike Andrew White, the salient impression I came away with from *Unsafe* (other than that automobile company executives are strangers to all human decency and compassion) was that automobiles, not their drivers, were always to be held accountable in accidents. Deaths and injuries resulting from accidents were the fault of unsafe vehicle design, not the initiating driver errors. Wrote Nader:

The failure of the [automotive] establishment to provide some empirical basis for its driver-oriented nostrums is fully consistent with the purpose of concentrating on the driver in the first place. That purpose is to divert attention from the vehicle, not really to understand driver behavior, because a sincere attempt to understand driver behavior would inevitably bring under discussion the engineering of the vehicle. To take a fairly simple example, many drivers respond to an emergency situation by a sudden application of the brakes, which can easily make the brakes lock and lead to loss of steering control. There is substantial evidence that the loss of steering control with locked brakes is highly dangerous and has led to many collisions with other vehicles or roadside objects. There are two approaches to solving this problem; either trying to teach drivers that during emergencies they must not resort to a sudden

application of brakes which, *because of their design* [emphasis added], will lock; or trying to persuade the manufacturers to provide cars with anti-locking brakes. It is not difficult to choose the more feasible approach. But although anti-locking brakes have been in use in aircraft since the thirties, the automobile makers have done very little research and development in this area—at least, very little that is publicly known.<sup>18</sup>

But how does a driver get into an emergency situation in the first place other than, in almost all cases, because of some kind of error committed by him or somebody else—driving too fast,\* following too closely, sheer inattentiveness, etc.? Today, antilocking brakes are either standard equipment or an available option on most new cars, and now we have problems with drivers who don't know how to utilize them properly—by applying firm, steady pressure on the brakes—because they were always taught that you should *pump* the brakes to keep them from locking. Contrary to Nader's assertions, there is only so much that technology can do to save drivers from themselves.

As for teaching drivers the techniques of avoiding emergency situations, Nader had little faith in the value of high-school driver-education courses:

Even after the elements of the driving task are understood, it may be revealed that the time and resources necessary to upgrade driver control and response to highway situations are not practical and are replaceable by cheaper and more effective engineering innovations which adapt to human limitations.<sup>20</sup>

In other words, in the gospel according to Nader, the most that ought to be expected from the driver of a car is that he know the “elements”—how to start the thing, put it into gear, aim it and stop it. Beyond that, any emergency situation he may get himself into that results in injury becomes the responsibility of the car's designer.

(Even so, Nader told an interviewer that what pushed him “over the edge” into running—sort of—for president in 1966 was President

\*In this regard, it is noteworthy that “the most dangerous car on the road today” is another Chevrolet product, the Camaro. It's not because it has any known safety defects but because, says the Insurance Institute for Highway Safety, as a high-performance “muscle car” the Camaro is “frequently driven in such a way that makes it the most lethal set of wheels on U.S. Highways.”<sup>19</sup> This was in fact one of the arguments GM used in defending the Corvair.



Clinton's "callous" decision to abolish the federal 55-mile-per-hour speed limit.<sup>21</sup> Which would kind of seem to conflict with his position regarding the role—the nonrole, that is—of drivers in accidents, except that he probably meant that this was another instance of the government shirking its duty to protect us from ourselves. That is, it's not the driver's responsibility to drive prudently. Another implication was that the states were not competent to set rational speed limits on their highways.)

Speaking of nostrums—vehicle-oriented, not driver-oriented—the air bag is a prominent one which Nader and many others championed. On a doom-and-gloom antinuclear power page I found on the World Wide Web, the author quoted President John F. Kennedy as saying in 1963, three months before his assassination, "If even one child loses its life because of nuclear power, it is not worth the cost."<sup>22</sup> Although they had already saved some 1,700 lives at the time I began this chapter, deploying air bags had also killed 54 people, 34 of them young children riding in the front passenger seat. What would Kennedy have said about, not one, but more than *thirty* children losing their lives because of air bags? And the toll has since risen higher.

The air bag is another advance in automobile safety that has necessitated driver reeducation, in this case teaching parents never to let small children ride in the front passenger seat, especially babies or toddlers in rear-facing child-restraint seats, but always to secure them in the back seat. Yet adult drivers too have been killed, although most of them were not using seat belts. Small women, who have to move the seat all the way forward in order to be able to reach the brake and gas pedals, are especially at risk. The National Highway Traffic Safety Administration has also found that elderly drivers are prone to air-bag injury.

Air-bag tragedies, relatively rare though they are compared to the number of lives saved, soon suggested the need for certain "fixes," such as allowing dealers and repair businesses to deactivate the bags upon authorization of the owner, or installing dashboard on-off switches, or to redesign the bags to deploy more gently. (But slower opening air bags would seem to defeat the primary purpose of the bags, which were originally designed to protect an unbelted 170-pound adult in a 30-mile-an-hour collision—and presumably to offer at least some protection in higher-speed crashes—by deploying in a split second.) The NHTSA is also encouraging the development of "smart"

bags that can sense the weight resting on the passenger seat. Below a certain weight, that of a small child or perhaps just a package, the “smart” bag would not be activated.<sup>23</sup>

The NHTSA eventually did say it would allow car owners to install an on-off switch (at a cost of about \$150)—those, that is, who go through a seven-step process, which includes the filing of a signed pledge documenting why a switch is needed.

It’s a small victory for consumers, even though giving people the right, however limited, to decide for themselves whether they want air bags goes against everything the crusaders hold sacred—their mission to protect us from every sling and arrow of outrageous, or even ordinary, fortune whether we want to be protected or not.

It is also extremely costly to replace air bags that have been deployed in an accident, so costly that it is sometimes cheaper for insurance companies to declare a car totaled rather than to pay for repairing it and replacing the bag or bags, even though damage to the car itself may be minimal. This is surely a waste and is something else Nader never considered, and probably doesn’t care about. It’s not his money. It’s never the crusaders’ money.

It’s also never their own tails on the line. Said Andrew White in testimony before a congressional subcommittee on traffic safety in 1957: “Until any engineer or advocator is willing to endanger his own life in actual crashes, he should be most hesitant to suggest that other human beings place their lives in his hands by following his recommendations.”<sup>24</sup>

White was speaking of the use of lap belts, which he believed were more dangerous than no belts at all without being used in conjunction with some kind of shoulder restraint. This was before the shoulder belt/lap belt combination became standard. But his words certainly still apply to the air bags that Nader called a simple and failsafe safety device.

The Naderite view of the world is also reflected in at least one lawsuit involving air bags—the absence of them, that is. The family of one Rebecca Ann Tebbetts, who was killed in an accident in a 1988 Ford Escort, contended that her life could have been saved had the company made air bags available in that model. No less than the Supreme Court ruled that the family could sue Ford because it didn’t install every conceivable safety feature in all its cars.<sup>25</sup>

At least one early pioneer of the air bag concept did put his own

tail on the line, at least in a laboratory setting. In the mid-1960s, to test proposed air-inflatable seats for Apollo astronauts at Baltimore-based Martin Company, biophysicist Carl Clark was dropped from increasing heights inside a box while lying between two air bags. This led to work on an air bag safety system for automobiles he called the Airstop Restraint System. The bags were reusable because they were inflated by air canisters that could be refilled at a service station, not explosive sodium azinide used in today's air bags.

The automobile manufacturers had also been studying air bags, but (shades of the evil tobacco companies) “their technical work was done in secret,” says Clark. “. . . [T]hey didn't want us stirring the pot . . . It was frustrating to see the opposition of the auto companies. They would tell my bosses that their research showed that air bags don't work, at the same time that I was doing work that showed that they worked very well.”<sup>26</sup>

Clark is a true Naderite, however, in his belief that there is no reason anyone should be hurt in any kind of car crash. He has patented a solid-fueled, forward-facing retrorocket brake that could slow a car from 55 miles per hour to eight miles an hour in just 23 feet of travel.

“Why is it that we accept a vehicle crashing when the driver has her [or his—D.O] foot on the brake and intends to stop?” he asks.

Why, indeed? Unfortunately, some people drive so fast and so close to the car ahead that they don't have time to hit the brakes, so even retrorockets wouldn't save them. Whoever designed the human nervous system has a lot of explaining to do.

GM's CLUMSY COUNTERATTACK against Nader—which resulted in a \$26-million lawsuit filed by him and a congressional hearing at which GM president James Roche publicly apologized to Nader—was actually its second mistake. Its first mistake was settling a prior lawsuit against the Corvair. In the field of product liability, lawsuits beget lawsuits.

