17. Conclusions

The case studies reviewed in this book show that there is much that can be learnt from history. Such learning begins with two basic observations:

- Regulatory appraisal and control of technologies and economic development involves balancing the costs of being too restrictive on innovation with the hazards and costs of being too permissive, in situations of scientific uncertainty and ignorance. The case studies provide many examples where regulatory inaction led to costly consequences that were not and sometimes could not have been foreseen.
- The case studies also provide many examples where 'early warnings', and even 'loud and late' warnings, were clearly ignored; where the scope of hazard appraisal was too narrow; and where regulatory actions were taken without sufficient consideration of alternatives, or of the conditions necessary for their successful implementation in the real world.

If more account, scientifically, politically and economically, is taken of a richer body of information from more diverse sources, then society may do substantially better in the future at achieving a better balance between innovations and their hazards. Discussion of the case studies led to the distillation of twelve late lessons which, if applied to future decision-making, could help achieve this better balance.

The precautionary principle is an overarching framework of thinking that governs the use of foresight in situations characterised by uncertainty and ignorance and where there are potentially large costs to both regulatory action and inaction.

However, the intrinsic difficulties of applying the precautionary principle to issues of complexity, uncertainty and controversy are compounded by a lack of agreement on the definition and meanings of key terms.

The table below is a contribution to clarifying the meaning of six basic concepts that lie at the heart of this debate. What is sometimes loosely referred to as 'uncertainty' mixes up the analytically distinct concepts of 'risk', 'uncertainty' and 'ignorance'. The public action concepts of 'prevention', 'precautionary prevention', and 'precaution' can then be usefully related to these three states of knowledge, as in Table 17.1.

Table 17.1.	Uncertainty and precaution — towards a clarification of terms		
Source: EEA	Situation	State and dates of knowledge	Examples of action
	Risk	'Known' impacts; 'known' probabilities e.g. asbestos causing respiratory disease, lung and mesothelioma cancer, 1965–present	Prevention : action taken to reduce known risks e.g. eliminate exposure to asbestos dust
	Uncertainty	'Known' impacts; 'unknown' probabilities e.g. antibiotics in animal feed and associated human resistance to those antibiotics, 1969– present	Precautionary prevention : action taken to reduce potential hazards e.g. reduce/ eliminate human exposure to antibiotics in animal feed
	Ignorance	'Unknown' impacts and therefore 'unknown' probabilities e.g. the 'surprises' of chlorofluorocarbons (CFCs) and ozone layer damage prior to 1974; asbestos mesothelioma cancer prior to 1959	Precaution : action taken to anticipate, identify and reduce the impact of 'surprises' e.g. use of properties of chemicals such as persistence or bioaccumulation as 'predictors' of potential harm; use of the broadest possible sources of information, including long term monitoring; promotion of robust, diverse and adaptable technologies and social arrangements to meet needs, with fewer technological 'monopolies' such as asbestos and CFCs

The procedures for dealing with the situations of risk, uncertainty and ignorance need to be fair, transparent and accountable,

key elements of the 'good governance' which is needed to regain public confidence in policy-making on technologies, their benefits and potential hazards.

Most of the cases in this book involved costly impacts on both public health and the environment, two fields of science and policymaking that have become specialised and somewhat polarised during the last 100 years. Individuals experience their health and their environment as one, interconnected reality: science, regulatory appraisal and policymaking need to be similarly integrated. *Late lessons* should make some contribution to this integration of health and environment.

The scope of regulatory appraisal needs to be broadened to include adequate consideration of relevant social issues alongside the physical, chemical, biological and medical aspects of technologies.

Involving a wide range of stakeholders, and taking account of their values and interests at the earliest stage of the appraisal and choice of technological and social options for meeting human needs, brings two key benefits. It not only augments the information available to policy-making, but may also improve public trust in society's capacity to control hazards, without necessarily stifling innovation or compromising science.

Recent controversies over emerging technologies such as genetically modified organisms and oil-rig disposal have much to do with public values and scientific uncertainties, in contrast to the previously low emphasis on values and to the demand for unequivocal scientific proof before action to reduce hazards. An open recognition of this changing context for such controversies is a first step towards their improved governance.

However, the inclusion of different sociopolitical perspectives in regulatory appraisal becomes not just a matter of better policymaking: it can make for better science as well.

For example, reductionist science and linear causality are useful approaches, but they are limited. They do not cope well with the dynamics of complex and sometimes chaotic systems, characterised by feed-back loops, synergisms, thresholds, and equilibria/ instability issues, and linked by multi-factoral and interdependent causal chains. Such complex reality demands better science, characterised by more humility and less hubris, with a focus on 'what we don't know' as well as on 'what we do know'.

One important consequence of acknowledging both scientific uncertainties (including ignorance) and the urgency of hazard reduction in situations of high stakes is the need for agreement on the sufficiency of evidence of harmful effects that is required to justify action. Such 'levels of proof' can vary from the 'reasonable grounds for concern' of the European Commission's Communication on the Precautionary Principle, to the 'beyond reasonable doubt' of criminal law. Choosing which level to use in particular situations involves a decision that can radically shift the size, nature and distribution of the costs of being wrong. This is a key political decision with profound ethical implications. The level of proof that is appropriate for particular issues depends upon the size and nature of the potential harm, the claimed benefits, the available alternatives, and the potential costs of being wrong in both directions, ie of acting or not acting in the context of uncertainty, ignorance and high stakes. This type of public decision-making is not unknown: military intelligence has long adopted similarly precautionary approaches to uncertainty and high stakes, where the costs of being wrong can be catastrophic.

