

Lawyers seeking billions pushing Asbestos myths

By AMY RIDENOUR

Asbestos, the talc-like mineral once used in everything from fire retardant wallboard to automotive brake linings, is much in the news because of a blizzard of class-action lawsuits against what sometimes seems to be every American who runs a business.

Having sued companies that mined and produced asbestos into bankruptcy, personal injury lawyers are now suing virtually every company or business that ever used asbestos in a product, even when no harm was done.

Last year the Rand Institute of Civil Justice said a whopping 85 percent of America's major corporations are targets of asbestos lawsuits, as are tens of thousands of smaller businesses. More than 67 companies hit by asbestos lawsuits have declared bankruptcy. Several hundred more may do so. The total liability involved in these lawsuits nears \$300 billion.

To put this number in perspective, it's about how much it costs the U.S. to win a significant regional war.

Asbestos liabilities depress the economy, reducing government cash flows and retirement portfolios. If only all these costs were in the service of a good cause. Most of it isn't.

For many, the mere mention of the word asbestos is enough to raise hackles. But in fact, the answer to the question of the amount of danger actually posed by asbestos, like many involving scientifically complex questions, is a less than definitive "it depends."

If directly inhaled over long periods in enclosed quarters without the protection of a mask, asbestos can be lethal.

During the first six decades of the 20th century, hundreds of thousands of laborers in mines and factories worked largely unprotected from clouds of asbestos dust. Shipyard workers who sprayed asbestos onto the interior walls of troop ships during World War II developed debilitating diseases such as asbestosis and mesothelioma, and many died premature and painful deaths.

As smoking exacerbates the damage asbestos causes to the lungs, the danger was

exacerbated by the federal government, which provided two cartons of free cigarettes a week to the shipyard workers.

When those shipyard workers began incurring serious asbestos ailments en masse in the 1960s and 1970s, the same government stepped in forcefully.

Helping to lay the groundwork for the current crisis, the Environmental Protection Agency took a zero-tolerance line against asbestos, falsely stating that even infinitesimal amounts pose a health hazard.

This failed to stand up to scientific scrutiny. Numerous independent studies later concluded that asbestos, when sealed into products, is basically harmless.

Many useful and safe products, such as concrete building components, continue to use asbestos in encapsulated form. And chemical-based alternative substances that attempt to mimic the structural and fire-resistant characteristics of asbestos are proving to have risks of their own.

It will come as a surprise to most people to learn that every one of us inhales between 10,000 and 15,000 fibers of asbestos per day, most of which is natural.

Asbestos actually is found in two-thirds of the rocks on earth and typically become airborne through forces such as wind and landslides.

Injustices are being done. Lawsuits in cases in which no one is sick are depleting the funds available to those who are ill. Companies are being sued, and livelihoods lost, even in cases where there were only the slightest of links to asbestos.

A recent newspaper investigation concluded: "A person who spends a career inside a building rich with asbestos materials is more likely to die of a lightning bolt, a bee sting or a toothpick lodged in the throat than an asbestos related cancer."

In some cases, asbestos can be dangerous. Excessive lawsuits hurt us all.

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