By the time *Unsafe* had come out in 1965, more than a hundred such claims had been filed by legal sharks who had caught the scent of a product in trouble. As early as October 1962, an advertisement published in a number of legal journals around the country solicited an exchange of information among attorneys representing plaintiffs in suits against the Corvair.<sup>27</sup> By June 1964, one Los Angeles law firm alone had filed 24 of them. One was *Rose Pierini v. Washburn Chevrolet and*

*General Motors Corporation* for \$300,000 in damages. Ms. Pierini had lost an arm in an accident in her Corvair. Three days into the trial—after the jury had been shown pictures of the unfortunate woman’s bloody stump taken at the hospital—GM offered to settle for \$70,000, which plaintiff accepted.

This was trumpeted by her attorney as a victory over GM during a television newscast, which included a film showing an overturned Corvair, although the film had not been offered in evidence at the trial. Wire services picked up the story. A Canadian scandal tabloid called *Midnight* screamed: GM CARS ARE DEATH TRAPS; HUSHED UP EVIDENCE REVEALED IN COURT—WOMAN AWARDED 70G FOR LOSS OF ARM IN DEFECTIVE CORVAIR.<sup>28</sup>

GM fought back after that, and in the next two cases that went all the way to conclusion, juries found for the defense. Although Nader went into detail about the Pierini suit in *Unsafe*, he mentioned these vindications of the Corvair only in passing. He also noted that GM had paid out hundreds of thousands of dollars in other cases, ignoring the probability that many, if not all, of them were nuisance suits that all deep-pocket corporations are hit with and which they consider simply an inevitable part of the cost of doing business.

*Unsafe* was published in November 1965. In December, Corvair registrations dropped 42 percent below those of December a year earlier, and subsequently there was never to be a month in which Corvair registrations were able to match those of the year-earlier month.

In 1970 the National Highway Traffic Safety Administration contracted with Texas A&M University to launch an investigation into the 1960-63 Corvairs, and in mid-July 1972 released its final report in which it exonerated the car of all charges, concluding “that the handling and stability performance of the 1960-1963 Corvair does not result in an abnormal potential for the loss of control or rollover and that its handling and stability performance is at least as good as the performance of some contemporary vehicles, both foreign and domestic,” and “that no safety related defect exists with respect to the handling and stability characteristics of the 1960-1963 Corvair.”<sup>29</sup>

As for that footage of a Ford test driver overturning a Corvair that Nader cited in the 1972 Introduction to *Unsafe*, one Corvair enthusiast and historian, Kent Sullivan, says that “The Texas A&M researchers did a frame-by-frame analysis of the film and found that the driver was

intentionally trying to roll the Corvair but not the other cars on the track.”<sup>30</sup>

A syndicated financial columnist named Don Campbell wrote on July 26, 1972:

Nader predictably has labeled the study that he himself insisted on as a whitewash. Which if true, considering the number of governmental agencies, impartial testing groups and educational institutions engaged in it, would have to involve a conspiracy, that in scope, would make the Tea Pot Dome Scandal look like a shake-down on the school playground. The significance of it is a little numbing. The Corvair affair not only catapulted Nader from obscurity into his present role of one of the country’s best-known men, but it launched the whole consumer action movement that almost daily makes headlines in every newspaper in the country. And the seed of it all was a charge that present evidence indicates wasn’t even true.<sup>31</sup>

But by 1972, of course, it was much too late; the Corvair had already been out of production for three years. Incidentally, Nader somehow omitted mentioning the NHTSA’s vindication of the Corvair in his updating introductory chapter to the 1972 reissue of *Unsafe*. While not referring to the report directly, he did however seem to imply darkly that it was part of a deal between the NHTSA and GM. In connection with a suit filed by Ford, Chrysler and American Motors to delay the implementation of a proposed NHTSA regulation regarding air bags, he wrote:

It is noteworthy that General Motors has not joined the industry law suit. While it has nodded public concurrence with the actions of its colleagues, GM officers have privately been boasting to the NHTSA about advancements in their production model air bag. GM’s motivations were mixed. President Ed Cole was said [by whom?—D.O.] to be elated at the price increase he could charge for the air bag, while heaping the blame for the increase on the government. Also, by not actively opposing the embattled agency, GM expected reciprocal sympathy toward the company and its products—in the NHTSA’s investigations of Corvair defects, for example, including carbon monoxide leaks from the heater system in 1961-69 models [that means *all* Corvairs ever built—D.O.] . . . Administrator [Douglas] Toms, believing it critically important to success in court for GM not to be a party to the passive restraint suit, has privately played down the urgency of other agency matters

pending against GM in order to retain the company's good will, naively expecting that this violation of his public trust will serve as a deterrent to GM's doing what comes naturally.<sup>32</sup>

Whether Nader really meant to imply that the NHTSA's investigation into the Corvair's handling and stability was among those "other matters" pending against GM, and that the agency's clearing the car of all charges was a quid pro quo deal between it and the carmaker—the NHTSA would exonerate the Corvair and in return GM wouldn't oppose air bags—only he knows (and will never tell).

The Corvair is but one example of how the media help us "know" things that ain't so. As late as 1997, a program on the History channel on cable TV retold the whole gory story of the unfortunate car. Not a mention of the NHTSA investigation and verdict.

For years I've blamed Ralph Nader for the demise of the Corvair, but recent surfing of Corvair sites on the Internet persuades me otherwise. From one of them:

The myth that Nader killed the Corvair still pervades the U.S. today, even after 25 years since the last Corvair rolled off the production line. In fact, Nader was probably responsible for keeping the Corvair *alive* [emphasis in original] from 1967 to 1969! The most likely cause of the Corvair going out of production was Ford's introduction of the Mustang in mid-1964 . . . Shortly after the introduction of the Mustang, Corvair development was internally stopped by GM (in early 1965), and development of its replacement (the Camaro) began. Corvair production continued all the way out to 1969 in spite of the deliberate developmental halt by GM, but the production was sharply curtailed by GM (rather than by sales as many have suggested). Some people speculate that Nader's drum-beating, and the flurry of lawsuits, actually prompted GM into keeping the Corvair alive in limited, but decreasing, production in 1967-1969. Without Nader (and his book), the Corvair might have vanished after 1966.<sup>33</sup>

Others have different opinions. About all that can really be said for sure is that Ralph Nader was the right man at the right place at the right time—with the wrong target. Surprisingly—or not so surprisingly, because the Corvair really was a damned fine car—the Corvair yet lives today. There are dozens of Corvair enthusiast clubs all over the country, as well as companies specializing in Corvair parts.

The first Corvair came off the line on July 7, 1959. Between that date and May 10, 1969, when the last one was built, 1,669,482 were sold in this country. "It is interesting to ponder," wrote Andrew J. White in *Assassination*, "why so few people were killed by more than a million six hundred thousand of these alleged 'unsafe monsters.'"<sup>34</sup>

Criticism of the automobile industry is hardly new, though the complaints were usually about the quality of its products, not their safety. In Arthur Miller's play, "Death of A Salesman," Willy Loman muttered about "That goddam Studebaker!" I well remember that in the immediate post-World War II years many people complained that the automakers were using thinner and flimsier sheet metal than they had in prewar cars.

Yet to give Ralph Nader his due, the automobile industry has from its inception kicked and screamed against just about every safety or convenience improvement ever conceived, from windshield wipers to seat belts. If it took the "assassination" of the Corvair to force the automakers to start building better and safer cars, it would have been worth it. (It was actually competition from foreign imports that provided the real incentive to the U.S. industry.) But as for helping instill the fear of *everything* in Americans which, rightly or wrongly, I have given Nader so much credit for, that is something else again.

A final note: in the immediate wake of the Corvair flap, in the spirit of *Unsafe At Any Speed* and in keeping with the popular belief that for every problem there must be a legislative solution, the more far-reaching the better, in February 1966 a bill establishing specifications regarding the lateral stability of automobiles was introduced in the Michigan Senate. Had it been passed into law and enforced, the measure would have banned from Michigan highways every automobile ever made in the United States.<sup>35</sup>

ON THE BASIS OF the fame, and a \$480,000 settlement, General Motors bestowed on him, Ralph Nader was established as the patron saint of consumer advocates, going on to attract a corps of idealistic young dogooders—the accurately named "Nader's Raiders"—and enabled to found at last count some 28 consumer-protection and public-interest groups and lobbies dedicated to ferreting out what he termed "crime in the [corporate] suites."