17.1. Late lessons from early warnings

The case studies in this book both support and illustrate the need for the twelve late lessons derived from the century of history reviewed.

- 1. Acknowledge and respond to ignorance, as well as uncertainty and risk, in technology appraisal and public policymaking.
- 2. Provide adequate long-term environmental and health monitoring and research into early warnings.
- 3. Identify and work to reduce 'blind spots' and gaps in scientific knowledge.
- 4. Identify and reduce interdisciplinary obstacles to learning.
- 5. Ensure that real world conditions are adequately accounted for in regulatory appraisal.
- 6. Systematically scrutinise the claimed justifications and benefits alongside the potential risks.
- 7. Evaluate a range of alternative options for meeting needs alongside the option

under appraisal, and promote more robust, diverse and adaptable technologies so as to minimise the costs of surprises and maximise the benefits of innovation.

- 8. Ensure use of 'lay' and local knowledge, as well as relevant specialist expertise in the appraisal.
- 9. Take full account of the assumptions and values of different social groups.
- 10. Maintain the regulatory independence of interested parties while retaining an inclusive approach to information and opinion gathering.
- 11. Identify and reduce institutional obstacles to learning and action.
- 12. Avoid 'paralysis by analysis' by acting to reduce potential harm when there are reasonable grounds for concern.

Most of these lessons involve improvements in the quality, availability, utilisation and processing of information in public policymaking on environment and health. However, none of the lessons would themselves remove the dilemmas of decisionmaking under situations of uncertainty and high stakes. They cannot eradicate uncertainties or avoid the consequences of ignorance. However, they would at least increase the chances of anticipating costly impacts, of achieving a better balance between the pros and cons of technological innovations, and of minimising the costs of unpleasant surprises. The use of the precautionary principle can also bring benefits beyond the reduction of health and environmental impacts, stimulating both more innovation, via technological diversity and flexibility, and better science.

The 'late lessons' may also help to achieve a better balance between proportionate and precautionary public policies, recognising that over-precaution can also be expensive, in terms of lost opportunities for innovation and lost lines of scientific inquiry.

It is the central conclusion of this report that the very difficult task of maximising innovation whilst minimising hazards to people and their environments, which is ultimately a matter of political discourse, could be more successful if it embraced the twelve late lessons from the histories of hazards reviewed.

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Index: Late lessons from early warnings: the precautionary principle 1896–2000

Note: Page references in **bold** refer to figures; those in *italics* to tables or boxed material

A

abortion, spontaneous 84, 86-7, 176 acid rain 102-8 aerosols 12, 79, 80 Agriculture, Fisheries and Foods, Ministry, UK (MAFF) 157, 161-2, 180, 181 air quality standards 101-2 Airborne Antarctic Ozone Experiment, US (AAOE) 80 aircraft, supersonic stratospheric 79 Aksov, M 39 Albers-Schonberg, HE 32 aldrin 127 Alice, a Fight for Life 57 Alkali Act 101 alternatives, evaluation 177 Alverson Report 21, 27 American Conference of Governmental Industrial Hygienists (ACGIH) 39, 43, 47 American mud-snail 136 American Petroleum Institute 39, 47 amosite 52, 56 androgens 149 animal feeds PCB contamination 71 slaughterhouse wastes 157, 158, 160 Antarctica, ozone hole 76, 80, 82, 172, 173 antibiotics 93 antifouling paints, see TBT (tributyltin) antifoulants antimicrobial growth promoters 173, 177 advantages/disadvantages of use 97-8, 99 alternatives 177, 178 ban of avoparcin 96 delays in research 172 early warnings and actions 99 introduction of 93 lessons from 98 research and uncertainty 204 scientific reports and recommendations on 97 secondary benefits of precaution 202 Swann Report 94-5, 98, 99, 170, 171, 172, 173, 174, 181 Swedish ban 95-6 antimicrobial resistance 93-4, 98 antimicrobials 93 aplastic anaemia 38-9, 42 Arcachon Bay, France 136-7, 138, 139 Archives of Environmental Health 112

Arvin, Professor Erik 114 asbestos substitution 57, 58, 61, 173-4 types of 52, 56-7 uses 58 asbestos exposure 3, 11, 15 actions and inactions 56-8, 59-60, 61, 172, 173, 179 and asbestosis 53-4 compensation claims 52, 57, 58, 60-1 cost-benefits of action/inaction 58-9 economic factors 59 'healthy survivors' fallacy 60, 178 and insurance companies 54, 58, 179 latency of disease appearance 55, 60 lessons from 59-61, 179 and lung cancer 54-5 and mesothelioma 52, 55-6 asbestosis 52, 53-4 assumptions 174–5 asthma 112-13 atmosphere, structure of 78-9 Atomic Energy Agency, International (IAEA) 35 avilamycin 97 avoparcin 94, 96, 97

