

VOLUNTARY GROUP ACTION

FOR PUBLIC SAFETY

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TOWARDS CONCERTED CITIZEN ACTION ON SAFETY ISSUES

At a time when the public is becoming more sensitive to safety issues, citizen action is sporadic and fragmented. No coalition of such groups exists to fight for a more unified safety system in Canada.

There is a challenge for public interest groups, from those engaged in radiation issues to those engaged in car safety, to fight for the legal right to individual safety. The various groups could sponsor a public interest safety centre to monitor and pressure jointly for their concerns.

In any case, better communications are needed among public interest groups to press for a safety bill of rights, a national regulatory safety commission, a built in safety role for citizen safety committees and incentives for safety performance.

Public safety will be a key issue in the next quarter of a century.

Some Voluntary Groups Concerned About Safety Issues:

- local pollution probes
- Canadian Coalition for Nuclear Responsibility 2010 Mackay St., Montreal
- Concerned Consumers Foundation Box 8566, Ottawa
- Consumers Association of Canada 251 Laurier Ave. West, Ottawa
- Canadian Environmental Law Association 1 Spadina Crescent, Toronto
- Institut de Promotion des Interets du Consommateur 1212 Panet Montreal
- Canadian Arctic Resources Committee 46 Elgin, Ottawa
- United Steelworkers of America 55 Eglinton St. East, Toronto
- Confederation of National Trade Unions, 1001 St. Denis, Montreal
- Canadian Labour Congress, 2841 Riverside Drive, Ottawa
- National Indian Brotherhood, 102 Bank St. Ottawa
- Automobile Protection Association 292 St. Joseph Blvd. West, Montreal

PUBLIC SAFETY IN CANADA

Radiation leakages. Cancer producing foods. Faulty aluminum wiring. Death by asbestosis. Unsafe cars. These dangers are tied together by a lack of adequate safety measures. Freedom from danger or risks in the home, workplace and community is not an established right in Canada.

Safety guidelines come predominantly from industry and place the onus for safety on the individual, not corporate entities. Emphasis is more educational than regulatory and is focussed on physical contact accidents rather than on cancer and genetic mutation producing hazards. Much time is spent in jurisdictional wrangling and haphazard enforcement of minimal safety standards. Shoddy products, unsafe working conditions and human disease are tolerated in the name of corporate profits and a selfish bureaucracy. Adequate safety regulation is a low priority for consideration in formulating the gross national product.

There is however, a growing unwillingness by citizens and groups to accept official safety judgements and standards. Voluntary groups are emerging and starting to campaign for public safety for the food we eat, the type of environment we have, our health situation, the mechanical and electrical standards established and the dangers from radiation. While actions are sporadic and fragmented, the groups are pressing for safety regulation changes and increasing public awareness about safety problems.

Several brief accounts of voluntary action in safety issues, with background material on each issue raised, are presented here.

The cases of citizen action on safety issues described are:

1. Transportation Safety - The case of the Automobile Protection Association's fight against Datsun 240Z brake defects.
2. Environmental Safety - The case of the Canadian Coalition for Nuclear Responsibility against construction of hazardous nuclear plants.
3. Food and Drug Safety - The case of the Grassy Narrows Reserve fight against mercury poisoning of fish.
4. Occupational Safety - The case of the United Steelworkers of America against asbestosis dangers in Ontario mines.
5. Home Safety - The case of the Concerned Consumer Foundation against faulty aluminum home wiring.

TRANSPORTATION SAFETY

One major cause of early death and permanent injury is transportation accidents; the prime area being road slaughter and mutilation. The officials still attribute car safety problems primarily to human error rather than to mechanical problems with cars. This has led consumer advocates like Nader and the Canadian Automobile Protection Association to do battle with the safety establishment.

Recent transportation safety issues, including car recalls, unsafe radial tires, falsification of car mechanical fitness tests and the lack of initial regulation of moped bikes have focussed renewed attention on inadequate government protection. Ontario's compulsory wearing of car seat-belts is one of the few new tougher regulations.

Campaigning for car safety has been a long standing feature in the consumer action program of the Automobile Protection Association of Montreal.

Automobile Protection Association

For the past several years, the Automobile Protection Association of Montreal (A.P.A.) has been campaigning for greater car safety, exposing car models that are lemons and mechanical timebombs. A.P.A. has tried to resolve hundreds of car problems for consumers, fought court cases for motorists' rights, put pressure and been critical of government's performance and auto companies' attitudes, and utilized corporate jui-jitsu tactics of unfavourable publicity, picketing to protest publicly exploitation of motorists. Some of A.P.A.'s better known forays included exposing the pricing-service practices of Esso car clinics, the mechanical shoddiness of the Firenza, the existence of secret car warranties and the lack of sufficient recourse to Ford owners for inadequate rustproffing of certain year car models.

One of A.P.A.'s tougher actions for car safety has been its fight over defective brakes in the 1971-72 Datsun 240Z cars. These cars, even at early mileages, had a tendency towards the front brake system seizing, either the brake pad or caliper. A.P.A. received over a hundred complaints on this dangerous problem, and documented it in a September, 1972 report to authorities and Nissan Datsun Canada Company officials.

Initial publicity did not get results and so A.P.A. attempted to institute a class action against Datsun. The court disallowed this action and Datsun is still trying to countersue. A.P.A. compiled a more detailed report on the Datsun 240Z in 1973 in order to get action from federal transport officials and to help car owners press their case with the car company and government.