One of these groups, the Center for Auto Safety (CAS), was to

play a prominent role in the hysterical trashing of another fine car, the Audi 5000. The allegation inspiring a host of lawsuits against the Audi was that, for some unknown reason, it would suddenly rocket forward, or backward, even though the driver swore he had his foot on the brake pedal, crashing through garage walls or into trees or other cars. The same “problem” was reported with other makes of cars, but it was the Audi 5000 that became the target of this crusade. Feeding the frenzy was the CBS news program “60 Minutes,” on which in a 1986 broadcast reporter Ed Bradley interviewed a grieving mother who, at the wheel of an out-of-control Audi 5000, had crushed to death her 6-year-old son in the family’s garage.<sup>36</sup>

It was natural for the CAS to hop on this crusade because the Founder had already been there. In *Unsafe* Nader had cited five cases of what he called “transmission-induced, engine-powered runaway” accidents, the occurrence of which was “rising alarmingly” because of more powerful engines and automatic transmissions. Cars were suddenly jumping forward or backwards, crashing through store windows or into people’s backyards, running over and injuring or killing innocent bystanders.<sup>37</sup>

He lambasted the automobile manufacturers for putting the Reverse and Drive positions next to each other on the steering wheel shift quadrant. But that was changed in 1966, with Neutral being placed between Reverse and Drive, so it was not a factor in the later Audi accidents (and probably wasn’t in the ones Nader cited). Most significantly, every “sudden acceleration” incident with the Audi began from a dead stop after the driver had shifted into gear. And in every case, the brakes and transmissions and cruise controls and electronics on the cars involved in such accidents were found to be in perfect working order. Audis were torn apart and put back together again, but no cause for this mysterious behavior was ever found, for the simple reason that panicked drivers *thought* they were stepping on the brake but were actually pushing the gas pedal, and the harder they pushed the faster and farther the car went.

The only good thing to come from it all was the introduction of an additional idiot-proofing improvement in the form of transmission shift-locks which require a driver to put his foot firmly on the brake pedal *before* shifting into gear. But it cost Audi millions of dollars in investigating the charge and defending itself in court and settling claims,



and millions more in lost sales. It cost other millions to owners of Audis in terms of the reduced resale value of their cars.

Yet even though the National Highway Traffic Safety Administration examined 400 Audi complaints, 300 accident records, 175 injuries and four deaths and eventually gave the Audi a clean bill of health (as it had the Corvair), its finding was dismissed as “incompetent nonsense” by Clarence Ditlow of the CAS. Another one of those government coverup deals and whitewashes, obviously.

Peter W. Huber, who recounts the history of the Audi 5000 in *Galileo's Revenge: Junk Science in the Courtroom*, notes that this car had one of the lowest fatality rates of any on the market, according to both the Insurance Institute for Highway Safety and the NHTSA. He concludes:

So at the end of the Audi story, only a few numbers remain utterly beyond dispute. Audi lost a few cases and paid millions in damages and settlements. Its sales plummeted, from a peak of 73,000 cars in 1985 to 23,000 in 1988. Where did the 50,000 lost buyers choose to shop instead? Wherever it was, they very likely ended up in less safe cars.<sup>38</sup>

Did Clarence Ditlow or any other consumer crusader apologize to Audi or Audi owners? Silly question. Like antismoking activists, consumer crusaders never admit to overzealousness, much less to error. As for “60 Minutes,” when the NHTSA’s clearing of the Audi was announced, the show actually reran its tearful 1986 story.

No, consumer crusaders are never wrong and never apologize. And the public admires and honors them.

WHAT HAS ALL OF the foregoing to do with a book that is supposed to be about smoking? Well, one connection is that the day I drove my new Corvair home from the dealer’s and looked it over admiringly I discovered that during its assembly someone had tossed a cigarette butt into the trunk—and it had been neatly painted over! That told me something either about Chevrolet’s or Fisher Body’s quality control at the time or the work ethic of the highly paid members of the powerful but always dissatisfied United Auto Workers. Maybe both.

But the main reason I have written at length about Ralph Nader and automobiles is because (1) it was an automobile that made him famous and because (2) like the antismoking crusaders, he has, in my

opinion, exerted, and continues to exert, a malevolent influence upon American society. Nader and those he has inspired to emulate him are responsible in large measure for the public's readiness to believe any and every scary allegation about an endless list of health and safety and consumer product and environmental perils (of which smoking is but one) and to distrust the motives and ethics of large corporations (of which the tobacco industry is only the most prominent example) simply because they are large and wealthy and, presumably, all-powerful.

(For an exhaustive treatment of the most important of these alleged perils in terms of their financial and social cost, and an exposure of the antitechnology mindset of the crusaders who promote them, I recommend Michael Fumento's *Science Under Siege*. His book is a good companion to Huber's *Galileo's Revenge*, which relates how trial lawyers, armed with the weapon of "strict liability," have transformed America's legal system into a battle for the hearts and minds of jurors, a battle waged between cautious, tentative sound-science reasoning and the junk-science argument that if something is remotely possible—like, say, a certain chemical causing cancer—even if it is impossible to prove one way or the other, we ought to give the plaintiff the benefit of the doubt and sock it to the manufacturer or the industry.)

I have also picked on Ralph Nader because he epitomizes the arrogance and hypocrisy and self-righteousness of so many crusaders. A good example of all three traits on Nader's part are the Public Interest Research Groups (PIRG) he set up on a number of college campuses. Just what kind of "public interest research" they did or if they still do it, I don't know, but I first became aware of them in the late 1970s when my son was attending Worcester Polytechnic Institute in Massachusetts. One of the tuition bills I received listed a fee for that school's PIRG. It must have been identified as a Ralph Nader group because I remember being somewhat surprised and a little incensed that Mr. Nader would countenance this method of funding that did not ask a student (or his parent) whether or not he wished to support the PIRG. At the time I was not yet completely disenchanted with Nader and, as I have said, all my years of smoking have damaged my brain, so I don't remember if I did any more than mutter and go ahead and pay the bill. It was only a few dollars.

According to a political action group called Real People for Real Change PAC (political action committee), one school, Penn State, "de-

clined Nader's PIRG group's coercive funding and [its Board of Overseers] voted instead to let students check a box to make a donation . . . a perfectly reasonable compromise. Nader blasted this plan as a 'sabotage technique' and 'tyranny 1776 style' and then announced an investigation of the school's trustees for 'conflicts of interest.'"<sup>39</sup>

Forced payments could have brought in \$270,000 a year at Penn State, says Real People, compared to only \$30,000 from a voluntary check-off. At least 145 colleges in 20 states were involved with PIRGs in the mid-1970s and these forced payments were raising over a million dollars a year. The actual amount is unknown because Mr. Nader does not reveal information about the finances, or the financing, of his various projects, nor does he appreciate questions about his integrity.

An illustration of the first trait—arrogance—as well as a fourth—insensitivity—on Nader's part can be seen in an exchange between the crusader and Utah Republican Senator Jake Garn during a Senate Banking Committee hearing into the Chrysler bailout in 1979. Nader was demanding that the company be required to promise to make safer cars. To which Garn retorted, "I would suggest that if the American consumer knew what you had cost us in the name of consumerism they would run you out of the country." Then followed this dialogue:

**Nader:** I suspect, Senator Garn, that some senator's personal tragedy might not have occurred if the auto industry had listened to some of us in the early years to build safer cars.

**Garn:** Mr. Nader, I take exception to that. I think that is one of the cruelest comments you have ever made. Yes, my wife died in an automobile accident.

**Nader:** And she could have been saved. She could have been saved with cars that should have been built twenty years ago.

**Garn:** You always know about everything, don't you? You know the circumstances of the accident, you know how it happened, do you?

**Nader:** Yes.

**Garn:** You do?

**Nader:** Yes.

**Garn:** Well, tell me about it, then. Let's find out if you do.

**Nader:** I will tell you when this hearing is finished.

**Garn:** No; I want to know right now. You made an assertion. Let's put some facts with your assertion.

**Nader:** It was a crash in Utah, I believe.

**Garn:** No it was not. It was in Nebraska.

**Nader:** All right, Nebraska. That's hardly relevant.

**Garn:** Typical of your research.

**Nader:** And it was a crash that was under a 60-mile-an-hour collision level, and that level of crash should be survivable.

**Garn:** It was not a crash. It involved no other vehicle.

**Nader:** It was a rollover, wasn't it?

**Garn:** Yes.

**Nader:** And a rollover is exactly the kind of preventable injury that the auto companies could have designed for, compared to, say, being hit head on by a trailer truck.

**Garn:** Are you aware she was wearing a seat belt?

**Nader:** Yes.

**Garn:** Her seat belt was on and fastened. Are you aware that three of my children happened to be with her, and had no seat belts on at all and had no injuries whatsoever?

**Nader:** I don't think you are ascribing that tragedy to the seat belt.

**Garn:** That the personal tragedy of losing my wife of nineteen years . . . to interject that into a hearing. . . . What kind of human being are you?