B

bacitracin zinc 96 bald eagle 126 Baltic Sea fauna 65, 72 Barcelona Convention for the Protection of the Mediterranean Sea against Pollution 69 BBC (British Broadcasting Corporation) 56 Beaver Report 101 Becquerel, Henri 32 Beijing Declaration 81, 83 Belgium 71 Benedick, Richard 80 benzene actions and inactions 39-42 causes of inaction 42-5 costs of inaction 41 in gasoline 45, 46, 175 industrial uses 38 risk assessment debate 40-1 substitutes 42-3 toxicity and carcinogenicity 38-9, 39-40, 41-2, 42-3, 179 US controls 40-1 Benzene Decision (US) 40–1 Bertram, James 17, 18 bioaccumulation 170-1, 175

organochlorines 64-5, 66, 67, 70, 126-7 organotins 140 birds 64, 126, 127, 152 'blind spots' 173-4 Blue Ribbon Panel, Oxygenates in Gasoline 114 - 15Blum, Theodore 32-3, 36 bone sarcoma 32–3 bovine spongiform encephalopathy, see BSE breast cancer 151, 153 breast milk 67, 70 Bridges, Professor Jim W 149, 195 Bridges, Dr Olga 149, 195 bromine, tropospheric 77, 78 bromochloromethane 81 Brown, Sandford 64 BSE (bovine spongiform encephalopathy) costs of 164 early warnings and actions 166 European response 163 first cases 157 government policy options 158-9 government reassurances and inactions 161-4, 176 Phillips enquiry 159, 165 potential of precautionary approach 164-6, 196 public reaction 178 rendering of animal wastes 157, 158, 180 research 163-4 slaughterhouse controls 160-1, 162, 178 Southwood Committee 159-61, 179 transmission 157, 158, 160-1, 172, 174 US precautions 12, 158, 202 Buccinum undatum 139 burden of proof 107, 199-200 Bureau of Fisheries (US) 20, 180 Byers, Elsen 33

С

California MTBE pollution 114 sardine fisheries 19-20, 27, 180 Canada appeal against French asbestos ban 53, 57 - 8CFCs 80 cod fisheries 20-3, 24-5, 27 Department of Fisheries and Oceans (DFO) 20-2 cancer and asbestos exposure 52, 54-6, 58 and benzene exposure 38-40, 41-2, 42 - 3.179and ionising radiation 36 latency periods 55, 56, 60 and oestrogenic compounds 84, 85-8, 151.153 and UV radiation 76 Cape Asbestos Company 54

Cape's Acre Mill asbestos plant 56, 57 carbon monoxide 111 carbon tetrachloride 78 Carson, Rachel 116, 126, 127-8 Cartagena Protocol on Biosafety 14 Carter, President Jimmy 127 case studies authors 11, 12, 195-199 structure of 11 catfish 152 cattle offal 160-1, 162, 178 causal relationships 129-30, 131 Center for Health, Environment and Justice (US) 127 Central Veterinary Laboratory (UK) 159 cetaceans 140 CFC-11 77, 78, 79, 80 CFC-12 77, 78, 79, 80 CFCs (chlorofluorocarbons) 3 actions on releases 79-81 atmospheric persistence 77, 170-1 essential uses 77 late lessons 82-3 Montreal Protocol 80-1 production and release 76, 77, 79, 82 stratospheric ozone depletion 76, 78, 79, 82, 173 substitutes 81, 177 use of precaution 12 Chant, Professor Donald 128 **Chemical Manufacturers Association 80** chemotherapeuticals 93 chickens antimicrobial growth promoters 93 PCB contamination of feeds 71 child development maternal oestrogenic compounds 86, 88, 151, 152–3 maternal PCB exposure 67, 69, 70, 72, 127 childhood asthma 112-13 childhood leukaemia 34 China 81 Chinese Academy of Preventative Medicine 44 chloracne 64, 66 chlorine atmospheric 76, 77, 78 industrial use 79 chlorofluorocarbons, see CFCs cholera 14-15 chrysotile 52, 56 cigarette smoking 55 cities, air pollution 101, 106, 111, 112 CID (Creutzfeldt-Jakob disease) 157, 158, 174 Clean Air Act (US) 80, 102, 110-11 clear-cell carcinoma, vaginal 84, 85-8 CLRTAP (Convention on Long-range Transboundary Air Pollution) 104, 105-6 coal burning 101, 104, 105 cod fisheries 20-3, 24-5, 27 cognitive development 69, 127

Collins Report (1989) 152 Common Fisheries Policy (EC) 24, 27 communication, professional 189 compensation 60-1 asbestos damage 52, 57, 58 consensus organisations 43 Conservative Government (UK) 158 constructive technology assessment (CTA) 186 - 7contraceptives 89, 151 Convention on Long-range Transboundary Air Pollution (CLRTAP) 104, 105-6 Convention for the Protection of the Marine Environment of the Northeast Atlantic (OSPAR) 140, 143 Cooke, Dr W 54 cost-benefit analyses 175-7, 187 Creutzfeldt-Jakob disease (CJD) 157, 158, 174 criminal law 184 critical load concept 106, 107 'critical path' issues 172 crocidolite 52, 56 Curie, Marie 32, 33 Curie, Pierre 32 Czechoslovakia 104, 105