**Nader:** A human being who is working to save lives on the highway. Don't try and overemote. I'm saying that safer cars would have saved many Americans, including people in a crash of that kind. And for you to try to pillory me because I am trying to say that your wife could have been saved in a casualty of that kind as you do is irresponsible.<sup>40</sup>

Even if I were a U.S. senator, I would no more argue with Ralph Nader than I would attempt to reason with a dedicated antismoker. So utterly convinced of the rightness of their opinions are such True Be-

lievers that anyone who challenges them must be either hopelessly ignorant or operating from ulterior motives.

A MILLION DOLLARS A year (or whatever the figure is or was) raked in by Nader's PIRGs is a piddling sum compared to the tens and hundreds of millions of hidden dollars the public-interest groups and consumer advocates have cost and are costing the American public. It would take an entire book to explore merely the most notorious examples (and Fumento has done just that in *Science Under Siege*), but here are a few of them:

Alar. This was a growth-regulating chemical developed by Uniroyal Chemical Company in the 1960s and approved by the Department of Agriculture for use on a variety of fruits. It was mostly sprayed on apple orchards, however, because it accorded a number of advantages, such as the ripening of the apples in an entire orchard at the same time, more uniform shape and color and longer shelf life. Unfortunately, four highly suspect studies in the 1970s claimed that an Alar breakdown chemical called UDMH induced tumors in laboratory mice. In disregard of the finding of its own Scientific Advisory Panel that the studies were seriously flawed, the EPA (which really stands for "Everything's Potentially Awful" although the official name is the Environmental Protection Agency) listed Alar and UDMH as "possible carcinogens."

That's all it took. The "public-interest" litigation group, National Resources Defense Council (NRDC), launched a campaign against Alar. Ralph Nader got into the act, with his Public Citizen Group joining the NRDC in a suit to force the EPA to ban Alar. When the suit was thrown out of court they switched to public relations (i.e., fear) tactics. CBS's Ed Bradley and "60 Minutes" again did what they could to fuel the alarm by telling Americans on a broadcast on February 26, 1989 that Alar is "the most potent cancer-causing agent in our food supply."

Unlike the short-lived Great Cranberry Scare in the fall of 1959, the Great Apple Scare of 1989 had far-reaching and long-lasting success—if by success one means the elimination of a useful chemical, the unjustified indictment of two industries and the loss of livelihood of many hapless apple farmers. For as the result of "one of the slickest, most cynical fear campaigns in recent American history," writes

Fumento, over 500 schools in California yanked apples, apple sauce and apple juice from their cafeterias, grocery stores across the nation pulled apple products off their shelves and threw out their fresh apples, and panicked consumers stopped buying and eating apples or apple products. The price of apples plummeted. Apple growers in Washington state, which grows more than 50 percent of the nation's apples, alone lost \$135 million in 1989 and some small family-owned orchards went down the tubes.

In May of that year the apple industry capitulated and announced that it would stop using Alar, and Uniroyal decided to end both domestic and foreign sales of the chemical (even though, for some reason, Alar never caused cancer, real or imagined, in people or in mice, anywhere but in the United States.) Ah yes, 'twas a great victory in the name of consumer protection. Uniroyal and most of the apple growers will survive but, points out Fumento, "The ultimate victims are those for whom the NRDC claims to be an advocate, the consumers." He sums up the story with this warning:

"The battle against Alar was merely a small part of the war against pesticides in general, which is a small part of the war against man-made chemicals in general, which is a small part of the war against technology in general. And make no mistake, the assailants, the besiegers of science, will settle for nothing short of total victory."<sup>41</sup>

Irradiated foods. Alar is gone and forgotten by most people, but there's another battle—this one not over a product but a process, the irradiation of food—that has been simmering for decades and which the crusaders have so far been winning.

Irradiation is the bombarding of an item of food, say a bag of potatoes or a chicken, with ionizing radiation from various sources, the same kind of radiation used in X-rays, in a special chamber. Most of the radiation passes through the substance, but enough is absorbed to kill insects and the bacteria that cause such nasty and potentially lethal illnesses as salmonella. No radiation remains in the product, any more than an X-ray makes a person "radioactive." Irradiation can also prevent fruits and vegetables from ripening too early. Its greatest virtue is that it greatly prolongs shelf life, as long as eight years for a precooked, vacuum-sealed chicken, for example.

Anti-irradiationists point out that the amount of radiation used—

thousands of rads (a rad is a measure of radiation)—would also kill a human being. However, you'd have to climb into the chamber along with the chicken for that to happen. The heat used to prepare a vegetable for conventional canning or the low temperature of frozen-food processing equipment would also thoroughly cook your goose, or freeze it, as the case may be. Opponents—among whose number is the Public Citizen Health Research Group, founded by our old friend Ralph Nader—also contradict their own fear argument regarding the danger of radiation by pointing out that, because no radiation remains in the irradiated product, it has to be sealed in order to prevent post-sterilization contamination. Yet the same is true of *any* preservation process.

Canning and freezing have been around a long time and have served us very well; why do we need another food preservation process? Because of irradiation's superior sterilizing ability, as well as, as stated above, the longer shelf life it affords. As for the "traditional" processes, it's an unusual householder who has never at some time or other reached for a can of, say, stewed tomatoes in the pantry and noticed a suspicious bulge in the can and wisely threw the can away, or who has not retrieved a package of frozen fish from too long a sojourn in the freezer and found the fish had a peculiar odor and the consistency of plastic. Anti-irradiationists also claim that consumers would reject irradiated products, even as they do their utmost to see that consumers never have the opportunity to make that choice.

Irradiation itself has also been around for quite a while. The Army pioneered its development beginning in 1943, but it was not approved for use by the food industry until 1986 when the supercautious Food and Drug Administration finally allowed the process for grains, vegetables, fruits and spices. Up to now, however, it has been used mainly for the latter. (I report this at risk of inciting some easily scared people to shout: "My God, you mean the spices in my pantry have been irradiated all these years? That must be why I have these back pains. Somebody do something!")

Consumers in some 24 other countries can buy irradiated foods. But you can't get them in America unless you're an astronaut. (Crew members aboard the space shuttle eat irradiated food, including steak.) You can't buy them in Maine because that state has outlawed irradiated food completely. In other states you can't buy them simply because the industry hasn't made them available.

And why, pray tell, hasn't the food industry offered irradiated foods as an option to the consumer? Because everybody is waiting for somebody else to go first. They know that whoever goes first will be the target of vicious attacks by the consumer "protectors."

Wrote Richard Rhodes in *The New York Times*:

Food irradiation would have prevented the illnesses caused recently [August 1997] by contaminated hamburger from Hudson Foods and the several deaths linked to Jack in the Box restaurants in the Northwest in 1993. It could kill the salmonella that infects up to 60 percent of the poultry and eggs sold in the United States; the deadly mutant *E. coli* strain 0157:H7, which the Centers for Disease Control and Prevention have characterized as a major emerging infectious disease, and such ugly stowaways as beef tapeworms, fish parasites and the nematodes that cause trichinosis in pork.

Yet the new meat inspection system now being phased in by the United States Department of Agriculture does not even mention, much less mandate, irradiation. Neither Agriculture Secretary Dan Glickman nor the Food and Drug Administration invoked food irradiation as a solution to the Hudson Foods situation, preferring instead to press for destruction of 25 million pounds of meat that could have been made edible with the technique.

A petition for authorization to irradiate red meat has languished at the FDA since 1994. Several states, including New York, have responded to pressure from citizen groups by either banning or imposing a moratorium on the sale of irradiated food without reviewing scientific evidence of the technology's safety and value.

Why the gap between promise and application? Because food irradiation—like cancer treatment, medical diagnostics, sterilization of medical disposables, aircraft maintenance and many other technologies—uses radioactivity, which Americans have been taught to fear . . .

Some anti-nuclear and environmental groups have campaigned against food irradiation, even imagining a conspiracy among the Food and Drug Administration, the World Health Organization and the nuclear power industry to use the process to dispose of nuclear waste.

Similarly fanatic resistance plagued the introduction of vaccination, water chlorination, pasteurization and fluoridation—comparable technologies that have reduced disease and saved millions of lives. The unsupported fears of the Luddite opposition are making people suffer needlessly.<sup>42</sup>

After this was written, however, in December 1997 the FDA an-



nounced it would finally okay the use of irradiation for red meat.<sup>43</sup> Will anybody buy it? Not if picketing, protesting and propagandizing antis can help it.

In the meantime, by their opposition to irradiation, the antitechnology fearmongers have not only cost Americans millions or billions in dollars but actual deaths and serious illness from food poisoning. Yet they go on, and the public admires and honors them.

Chlorination. When it comes to lives sacrificed on the altar of Absolute Safety, water chlorination, which Rhodes referred to above, and which has been called the greatest triumph in the history of public health, was involved in perhaps the worst example of environmental idiocy in modern history.

It happened in Peru in the early '90s. Aware that studies by the American Environmental Protection Agency in the 1970s had “associated” the drinking of chlorinated water with a one in 100,000 chance of cancer, and under the delusion that the Norte Americanos must know what they were talking about, the Peruvian government decided to stop chlorinating the country’s water supplies.<sup>44</sup>

In 1991, an epidemic of cholera broke out in Peru, believed to have been started by bilge water dumped by a ship. The disease rapidly spread to the rest of Latin America and reached the United States in 1992 via an outbreak among 75 commercial airline passengers from Peru. (Ironically, in that same year the EPA decided that the link between chlorinated drinking water and cancer was not scientifically supportable.) The epidemic is reported to have caused as many as *one million* cases of cholera and as many as *10,000* deaths in Latin America.

According to the Centers for Disease Control and Prevention, after the onset of the Latin America cholera epidemic cholera cases reported in the U.S. increased from an average of five cases a year between 1965 and 1991 to 53 cases a year from 1992 to 1994, most of them acquired from abroad.

One Peruvian congressman told Michael Fumento that he hopes the United States can learn from his country’s mistake. “We’re ahead of the U.S.,” said Enrique Ghersi, “and have returned to the Middle Ages as a result.”<sup>45</sup>

And did the EPA learn anything? In 1994 the agency proposed—to the distress and alarm of state public health officials—a rule that

would require the nation's water systems to eliminate the process known as pre-disinfection. This unfunded mandate would cost local governments \$4 million a year and could force small water systems to abandon chlorination entirely, says Fumento.

As Robert Forbes of the Florida Department of Health and Rehabilitative Services put it, "The reduction or elimination of chlorination of drinking water to reduce the risk of . . . disease is analogous to reducing or eliminating air travel to protect people on the ground from being hit by falling aircraft parts!"<sup>46</sup>

**Dioxin.** Along with most other people, I always believed that this chemical compound was one of the most toxic substances ever created by man, a mere few ounces of which could wipe out a million people. Or so many "experts" said. It happens that dioxin is another "deadly" substance that is ubiquitous in the environment. It is released by incineration of wastes containing chlorine and is an incidental by-product of a number of different manufacturing processes, such as papermaking. (It may also occur naturally through such a simple act as burning wood in a fireplace, though scientists are in disagreement about that.)

There is actually a family of some 75 dioxins, but one form of it called TCDD is the main culprit involved in the highly publicized Love Canal, New York, and Vietnam War-era Agent Orange episodes. In 1994 the Environmental Protection Agency, on the basis of a few animal studies and once again ignoring the advice of its Scientific Advisory Panel, declared it a "probable human carcinogen." Yet while the residents of Love Canal and thousands of Vietnam veterans reported all kinds of illnesses caused by dioxin (after they were told how dangerous it is), there has *never* been a reported case of anyone dying from it. But "probable" or "possible" is all the justification the EPA ever needs to go to work.

Consider the "crisis" in Times Beach, Missouri, where oil containing dioxin had been spread on a road. When the EPA heard about it, it ordered nothing less than the evacuation of the entire population of 2,000 souls and the complete obliteration of the town at a final cost to the taxpayers in the hundreds of millions.

I never thought about what that actually involved until I saw a TV program called "Junk Science: What You Know That May Not Be So,"<sup>47</sup> hosted by ABC investigative reporter John Stossel, one segment of

which dealt with dioxin. (Others segments included the scares over salt in the diet, breast implants and “crack cocaine babies.”) Stossel\* showed people’s houses in Times Beach being knocked down, with trucks hauling away the remains, along with dioxin-contaminated soil, around the clock. The whole area looked like something out of a Michael Crichton novel: a once-living town now under quarantine with guarded gates.

For a dramatic contrast with Times Beach, Stossel took viewers to Seveso, Italy, where on July 10, 1976 an explosion in a nearby chemical factory released a cloud of dioxin that fell on the city with a concentration thousands of times higher than anything measured in Times Beach. The U.S. media were full of reports from Seveso of animals “deteriorating,” of deformed babies being born and dire warnings of all kinds of diseases the dioxin would eventually cause in the survivors of the accident because their immune systems were damaged. Many birds and small animals were killed by the fallout, but the only problems among humans were temporary cases of nausea, diarrhea, headaches and skin irritations. No one died and no epidemic of diseases has ever happened. Well, the first part of that statement is tragically not quite true: some 90 pregnant women were frightened into aborting fetuses that later were found would have been born as normal, healthy babies.

Today it’s all only a memory in Seveso. The dioxin has been buried and a public park planted on top of it. There are no gates or guards. Children happily play there and the birds sing. Meanwhile, in the once-upon-a-time land of the free and the home of the brave, the EPA continues to spend taxpayers’ dollars in a continuing effort to ferret out dioxin wherever it is found.

Regrettably, Stossel opened his program with some old TV cigarette commercials, such as “nine out of 10 doctors smoke Camels,” and a well-worn film clip of the seven tobacco company CEOs telling a

\* Who is a rarity among journalists in that he puts facts before scaremongering and values integrity above sensationalism. Stossel was not always so independent-minded, however. As he told *Los Angeles Times* reporter David Shaw: “[We] consumer reporters approached it [environmental news] from the bias that on the one hand is business, which is greedy and has an ulterior motive and will distort the data, and on the other hand is the noble environmental group, which has no motive other than to help the public. It took me years to realize that their data were often soft, if not absurd, and they had their own venal motives . . . to get on TV, to get famous, to get more grant money.”<sup>48</sup>

congressional subcommittee, in turn, “I believe nicotine is not addictive,” to illustrate people “knowing” something that isn’t so. It apparently did not occur to Stossel that by using the tobacco CEOs as an example of misguided thinking he was tacitly conceding that their beliefs about nicotine, even if in error, were genuine and sincerely held and not “perjured” testimony as the antismokers allege.

The tobacco industry was an easy target and most viewers probably nodded their heads in agreement. It was certainly a safer target than, say, “scientific creationism.” But at the conclusion of the program Stossel pointed out that scientific knowledge is continually changing as more evidence comes in and cautioned that some of things he had said pooh-pooing junk-science scares during the broadcast might also be proved wrong in future years. So maybe there’s hope for nicotine, although I’m sure he didn’t have that in mind.

Fear of dioxin also infected the residents of a predominantly poor and black Pensacola, Florida, neighborhood living near a 50-foot mound of dirt contaminated by residues of the chemical left by a wood treating company and a fertilizer plant when they went out of business. When the EPA started digging up the mound under its Superfund program, which cleans up toxic waste sites, people started getting rashes and coughs. “We pleaded with them to stop digging, but they wouldn’t listen,” one resident told a reporter.

They also suddenly realized why some of their former neighbors were no longer with them. “Man died of bone cancer in that house,” said another resident. “Then that second house, the wife died, both of them cancer. Then you come to our house. My uncle died four years ago of bone cancer.”<sup>49</sup>

The only thing these comments prove is that there is a very human need to find the reason—any reason—why dreaded diseases are visited upon us seemingly out of the blue, and why we are prey to those who offer simple answers. Enlisting the help of a national network of “toxic waste activists,” the residents finally persuaded The EPA to consider moving everyone out of the area, à la Times Beach.

The EPA’s war against dioxin goes on, despite the absence of any scientifically acceptable evidence that anyone has ever been harmed by it, much less died from it. One wonders how many more billions will have been spent before this crusade runs its course. Unfortunately, it is another example of how, when once this overweeningly powerful agency

sinks its teeth into some perceived environmental danger, nothing can make it let go.

BECAUSE THE FLORIDA incident above involved a predominately black community, this is a good place for a short break and digression into the subject of “environmental racism.” This is the charge that inhuman, profit-grubbing businesses have located, or would like to locate, environmentally dangerous plants in minority neighborhoods, which are usually poor and politically impotent and whose only defenders are the environmental crusaders.

The most recent example of attempted “environmental racism” was a plan by a Japanese petrochemical company, Shintech, Inc., to build a \$700-million polyvinyl chloride (PVC) manufacturing facility in Convent, Louisiana, beside another low-income, predominately black neighborhood. A local group calling itself St. James Citizens for Jobs and the Environment petitioned the EPA to block the plant, which the agency did. It ordered the Louisiana Department of Environmental Quality, which had approved the plant, to hold hearings addressing concerns raised under the federal Civil Rights Act.

“We believe it’s a tremendous victory and a historic moment,” said Pat Melancon, leader of the citizens group.