D

Dally, Clarence 31 Daly, Dr Helen 129 DDT (dichlorodiphenyl trichloroethane) 126, 152 de Bort, Teisserene 78 Deane, Lucy 11, 53, 60 Delaney Clause 12, 149 Denmark 96, 114, 115, 118 Dennis, John 31, 36 Department of Agriculture (US) 128, 158, 181 Department of Fisheries and Oceans (Canada) 20-3 Department of Labor (US) 40 Der Spiegel 104 DES (diethylstilboestrol) as livestock growth promoter 149-53 EU actions 149, 150, 153 human health concerns 149-51, 152-3 illegal use 151 US actions 12, 149-50, 153 therapeutic use 84–90 carcinogenicity and teratogenicity 84, 85-6,88 economic interests 88-9 extent of 87-8, 89 inefficacy in miscarriage 86-7, 88, 176 lessons from 88-90 detergents 116 Detroit Wastewater Treatment Plant 130 dibenzo-p-dioxin 68 dibenzofuran 68 dichlorodiphenyl trichloroethane, see DDT

dieldrin 126, 127, 128 diethylstilboestrol, see DES dioxins 68, 127 Dodds, Charles 84-5 dogwhelks 136, 137, 139 Doll, Sir Richard 54, 57 dolphins 140 Drinker, Cecil K 64 drinking water 112, 114 drug assessment 89-90 Du Pont 79, 80 E eagle, bald 126 Eastern Europe 104, 105, 107 Economic Commission for Europe (ECE) 104, 107economic interest groups 59, 88-9, 178-9 ecosystem approach 25-6 Ecosystem Principles Advisory Panel (US) 25 Edison, Thomas 31 Edqvist, Professor Lars-Erik 93, 195 eels 66 Egnér, Hans 102 Eli Lilly 89 'emantoria' 33 endocrine disruption 67, 88, 113, 152 endrin 128 An Enemy of the People 55-6 energy consumption 102 engine technology 118 Enhydra lutris nereis 140 **Environmental Defense Fund 128** Environmental Health Officers, Institute (UK) 162 **Environmental Protection Agency** (Denmark) 114, 115 Environmental Protection Agency (Finland) *113*, 115 Environmental Protection Agency (US) 113, 114-15, 128, 130 Erie, Lake 126, 128 ethanol 118 ethers 115 ethics 188-9 **European Chemicals Bureau 112 European Commission** Common Fisheries Policy 24, 27 Communication on the precautionary principle 13, 24scientific advisory system 163, 180 Scientific Steering Committee 97 Scientific, Technical and Economic Committee 24 European Court of Justice 96 European Environment Agency (EEA) 3, 11 European Scientific Technology Observatory (ESTO), Technological Risk and the Management of Uncertainty project 168-9

European Union 3 action on MTBE 111, 112, 116 action on PCBs 69 antimicrobial growth promoters 97 fisheries policies 23-4 hormone growth promoters 149, 153 ionising radiation directive 35, 36 Maastricht Treaty 14 PCBs/PCTs directive 69 response to BSE crisis 163 Scientific Committee on Animal Nutrition 96 Scientific Committee on Veterinary Measures Relating to Public Health 152 everninomycin 97 'evidence of no harm' 172 'expert' opinions 61

F

Factory Department (UK) 54, 56 Facts versus fears 12 'false negatives' 12, 53, 60, 184 'false positives' 12-13, 60, 184 Farman, Dr Joe 12, 207 FDA, see Food and Drug Administration Federation of Swedish Farmers 95 Feedingstuffs Act (Sweden) 95 fetotoxicity 67, 69, 70, 84, 86, 88 **Finnish Environmental Institute 116 Finnish Environmental Protection** Agency 113 fish and acid deposition 102-4 organochlorine contamination 126-9, 131 - 2fisheries 176 Californian sardine 19-20, 27 cost-benefits of actions 19, 20, 176 ecosystem approach 25-6 FAO Code of Conduct 23, 24, 25 international agreements 23 late lessons 26 lay knowledge 17-18, 177-8 Newfoundland cod 20-3, 24-5, 27 precautionary action 23-5 research and models 172, 175, 204 Scottish herring 17–18 steam trawling 18–19 UN Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks 23 fishing mortality 24-5 fishing nets 17 Fishing for truth 22 flame shell 138 Fleming, Alexander 93 flue gas desulphurisation 105 Food and Agriculture Organization (FAO) 175 Code of Conduct for Responsible Fisheries 23, 24, 25

Joint Expert Committee on Food (JECFA) 150, 152, 153 Food and Drug Administration, US (FDA) 84, 86, 89, 149-50, 154 Food Standards Agency (UK) 165, 166 forest decline 104-6 Framework Convention on Climate Change 14 France asbestos ban 53, 57 marine antifoulants 136-7 freshwaters acidification 102, 106 detergents in 116 PCB pollution 66, 70 see also groundwater fuel desulphurisation 104 furans 68, 69