Nationally prominent black leaders as well as other environmentalists (whose own livelihoods as I have said are never at risk) also hailed the decision. “Right now,” said Monique Harden, an attorney with Greenpeace, “you are recording history in that a federal agency is telling a state agency that ‘You’ve got it wrong.’ And also that the EPA has concerns about the environmental justice issue as well.”<sup>50</sup>

Once again, for a breath of the fresh air of common sense, I turn to Steven Milloy’s Junk Science page on the Internet, on which he commented:

Without scientific evidence that the plant would cause any harm to the local community, [EPA] Administrator [Carol] Browner acted to ensure the community’s continued health and economic poverty. Plant construction would provide 2,000 jobs to community residents. Plant operation would provide 165 permanent jobs for which the average wage would be \$45,000. The current average income in the area is \$5,000. And since we know that “wealth equals health” (wealthier people/communities can afford better medical

care and have healthier lifestyles), ultimately it is the community residents' health that will pay the price.

So why is Administrator Browner blocking plant construction? Simple. Environmental racism is good politics. And, apparently, the black vote is more important to her than actually doing something beneficial for an impoverished black community.<sup>51</sup>

Eventually, Shintec abandoned its plan and thanks to the environmentalists' "tremendous victory" the residents of Convent, Louisiana, who overwhelmingly supported the company (but what do they know?), remain mired in the economic backwaters.

I leave it to the reader to judge who are the "environmental racists."

NOW BACK TO THE show. For much of what follows I am indebted to another recommended book, Cassandra(!) Chrones Moore's *Haunted Housing: How Toxic Scare Stories Are Spooking the Public Out of House and Home*. Her description of the role played by the EPA applies to the perils already listed above as well as those below:

"The Environmental Protection Agency has entered the regulatory dance, claiming that the imposition of federal standards can eliminate local threats to health, no matter how small—if they exist at all—and refusing steadfastly to consider the expense involved and the fear evoked."<sup>52</sup>

Radon. From a Utah Division of Radiation Control FAQ (frequently asked questions):<sup>53</sup>

Radon is a radioactive gas that has no smell, taste, or color. It comes from the natural decay of uranium that is found in nearly all rock and soil. When geologic conditions are favorable, the potential increases for high indoor levels of radon. . . Radon decays into radioactive particles that can be trapped in the lungs when inhaled. These particles release small bursts of energy that damage lung tissue and may lead to lung cancer. *Radon is the second leading cause of lung cancer in the United States.* [Emphasis added.] Only smoking causes more lung-cancer deaths, and smoking combined with radon is a particularly serious health risk . . .

This is a faithful, and uncritical, repetition of the official EPA line on radon. According to the EPA, household radon gas causes 7,000 to 30,000 lung cancer deaths each year in the United States, second only to smoking and is especially a hazard in combination with smoking.

But does it, and is it? According to Moore, “[T]he predicted risks from indoor radon are so small that they cannot be detected in any conceivable residential study.”<sup>54</sup>

Fumento again:

The EPA’s claim that radon levels in homes are carcinogenic, like so many of their assertions concerning carcinogenicity, is based on what’s called a linear, no-threshold extrapolation. [That is, there is no level of exposure below which a substance is harmless.—D.O.] This theory says that because a substance, such as Alar, or a number of pesticides which the EPA is preparing to ban, causes tumors in lab animals at doses hundreds of thousands of times greater than the doses that humans could possibly absorb, that humans are nonetheless at risk of developing tumors from these chemicals. But radon may turn out to provide the best evidence that this assumption, beyond being scientifically unproven, is demonstrably false.

. . . Happily, there have been a great number of studies on just this . . . Dr. Bernard Cohen,\* a radiation physicist of the University of Pittsburgh, has analyzed in repeated studies the relationship between lung cancer and residential radon levels in over 400 U.S. counties. Far from finding higher rates of disease among those with higher exposures, he found lung cancer rates in high radon areas were much lower, prompting his observation that, “The results are contrary to the predictions of the linear, non-threshold theory . . .”

Confirming Cohen’s work is that of physicist and radiation consultant Dr. Ralph E. Lapp of Alexandria, Virginia, who compared cancer rates to household radon rates in Morris County. In this area, the EPA shows an average radon screening measurement twice the EPA’s recommended maximum allowable level. Using the EPA’s own risk calculation, this exposure alone should produce 377 lung cancer deaths per year, over and above smoking-caused lung cancer deaths.

Yet, in all of Morris County, there were only 190 lung cancer deaths in the year Lapp studied . . .

Yet another research team doing testing in Florida reported, “People in localities with the highest radon levels have a lower percentage of malignant neoplasms [cancerous tumors] compared to people from areas with no radon exposure risks.”<sup>56</sup>

\*Who has also debunked claims about the deadliness of plutonium and once posed a challenge to Ralph Nader: Dr. Cohen volunteered to eat as much plutonium as Ralph Nader would ingest caffeine. Mr. Nader declined.<sup>55</sup>

Moore again:

Epidemiological studies found that in the three states with the highest mean radon levels in home living areas (Colorado, North Dakota and Iowa), the lung cancer death rate averaged 41 per 100,000, while in the three states with the lowest radon levels (Delaware, Louisiana and California), the rate averaged 66 per 100,000. In other words, the average lung cancer death rate was 29 percent *lower* [emphasis in original] in the states with the highest levels, a result that would give pause to anyone but an EPA administrator.<sup>57</sup>

Far from being deadly, low levels of radon (as well as some chemicals) may actually have a *protective* effect against diseases because they stimulate the body's defense mechanisms. This is called "hormesis." Says scientist Philip Abelson:

Some experimental data indicate no effect or a beneficial effect from small radiation exposure . . . Moreover, it has been shown that low-level radiations make the cells less susceptible to subsequent high doses of radiation. This adaptive response has been attributed to the induction of a chromosomal break-repair mechanism.<sup>58</sup>

The EPA of course does not recognize the concept of hormesis. Nothing has been able to move the EPA's radon policy a fraction of an inch, notes Fumento. "Why? As Bernard Cohen and a co-author, Harvard Medical School Professor of Medicine Graham Colditz, stated in a 1991 paper, 'A great deal more than radon is at stake here. If the linear no-threshold theory fails for radon, it must surely fail for all other types of radiation, and very probably also for chemical carcinogens.'"<sup>59</sup>

But when did the EPA ever pay attention to data questioning any peril it has proclaimed to be a real and present danger (and which incidentally underscores its indispensability as protector of the health of Americans, as well as creating work for its employees and persuading Congress to increase its budget)? But I forget: environmental guardians can never retract or retreat. The public might start wondering. In the meantime, it is the public that will literally pay, in hundreds and sometimes thousands of dollars, for the cost of radon "mitigation" and/or litigation. According to Moore:

In response to the perceived threat, 13 states have in fact enacted legislation mandating disclosure [when a house is sold] . . .



Radon has been a boon to business as firms have emerged to market radon testing kits to provide mitigation should the tests reveal a problem . . . Aided and abetted by rising worry about cancer and health in general, the agency has in essence constructed a house of cards. On the shaky foundation of questionable scientific evidence, it has made a conscious effort to frighten the consumer . . . EPA and Congress, aided and abetted by fear of liability, have succeeded in complicating further the already complicated transaction of a home sale.<sup>60</sup>

Lead. Like radon, this common and useful metal has been around since the earth was formed and has been utilized by humans for at least 5,000 years. Says one source: “The Romans were the first to mine and industrialize its use in the fabrication of sheet lead and pipe for their elaborate water supply systems. They also utilized it in wine casks and eating utensils. Historians tell us today that the Romans may have actually fallen victim to their own progress and their society’s decline may be attributable to massive lead poisoning among the population.”<sup>61</sup>

Why the successor societies to the Romans didn’t decline, I don’t know. Maybe because they were already declined and didn’t have plumbing or eating utensils. But why history doesn’t record massive lead poisoning in Western civilization when lead plumbing was reintroduced in the 19th century, that I also don’t know. In any case, according to For Your Disclosure, a Kennewick, Washington, company specializing in environmental hazards:

Childhood lead poisoning represents the greatest preventable pediatric health problem in our society. [Worse than secondhand smoke?—D.O.] One in 6, or an estimated 3 million preschoolers, are affected by the ingestion of lead. Accidental high exposures cause immediate severe health effects. The rate and severity of accidental high exposures is [*sic*] increasing as more symptoms of the effects of exposure to lead are identified. The legal, health care, and medical costs from lead exposure are increasing rapidly . . .

Even at low levels of exposure, lead can cause reductions in a child’s IQ and attention span, and result in reading and learning disabilities, hyperactivity and behavioral difficulties. There is no “cure” for lead poisoning. These effects are forever and cannot be reversed once the damage is done, affecting a child’s ability to learn, to succeed in school and to function later in life. Other symptoms of low levels of lead in a child’s body are subtle behavioral changes, irritability, appetite suppression, weight loss, sleep disturbances,

shortened attention span, and difficulties in listening due to hearing impairment. Severe exposures also may cause permanent damage to vital organs such as the kidneys and liver, and in the most severe cases, encephalopathy, coma and even death. A child may show no acute toxic response at all (i.e., asymptomatic) and still be affected. In fact, one of the great dangers of the disease [here comes the really scary part—D.O.] is that its symptoms are so easily confused with childhood “everydays” such as a cold or the flu . . .