G

gasoline benzene 45, 46 lead 110 MTBE 111, 112 gasoline direct injection (GDI) 118 Gee, David 208 genetically modified organisms (GMOs) 185 Geological Survey (US) 111 Germany 96 Advisory Council on Global Change 182-3 Clean Air Act (1974) 13 Council of Environmental Advisers 105, 107 Green Party 107 sulphur dioxide emissions 104-5 Gibbs, Lois 126-7 Gilbertson, Dr Michael 12, 126, 196 glass fibre 57, 61 GMOs (genetically modified organisms) 185 governance 187–9 governments 180-1 Great Lakes contamination actions/inactions 127-8 causal relationships 129-30, 131 costs and benefits of actions 130-1 early warnings and actions 132 effects on wildlife 67, 126-7 human health 127, 129, 131-2 research 172-3, 181 water quality improvements 129-30 Great Lakes Science Advisory Board 130-1 Great Lakes Water Quality Agreement 128.129 Great Lakes Water Quality Guidance 130 Green Party, Germany 107 Greenberg, Dr Morris 12, 208 Greenpeace 25 groundwater pollution 111-12

growth promoters, *see* antimicrobial growth promoters; hormone growth promoters

Η

haemopathy 38 halocarbons actions on releases 79-81, 83 atmospheric persistence 77, 170-1 early warnings and actions 83 essential uses 77 late lessons 82-3 Montreal Protocol 80-1 production and release 76, 77, 79, 82 stratospheric ozone depletion 76, 78, 79, 82, 173, 195 Halowax Corporation 64 Hamilton Harbour 131 Harremoës, Professor Poul 208 Harris Report 21–2 hazardous waste sites 130-1 HCFCs (hydrochlorofluorocarbons) 76, 81 health monitoring 203 Health and Safety Commission (UK) 58 Health and Safety Executive (UK) 61 healthy survivors fallacy 60, 178 heavy fuel oil 101 heptachlor 127 herring fisheries 17–19 Hickey, Dr Joseph 126 Hooker Chemical Company 127 Horizon 56 hormone growth promoters early warnings and actions 154 effects on wildlife 151-2 EU actions 149, 150 human health concerns 149-51, 152-3 illegal use 151 US actions 149-50, 153 Huxley, Thomas 18 hydrochlorofluorocarbons (HCFCs) 76, 81 hydrogen fuel cell 118 hyperactivity 70 hypersusceptibility 38

I

IAEA (International Atomic Energy Agency) 35
Ibarreta, Dr Dolores 84, 196
Ibsen, HJ 55–6
ICES (International Council for the Exploration of the Sea) 24, 25
ICNAF (International Commission for the Northwest Atlantic Fishery) 20
ICRP (International Committee on Radiological Protection) 33, 34, 35, *36*ignorance 3 defined *192* responding to 169–71 and uncertainty 185 IJC (International Joint Commission) 128, 130 - 1IMO (International Maritime Organization) 138, 181 imposex 135, 136, 137, 138-40 India 81 Industrial Maladies 52 Infante, Dr Peter 12, 209 innovation 182, 186-7 Institute of Environmental Health Officers (UK) 162 institutional obstacles 180-1 insurance companies 54, 58, 179 integrated environmental assessment 188 Intergovernmental Panel on Climate Change (IPCC) 184, 199 International X-ray and Radium Protection Committee (IXRPC) 33 International Atomic Energy Agency (IAEA) 35 International Commission for the Northwest Atlantic Fishery (ICNAF) 20 International Committee on Radiological Protection (ICRP) 33, 34, 35, 36 International Council for the Exploration of the Sea (ICES) 24, 25 International Joint Commission (IJC) 128, 130 - 1International Maritime Organization (IMO) 138, 181 International Programme on Chemical Safety (IPCS) 113 Invitational EU Conference on The Microbial Threat 97 ionising radiation, see radiation, ionising Ionising Radiation Regulations (UK) 34, 35 **IPCC** (Intergovernmental Panel on Climate Change) 184 IO scores 69, 127 Irgarol 1051 141 irreversibility 170-1 Italy 39 IXRPC (International X-ray and Radium Protection Committee) 33

J

Japan 65, *66*, 69 Jefferson, Alice 57 Jensen, Søren 64, *68*, 71 Johns Manville company 56 Johnston, Dr Paul 135, 197 Joint Expert Committee on Food (JECFA) 150, 152, 153

K

Karnaky, KJ 84 Keats Report 21, 27 Kershaw, Nellie 54 Keys, Jane 64, 197 knowledge 4–5 'blind spots' 173–4 lay/local 17–18, 177–8 paralysis by analysis 181–2 Koppe, Professor Janna G. 64, 197 Kyoto Protocol on Climate Change 82

L

Lambert, Dr Barrie 31, 197 Lamming Committee 150, 154 Lancet 58 landfill sites 130-1 Langston, Dr William J 135, 197 Laplan, Bernard 88 'late haemorrhagic disease of the newborn' 70 late lessons 16, 168-9, 193-4 alternatives, evaluation 177 gaps in scientific knowledge 173-4 ignorance and uncertainty 169–71 institutional obstacles 180-1 interdisciplinary obstacles to learning 174 lay knowledge 177-8 paralysis by analysis 181-2 pros and cons 175-7 'real world' conditions 174-5 regulatory independence 178-80 research and monitoring 171-3 social interests and values 178 'latency lacuna' 55, 56, 60 latency periods 55, 56, 60, 195-6 Lawther, Professor 102 lay knowledge 17-18, 177-8 lead 110 Lear, Linda 127 learning institutional obstacles to 180-1 interdisciplinary obstacles to 174 Legge, Dr Thomas 52, 59 leukaemia and benzene exposure 38-44 childhood 34 defined 38 life cycle analysis (LCA) 187 Lima hiams 138 lives, valuation of 58 Lloyd's of London 58 London cholera outbreak 14-15 smogs 101 loud and late warnings 205 Love Canal, Niagara Falls 126-7 luminous paint 32-3 lung cancer 52, 54-5 Lykke, Erik 103

Μ

Maastricht Treaty *14* MacGarvin, Dr Malcolm 17, 197–198 MacGregor, John 159 macrolide antibiotics 94 'mad cow disease', see BSE Madden, Max 56 MAFF (Ministry of Agriculture, Fisheries and Foods) 157, 161-2, 180, 181 Marine Environmental Protection Committee (MEPC) 140 marine gastropods 135, 136, 137, 138-40 marine mammals 65, 140 Marine Pollution Bulletin 13, 137 Martland, Harris 33, 36 Massachusetts General Hospital 86 meat hormone residues 152 risk of BSE 159. 160-2 meat industry 150, 152, 159, 163, 164 mechanically recovered meat 162 media 56, 57, 189 Meldrum, Keith 160 melengestrol acetate 150 Merewether, Dr E. R. A. 54 mesothelioma, compensation payments 52, 55-6,58 methyl chloroform 77, 78 methyl tert-butyl ether, see MTBE Michigan, Lake 69, 126, 127, 129 Midgely, Thomas 79 Millstone, Dr Erik 157, 198 mineral wool 61 mink 67.126 mirex 126, 128 miscarriage 84, 86-7, 88, 176 Mississippi River 128 monitoring 181 long-term 171–3 Monsanto 64, 65, 66, 71, 128 Montreal Protocol 14, 77, 80-1, 83 Beijing meeting 81, 83 Multilateral Fund for Implementation (MFMP) 81 MTBE (methyl tert-butyl ether) alternatives 117-18, 119, 177 and asthma 112-13, 119 benefits of 110, 111 commercial production 110-11 cost-benefit analysis 118-19 in drinking water 114 early warnings and actions 121 endocrine disruption 113 groundwater contamination 112, 119, 174, 176 national and government recommendations on 114-15 persistency 111-12, 116-17, 120, 170-1 potential carcinogenicity 112, 113 potential use of precaution 115-20 present trends in use 115 multi-criteria mapping 187 Multilateral Fund for the Implementation of the Montreal Protocol (MFMP) 81 multiple myeloma 38, 41, 42, 44

Murray, Dr Montague 53 mussels, blue 139 Mutscheller, Arthur 33 myelodysplastic syndrome 42 myelofibrosis 45 myeloproliferative disorders 42 *Mytilus edulis* 139

N

NAFO Northwest Atlantic Fisheries Organization) 20 NASA (North American Space Agency) 82 Nassarius obsoletus 136 National Agricultural Chemicals Association (US) 127-8 National Cancer Institute (US) 44, 87 National Institute for Occupational Safety and Health (NIOSH) 41, 43, 44 National Institutes of Health (US) 86 National Oceanic and Atmospheric Administration, US (NOAA) 138 National Ozone Expedition, US (NOZE) 80 National Radiation Protection Board, UK (NRPB) 32, 36 National Research Council (US) 182, 186 National Toxicology Program (US) 113 Nature 80, 103, 173 Netherlands 58, 67, 88 neutropenia 45 New York Times 80, 93 New Yorker 127 New Zealand 188 Newhouse, Dr M 56 Niagara river 130-1 Nice Decision 13 NIOSH (National Institute for Occupational Safety and Health) 41, 43, 44 nitrogen oxides 111 Nixon, President R 128 NOAA (National Oceanic and Atmospheric Administration) US 138 'no evidence of harm' 172 non-governmental organisations 79-80 non-Hodgkin's lymphoma 41, 42, 44, 45 North American natives 17 North Sea fisheries 17-19, 24-5 and PCBs 69, 72 TBT antifoulants 139–40 North Sea Conference 14 Northwest Atlantic Fisheries Organization (NAFO) 20 Norway 80, 96, 103, 180 Norwegian Institute for Air Research 103 NOZE (National Ozone Expedition) US 80 NRPB (National Radiation Protection Board) UK 32, 36

Nucella lapillus 136 nuclear industry 34, 61 null hypothesis 183-4

0

Occidental Chemical Corporation 131 Occidental Petroleum 127 Occupational Health and Safety Administration (US) 40 Ocenebra erinacea 136 Odén, Svante 102 oestradiol-17ß 149, 150, 152, 153 oestrogens biological role 84, 149 synthetic, see DES (diethylstilboestrol) Ontario, Lake 126, 128, 129 Organisation for Economic Co-operation and Development (OECD) 66, 72, 116 Air Management Sector Group 101, 103 organochlorines bioaccumulation 126, 127 Great Lakes contamination 126-32 and human health 126-7 see also named compounds OSPAR Convention (Protection of the Marine Environment of the Northeast Atlantic) 140, 143 **Outboard Marine Corporation 131** overfishing Californian sardines 19-20, 27, 180 early recognition of 17 fishing mortalities 24-5 Newfoundland cod 20-3, 24-5, 27 Scottish herring 17–18 oyster drill 136 oysters fisheries 136-7, 138 ozone, industrial uses 78 ozone layer depletion 76, 79-80, 82, 172, 173 discovery 78–9