How extensive is the problem? An estimated 57 million homes contain lead based paint, and approximately 21 million of these have severe and immediate hazards such as chipping, flaking, or peeling lead based paint and/or excessive levels of lead particulate in household dust. Of these, The Department of Housing and Urban Development (HUD) estimates that almost 4 million are occupied by families with young children who are at high risk of being poisoned.<sup>62</sup>

Even worse, according to the Environmental Defense Fund, lead poisoning is not only “a global environmental and public health hazard” but a veritable “epidemic.”<sup>63</sup> (Joining that other “global epidemic,” smoking, and about which, of course, Something Must Be Done.)

The Consumer Product Safety Commission also got into the act on October 1, 1996 when it released a report “indicating that public playground equipment *could have* chipping and peeling lead paint, which is a *potential* lead poisoning hazard primarily for children six years old and younger.” [Emphases added.]

The CPSC tested and analyzed paint chips from 26 playgrounds in 13 cities and “found that in some of the paint chips from playground equipment, the levels of lead were high enough that a child ingesting a paint chip one-tenth of a square inch—about the size that could fit on the tip of a pencil eraser—*each day for about 15 to 30 days could have* blood lead levels at or above the 10 microgram per deciliter amount *considered* dangerous for children, especially those six years old and younger.” Yet despite all the “could haves,” the “CPSC has *no reports* of children with lead poisoning from paint on playground equipment.”<sup>64</sup> [Emphases again added.]

Interestingly, the lead “crisis” has arisen at the same time as blood lead levels (BLL) in Americans have declined dramatically. A National Health and Nutrition Examination Survey conducted between October 1988 and October 1991 found a 78 percent drop in BLL across all age groups since 1976-1980. The August 5, 1994 Morbidity and Mortality

Weekly Report (MMWR) by the Centers for Disease Control and Prevention reported that the average BLL in infants had fallen from 15 ug/dl (micrograms per deciliter) to 4 ug/dl, a reduction of 73 percent and well below the supposed 10 ug/dl danger point. Most of the decline was attributed to the elimination of lead in gasoline and in solder used in food and beverage cans since the 1970s.<sup>65</sup>

The government's "level of concern" regarding lead was actually set as high as 60 ug/dl back then. Yet even as the amount of lead in the environment began falling, the CDC regularly moved the goal posts by dropping the permissible BLL *six-fold* in the past couple decades.<sup>66</sup> This of course vastly increased the number of children "at risk."

At risk of wearying the reader with my personal anecdotes, I am compelled to note again that my own experience renders me unfit to be alarmed about this crisis. As I mentioned in the Introduction, my boyhood home was right next to a heavily traveled boulevard and we must have breathed in a lot of lead from car exhausts. I never ate any of the "red lead" I helped my Dad paint on the gutters, but we scraped off flakes of the old paint and I got lead dust on my fingers and possibly in my mouth. We also had lead plumbing, as did most houses at that time. My younger brother and I used to melt pieces of lead pipe in a little electric pot to make lead soldiers. (No doubt such a toy would be outlawed today, if only for its potential of causing burns, of which we suffered many. In fact, lead soldiers are probably illegal today.) We didn't eat the soldiers either, but we had to use a knife to scrape off excess lead that had oozed out between the two halves of the casting forms and probably got tiny pieces of it on our persons and clothing. Somehow we survived.

Was there an epidemic of "reduced IQs, shortened attention spans, reading and learning disabilities, hyperactivity and behavioral difficulties, subtle behavioral changes, irritability, appetite suppression, weight loss, sleep disturbances and difficulties in listening due to hearing impairment, damage to vital organs such as the kidneys and liver, etc." among kids in the 1970s (not to mention the '30s and '40s)? Somehow I missed reading about it. Why is it that only in the '90s "Attention Deficit Disorder" and "hyperactivity" have become problems?

As I've conceded, my personal anecdotes, especially those regarding smoking, count for nothing in The Great (Scientific) Scheme of Things. But how much reliance can we put on some of the "scientific"

studies that are used to fuel our fears about environmental perils, in this case the peril of lead poisoning?

For example, researchers at the National Institute for Occupational Safety and Health (NIOSH) studied 50 children and reported in the *American Journal of Public Health* that children of lead-exposed construction workers were six times more likely to have a blood lead level of 10 micrograms per deciliter, a higher level than the children of workers in industries where they weren't exposed to lead. As a result, the researchers concluded that children of occupationally-exposed workers are a "high-risk" population. (The "relative risk" of such children was 6.1 at a 95 percent confidence interval of 0.9-147.2)<sup>67</sup>

Fortunately, there's not much that gets past that indomitable debunker of junk science, Steven Milloy. He points out that the reported results are not statistically significant because "the lower end of the 95 percent confidence interval is less than the no-difference-in-risk cut-off point of 1.0. Results that are not statistically significant are usually deemed too flaky to be relied upon." Not only that, but "the reported confidence interval—0.9 to 147.2—is H-U-G-E. Such a wide confidence interval indicates a lot of variability—too much—among the data. This is not unusual in such a SMALL study (only 31 'exposed' children)." [Emphases in original.]

Moreover, he says, "no health effects—e.g., brain damage—were noted in any of the children. This is not surprising given the target blood lead level of 10 micrograms/deciliter is an arbitrary, CDC-defined level that has no basis in science. Even the highest blood lead level measured in the study—17.9 micrograms/deciliter—is not associated with any discernible health effects. So where's the brain damage? In the children or the researchers?"<sup>68</sup>

But want of hard and truly scientific evidence has never stopped a government mediat from Doing Something. And one thing both the Environmental Protection Agency and the Department of Housing and Urban Development have done has been to require, since December 6, 1996, that the sellers of residential dwellings built before 1978 must disclose any known lead paint hazards. The cost of a lead inspection (if inspection is not waived by the buyer) and "abatement" of the problem by EPA-certified specialists is left to be worked out by the buyer and seller and their agents.

This "lead tax" hits landlords even harder, says *The Wall Street Journal*.

In the People's Republic of Maryland, for example, "landlords must have rental units cleared for lead hazard before they hand keys to tenants. Realtors can also be fined up to \$10,000 a day if they fail to warn of lead obligations."<sup>69</sup> The "Lead Poisoning Prevention Act" passed during the Bush Administration has driven down home prices and cut the supply of low-income housing, the paper claims.

And of course the "lead peril" has created a ripe new field for lawsuits. In Massachusetts in 1994, for example, a court awarded damages to a family whose child had a blood lead level of *zero* simply because lead paint was present in the home.<sup>70</sup>

Truly, as For Your Disclosure says, the legal costs from lead exposure "are increasing rapidly." But is it really from exposure to lead, or from exposure to federal regulators and the always-on-the-prowl plaintiffs' bar?

The EPA isn't concerned only about lead in old paint. Lead that's buried in the ground and has never bothered anybody has also been the target of multimillion-dollar "remediation" efforts under the "Superfund" program. When the agency proposed to dig up about one million tons of arsenic- and lead-laced mining tailings in Triumph, Idaho, (population around 50), the residents got up in arms—but not before they were nearly scared to death. EPA officials told them they had dangerously high levels of lead in their drinking water and high arsenic levels in their yards.

"For two months, I was sick over it," said Heidi Heath, a mother of two children, aged 4 and 7. "I thought, 'What have I done to my children?'"<sup>71</sup>

But fear changed to anger when it was realized that people had been living amid the piles of tailings for more than 50 years, without a single known case of cancer, and when urine tests showed no acute health problem in anybody from the metals. The cry became literally, "Not in our backyards, EPA."

(What's this? Joe and Jane Citizen disputing official federal health warnings simply because nothing bad had ever happened to them or anybody they knew? It's like somebody being crazy enough to doubt all the bad stuff about smoking because it had never hurt him or anybody he knew.)

The EPA, of course, had its own reasoning. "We look at risk from a much bigger picture," said David Bennett, EPA National Priority List

Coordinator in Seattle. “We don’t guarantee that someone will drop dead from cancer, we look at probabilities.”<sup>72</sup>

A state official agreed. “It is true that the biological levels don’t pose an imminent health threat,” said Pat McGavran, supervisor of the Office of Environmental Health in Idaho. “But they do have elevated levels of arsenic. There is an exposure and there is a potential for health problems.”<sup>73</sup>

Ah yes: “probabilities . . . potential . . .”

One resident who led the fight in Triumph, Donna Rose, learned about a similar situation in Aspen, Colorado, where the EPA had found slightly elevated levels of cadmium in the water and where citizens were fighting a Superfund listing because, again, no visible health threat existed. She is now on the executive board of a new national group called Superfund Coalition Against Mismanagement (SCAM), all of whose board members are from Superfund-targeted communities, including Leadville, Colorado, Midvale, Utah, Palmerton, Pennsylvania, and Granite City, Illinois.

The EPA’s priorities are mixed up, says SCAM. “The EPA Superfund program too often creates decades-long cleanup programs that are unworkable, unnecessary, ineffective and extremely costly. Billions of dollars are skewed away from the environment and toward the legal industry.”<sup>74</sup>

Happily, in Triumph, the EPA eventually backed off to the extent of stating that it would dig up only those yards of residents who wanted them dug up.

**Electromagnetic Fields.** A single journalist, Paul Brodeur, can truthfully be credited with almost single-handedly manufacturing widespread and unwarranted alarm over something Americans have lived with since the first electric power generator was built, the first transmission poles erected and the first house wired for electricity: the electrical and magnetic fields (EMF) created by this most useful servant of mankind. His articles in *The New Yorker* and his books bore such revealing titles as *Currents of Death* and *The Zapping of America* and *The Great Power-line Cover-up*.

Scores of studies in this country and abroad have failed to establish any real connection between leukemia and power lines. The earth’s magnetic field is hundreds of times larger than the field from a power

distribution line and natural electrical fields in the body's own cells can be infinitely greater than those from power lines. Even the EPA has minimized the threat, sparing the nation the prospect of having to bury all its power lines at a cost estimated in the trillions. Yet, interestingly enough, some studies have found the power lines-leukemia "risk" to be two or three times greater than the supposed lung cancer risk from secondhand smoke that the EPA felt the country must Do Something about.

Nevertheless, even without the help of the EPA, new court cases against power companies alleging EMF liability are being filed at the rate of about one a month, says Cassandra Moore, signaling, she says "not only the aversion to risk of many consumers but the eagerness of attorneys in a litigious society to file claims."<sup>75</sup> In a landmark case in California in 1988, the U.S. Court of Appeals for the Fourth District awarded damages and litigation expenses to a plaintiff against San Diego Gas & Electric Company as compensation for lost property value.

Affirming a lower court decision, the appeals court held that "the truth or lack of truth in whether electromagnetic projections caused a health hazard to humans or animals was immaterial. Rather the question was whether the *fear* of the danger existed and would affect market value."<sup>76</sup> [Emphasis added.]

As this case and the one involving lead paint in Massachusetts indicate, no actual harm need be proved in court these days when it comes to perceived environmental perils. The simple *fear* of the peril is enough.

**Asbestos.** To a greater extent even than radon, asbestos, another naturally occurring substance, is everywhere in the environment—not only in the air we breathe but the water we drink and the food we eat. Fortunately, the amounts we absorb are not only minuscule but are generally "white" asbestos (chrysotile), the least harmful of several members of the asbestos family. It was "blue" asbestos (crocidolite) and "brown" asbestos (amosite), heavily used for fireproofing and insulation during World War II, that was diagnosed as the cause of lung cancer occurring years later in World War II shipyard and other defense workers.

That there are different kinds of asbestos and that the most commonly used kind is the least harmful did not matter to the EPA when in

1982 it issued a rule requiring public and private elementary and secondary schools to inspect for asbestos-containing materials. Although the EPA did not mandate their removal, the mere threat of a possible danger was enough. Panicked school officials and parents around the country demanded action.

The city of Houston, Texas, for example, spent some \$46 million to remove asbestos from 70 schools. Oakland, Michigan, calculated its costs at \$112 million. New York City spent \$100 million on inspection and removal.<sup>77</sup>

Belatedly it was realized that stirring up the asbestos used to insulate pipes and heating ducts was creating actual, not presumed, danger, especially to removal workers, and that the best course was simply to seal it in place. But how many books could have been purchased, how many new classrooms built, how many more teachers hired for the amount of money wasted before this lesson was learned? The fear of asbestos remains, however, and of course is one more field for litigation.

Because chrysolite is also no longer used in automobile brake linings, less effective substitutes are also costing Americans more in terms of shorter brake life. Ironically, according to geologist Malcolm Ross, “All the substitutes for asbestos are, in fact, carcinogenic . . . Ceramic fibers, rock wool, fiberglass, all have been found carcinogenic in laboratory animals.”<sup>78</sup>

The search for Absolute Safety is never ending.

Global Warming. This chapter has gotten too long, but let me briefly squeeze in one more peril, even though this one bids fair to be the real biggie of environmental concerns in the coming century, dwarfing all the preceding ones in terms of monetary cost, inconvenience and anxiety for the general public. Once again I’m off to a bad start because I remember that only a decade or so ago it was global *cooling* and an impending new ice age that the environmentalists were worried about. I also remember that 1995 was widely trumpeted as the warmest year on record and “proof” that global warming was real—until the data for an unusually cold December came in and 1995 turned out to be only the eighth warmest. (As I write this, 1998 is being proclaimed as the warmest ever.)

Sadly once again, as with most other environmental perils, it’s a matter of the Good Guys, who *know* the earth is warming up and that



human activity is to blame and who clamor that Something Must Be Done Right Now to slow it down, versus the Bad Guys, which includes anybody who says, “Well, wait a minute. Are we sure about this?” The cast of characters on both sides of the debate was pretty well established in a syndicated newspaper column by Molly Ivins:

Actually, there’s not a debate—in the sense of opposing arguments each backed up with facts . . . What we have is scientific opinion vs. a multimillion-dollar advertising campaign sponsored by corporate interests afraid that the scientists’ findings will cost them money . . . But the media in this country treat both arguments as though they were of equal weight and soundness because, you see, we have been trained to assume there are two sides to every story.

. . . [T]he collusion of special interests against the public interest [is] perhaps the brassiest display of greed, lying and self-interest since the time all those tobacco executives solemnly swore to Congress that there was nothing addictive about nicotine.<sup>79</sup>

Where would we be without the example of those greedy, lying tobacco executives? For Ms. Ivins’s information, however, a least one patriotic corporation was happy to jump on the global-warming bandwagon. It may only have been a coincidence, of course, that the Dupont company’s patent on Freon, used in automobile air-conditioners, was just about to run out at the time the compound was being indicted for causing “holes” in the earth’s protective ozone layer and maybe even being responsible for global warming all by itself.

Some foolish scientists disagreed, but because, according to Ivins, there is really only one side to the global-warming debate, Freon was outlawed and every new car built since 1994 has been cooled with “environmentally friendly” and more expensive Freon II—developed by Dupont, it just happens—and prices have soared for the remaining stocks of the old Freon which are allowed to be used on pre-1994 cars only by licensed air-conditioner repair shops until the supply is used up. Another consequence has been the creation of a flourishing black market in the old Freon. (Now who would ever have guessed that banning a product in popular demand could lead to underground traffic in that product?)

At least one poor guy went to jail because he succumbed to the temptation created by this government-decreed transformation of a once-legal compound into an illegal one. Roland Wood, president of

Refrigeration USA in Hallandale, Florida, was sentenced to 37 months in prison for smuggling 4,000 tons of Freon into the country.<sup>80</sup>

I can hardly wait until we outlaw tobacco.

At risk of being accused of suggesting that there could be another side to the global-warming controversy, sheer orneriness compels me to note that “scientists” (I put quote marks around the word so as not to offend Ivins) have reported that total solar radiance—the amount of energy the earth receives from the sun—appears to have been on the rise since 1978. It is more than a little possible that this may have bearing on the current perception that the earth is in a warming trend and the belief that its sole cause is the release of manmade “greenhouse” gases, mainly carbon dioxide, into the atmosphere. A decrease in brightness during the late 1300s is thought to have triggered what became known as the Little Ice Age.

“The total solar radiance trend could produce additional warming of about one degree in 100 years, a potentially significant contribution,” says Columbia University climatologist Richard Wilson.<sup>81</sup>

Also totally ignored in the whole debate are benefits that could result from global warming (if warming there is) and increased carbon dioxide levels: more land able to be brought under cultivation, increased crop yields, more vigorous forest growth.

Because I’m a smoker, the medical establishment assures me I won’t live to see how this controversy is resolved in the coming decades. Will Charlie Brown America fall for environmental Lucy’s latest football trick and wind up on its fanny again?

Thankfully, I’ll never know. We smokers take comfort where we can find it. There is no comfort, however, in the fact that while the writers whose words I have borrowed throughout this chapter, as well as others, are doing valuable work in exposing the follies and fallacies of junk science regarding environmental perils, few there are who have directed the same critical attention to the crusade against smoking and some of its preposterous claims.

Notes

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