Р

'paralysis by analysis' 181-2 Paris Commission (PARCOM) 138 participatory approaches 186, 188-9 PCBs (polychlorinated biphenyls) 64, 72, 152 chemistry and toxicity 68, 68 chicken feed contamination 71 congeners of 66, 70 early warnings and actions 73 environmental distribution and persistence 64-5, 66, 72, 170-1, 174 government and industry actions 66, 69, 71 - 2Great Lakes contamination 126-32 human health effects 64, 65, 67, 69, 70, 127, 129 rice oil contamination 65, 66, 67, 69 routes of environmental exposure 70-1 uses of 64, 70 pedascopes 34

Pedersen, Dr Knud Børge 93, 198 pelvimetry 32, 34 penicillin 93, 95 'pensioners' party' fallacy 60, 178 peregrine falcon 127 persistency 111-12, 116-17, 120, 170-1 organochlorines 131-2 or organotins 142 Peto, Julian 56 petrol, see gasoline pharmaceutical companies 88-9 phenobarbital 70 Phillips Inquiry 159, 165 pigs 160 Pimenta Report 151 Plymouth Sound 137 Poland 104, 105 policy-making 4-5, 195 integration of science 15-16 levels of proof required 197-8 public participation 188-9 political administrations 180 political interests 178-9 politicians 15, 16 'polluter pays' principle 59, 176-7 Pollution Probe 128 polychlorinated dibenzofurans 68 poultry 71, 93, 160 power generation plants 101, 104, 105 precaution cost-benefit analyses 175-7, 187 and governance 187-9 and innovation 186-7 justification 197-8 and science 183-6 wider implications 182-3 precautionary prevention, defined 192 precautionary principle 3 clarification of terms 192 example of early use 14-15 examples from US 12 in international agreements 13, 14 meaning of 12, 13 proportionality and time 60 US/EU disputes 12 pregnancy X-rays 32 oestrogenic compounds 84, 85-8 PCB exposure 67, 69, 70 prevention, defined 192 Price, C. W. 54 progesterone 150 proof levels required for precaution 184, 193 proportionality principle 60, 196 'pros' and 'cons' 175-7 prostate cancer 153 public trust in politicians and scientists 16

understanding of scientific uncertainty 185–6 public awareness 188–9 Public Health Laboratory Service, UK (PHLS) 163 public interests 178, 181–2 public values 178, 181–2, 193

R

radiation, ionising contemporary risk estimates 34-5, 36 early warnings and actions 36 first controls on exposure 33 first reported injuries 31-3 liability for injury 35-6 medical examinations 35, 36, 175, 176 medical treatments 31, 33 misuse 34 radiation protection first measures 32, 33 post-war development 34–5 radiation, ultraviolet 76 **Radiation Workers Compensation Scheme 36** radiodermatitis 31 Radiothor 33 radium, discovery 32-3 'radium jaw' 32-3, 36 radium standard 33 radon 33 raincoat manufacture 42, 46 RCEP (Royal Commission on Environmental Pollution) 158, 182, 186 'real world' conditions 174-5 reformulated gasoline (RFG) 111 Registry of Clear-Cell Adenocarcinoma of the **Genital Tract in Young Females 87** rendered animal wastes 157, 158, 160 reproductive tract abnormalities 86 research lack of baseline 171-3 paralysis by analysis 181-2 Rhine, River 66 rice oil contamination 65. 66. 67. 69 Rio Declaration on Environment and Development 13, 14 risk acceptability of 72 clarification of term 192 significant 40-1 risk appraisal approaches 187-8 interested parties 179-80 Rochdale, asbestos-related disease 54 **Roentgen Society 33** Roentgen, Wilhelm Conrad 31 Rollins, William 32, 36 Rossby, C. G. 102 Rotheim, Eric 79 Royal Commission on Environmental Pollution (UK) 158, 182, 186

rubber industry 38, 42 rubella infection 67

S

St Bartholomew's Hospital 101, 102 salmon farming cages 137, 138 Santa Monica, California 114 Santillo, Dr David 135, 198 sardine fisheries, California 19-20, 27, 180 Scandanavia, acid deposition 102-4 Schweitzer, Albert 13 science and precautionary principle 183-6 public trust in 16 sociology of 184-6 refutation of evidence 55-6, 179 scientific uncertainty 4, 15 benzene toxicity 43-5 and ignorance 185 public understanding of 185-6 and research 203-5 Scottish herring fisheries 17-19 scrapie 157, 174, 181 sea birds 64 sea otter 140 SEAC (Spongiform Encephalopathy Advisory Committee) 161, 165-6 seals 65, 140 Selikoff, Dr I. 55-6 Semb, Dr Arne 101, 198 sensitivity and scenario analysis 187-8 sex hormones 84 Shell Chemical Company 127, 128 shoe manufacture 39, 43, 46 'shooting the messenger' 55-6, 179 'significant risk' 40-1 Silent spring 116, 126, 127-8 Simpson Committee 56–7 skin cancer 76 slaughterhouses, specified bovine offal 160-1, 178 Sleggs, Dr C. A. 55 smog 101 smokestacks 101, 105, 107, 174, 176 Snow, Dr John 14–15 social interests 178, 181-2 Socrates 4 soil acidification 106 Southwood (BSE) Committee 159–61, 179 specified bovine offal (SBO) ban 160-1, 162, 178 spiramycin 94, 96 Spongiform Encephalopathy Advisory Committee (SEAC) 161, 165-6 stakeholder involvement 186, 193 statistical proof 183-4 steam trawlers 18-19 Stewart, Alice 32, 34, 36 stilboestrol, see DES (diethylstilboestrol) Stirling, Dr Andrew 198

Stockholm Convention on Persistent Organic Pollutants 14 stratospheric ozone, see ozone layer subsidiarity 188 substitutes, evaluation 177 Sullom Voe 138, 139 sulphur dioxide emissions CLRTAP Protocol 104, 105–6 cost/benefits of control 104-5, 176, 202 critical load concept 106, 107 European trends 1880-1990 103 forest decline 104-5, 105-6 freshwater acidification 102-4 from fuel oils 101 role of precaution 106-7, 180 tall smokestack solution 101, 105, 107, 174, 176 urban air quality 101-2, 106, 111, 174, 176 supersonic stratospheric transport (SST) 79 surprises 169-71 survivors, fallacy of healthy 60, 178 Sutherland, Ian 17 Swan, Professor Shanna H 84, 199 Swann Committee 94-5, 98, 99, 170, 171, 172, 173, 174, 181 Sweden acid deposition 102-4 action on PCBs 66 actions on antimicrobial growth promoters 95-6, 99, 180 benzene poisoning 38, 42, 46, 47 Swedish chemical law 183, 184 Swedish Farmers, Federation 95

Т

Tage, Ronald 54, 55 Tait, Nancy 57 Taiwan, rice oil contamination 67 TBT (tributyltin) antifoulants alternatives 141, 142, 177 bioaccumulation 140, 141 control in small vessels 138-9 development and use 135-6 early warnings and actions 143 effects on marine molluscs 136, 139-40 environmental quality standards 137, 138.141 human intake 140 impacts in Arcachon Bay, France 136-7, 138, 139 impacts in United Kingdom 137-8 lessons from 141–2 prohibition of 138, 140-1 use in seagoing vessels 139-40, 181 TCDD (tetrachlorodibenzoparadioxin) 68, 70 technological options analysis (TOA) 187 technology assessment 175-7, 186-7 testosterone 150

tetrachlorodibenzoparadioxin (TCDD) 68, 70 tetracycline 93, 95 Thomson, Elihu 31 trade disputes 57–8, 153, 175 transport systems 118 trawlers 18–19 trenbelone acetate 150 triazine herbicide 141 trout 152 Trudeau, Prime Minister 128 Turkey, benzene poisoning 39, 43, 46 Turner Brothers' asbestos plant 54, 56, 57, 58 tylosin 94, 96

U

uncertainty 169, 170, 192 see also scientific uncertainty United Kingdom asbestos and mesothelioma 52, 58 fisheries 17-19, 27 Ionising Radiation Regulations 34, 35 sulphur dioxide emissions 105, 106 TBT antifoulants 137-9 United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks 23 Convention on the Law of the Sea 20 Food and Agriculture Organization, see Food and Agriculture Organization (FAO) Rio Declaration on Environment and Development 13, 14 United Nations Environment Programme (UNEP) Coordinating Committee on the Ozone Layer 79 Vienna Convention 80, 83 Washington Declaration 69, 72 United States antimicrobial feed additives 95 benzene 40-1 CFCs 79-80 hormone growth promoters 149-50, 153 scrapie precautions 12, 158 uses of precautionary principle 12 United States Supreme Court 40, 181 University of California, Davis 112-13, 114 urban air pollution 101, 106, 111, 174, 176 UV (ultraviolet) radiation 76

V

vaginal clear-cell adenocarcinoma 84, 85–8 values 178, 181–2, 186, 193 van Zwanenberg, Dr Patrick 157, 199 vancomycin 94 vancomycin-resistant enterococci 96, 97 Vaz, Sofia Guedes 199 Velsicol Chemical Company 127, 128 Vienna Convention for the Protection of the Ozone Layer 80, *83* virginiamycin 94, 96 VOCs (volatile organic compounds) 111 von Krauss, Martin Krayer 211 *Vorsorgeprinzip* 13, 186

W

Wagner, Dr J. C. 55 Walton, J. R. 94 Washington Declaration 69, 72 Washington Post 80 whelk, common 139 White House National Science and Technology Council 113 Women Inspectors of Factories (UK) 53 World Health Organization (WHO) air quality 102 antimicrobial growth promoters 97, 99 dioxins 71 FAO Joint Expert Committee 175 International Agency for Research on Cancer (IARC) 57, 113 Joint Expert Committee on Food 150 World Meterological Organization (WMO) 76 World Trade Organization (WTO) French asbestos ban 53, 57-8, 175 hormone growth promoters 153 Sanitary and Phytosanitary Agreement 199 Wynne, Professor Brian 199

Х

X-rays discovery 31 injuries from 31–2 medical examination 35, *67*, 176 *see also* radiation, ionising

Y

Yell Sound 138–9 Yorkshire TV 57 Yucheng accident 67 Yusho accident, Japan 65, *66*, 69

Ζ

zeranol 150

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