APA recommended an immediate recall of the 1971-72 Datsun 240Z cars and suggested that penalties be levied against Nissan Datsun for willfully violating the Canadian Motor Vehicle Safety Act. Also, a royal commission on the federal government's relationship with the automobile industry in Canada, release of all the company and government's assessment data on the Datsun 240Z models, and compensation for Datsun 240Z owners who paid for repairs caused by faulty mechanical components were suggested. Owners in addition complained of defects in the car's electrical system, shock absorbers, transmission and clutch assembly and rusting problems.

The federal transport ministry did not initiate a formal recall. Confidential documents from Nissan Datsun given to APA however, did indicate the company was aware of the car's mechanical difficulties and would likely compensate owners if pressed. Datsun sent out letters to owners without specifically promising to correct the brake defect problem. This amounted to a secret recall by the company. Individual legal cases were initiated by APA and further pressure applied on federal authorities without resolving the situation with a solution that would apply to all 1971-72 Datsun 240Z car owners.

The Datsun 240Z case was one of the clearer cases of car safety fought by the APA. It resulted in poor publicity for Nissan Datsun but no effective government action or formal aid to the car owners. The problems of unsafe cars are still being challenged by APA.

ENVIRONMENTAL SAFETY

There are a wide range of safety issues connected with pollution of the environment. For example, there is concern about air pollution (lead, sulphur, carbon monoxide, radiation, nitrogen), water pollution (arsenic, mercury, asbestos, oil spills) and land pollution (pipeline spills, pesticides).

Natural environmental weather disasters (flooding, forest fires, hurricanes, earthquakes) will always exist but it is largely a man made chemical environment causing new safety problems. New technology and industrial development have primarily been responsible for the necessity of modern sanitation and regulatory programs.

Current environmental problems include mercury poisoning of fish, chemical spraying of forest area to prevent budworm invasions, lead air pollution emissions in cities, aerosol sprays effects on the ozone layer of the earth's atmosphere, arsenic and asbestos poisoning of waterways and industrial sulphur contamination of farmland areas. As large scale projects like the MacKenzie Pipeline and James Bay hydro project are initiated, environmental hazards are increasing threatening people's ways of life and the ecology system.

Chosen for discussion here is a growing problem - that of the expanded use of nuclear power and the Canadian Coalition for Nuclear Responsibility response, particularly to the hazardous problems associated with nuclear power development.

Canadian Coalition for Nuclear Responsibility

With plans for the construction of over one hundred nuclear plants within the next twenty-five years and with the continuation of CANDU reactors and their export, a growing public concern about nuclear energy, including the hazard of its use, has emerged.

A national federation of environmental, energy, nuclear and community groups, called the Canadian Coalition for Nuclear Responsibility was founded in the summer of 1975. It brought together a regional Maritime coalition, various groups, concerned experts and individuals, including some prominent citizens. It was partly modelled on the coalition created by the then Maritime Coalition of Environmental Protection Associations (now the Maritime Energy Coalition), a federation of groups created in 1974 to try and fight the fairly advanced plans for a nuclear plant at Point LeBreau, New Brunswick, about 25 miles north of St. John.

The coalition members organized a nuclear education week, held meetings with political parties, participated in debates with nuclear officials, got questions asked in the House of Commons, produced broadsheets, gave speeches, wrote letters to the editor, sought media coverage and made contact with similar groups in other countries.

Their message to the Canadian public stresses both economic and safety problems associated with nuclear power development. The high capital costs, repair costs and hidden subsidies for nuclear plant construction are stressed. Use of energy alternatives that are cheaper and less energy intensive are given as options.

Above all, the coalition has expressed concern about the safety problems of nuclear plant development. The inadequate security at nuclear plants, possible unsafe procedures in the nuclear cycle, problems with the storage of radioactive waste and with nuclear thermal pollution have been publicized by the coalition. Answers in the House of Commons to the group's questions indicate that there have been nuclear plant shutdowns due to leakage and other problems. Also they indicate that radioactive sites existed, some of which could still be considered unsafe.

The initial investigation by one member group, Energy Probe of Toronto, led to publicity on the inadequate nuclear waste storage practices by Eldorado Nuclear Limited in the Port Hope, Ontario area. In addition, the coalition has been able to capitalize on the lack of safeguards in the export of Canadian nuclear equipment and technology, particularly after India's use of Canadian nuclear aid to develop a nuclear bomb capacity.

While the coalition to date has been unsuccessful in their call for a national enquiry into the future nuclear development program, they have increased public awareness of the dangers associated with nuclear energy and the limits to existing atomic management accountability under Atomic Energy of Canada Limited. Their concerns about a scientific elite being above the parliamentary process, inadequate regulation by the Atomic Energy Control Board in reviewing licences for nuclear plants and the lack of adequate nuclear liability coverage received media attention. They have succeeded in changing the unquestioning and complacent national pride in the Canadian nuclear development program and added a new political dimension to energy and safety discussions. They have helped bring

the Federal Minister of Energy, Mines and Resources to call for a nuclear public information advisory committee that includes their representation. There remains a long struggle ahead if the coalition is to counteract the Canadian Nuclear Association and its allies from a speedy and accelerated nuclear power program.

FOOD AND DRUG SAFETY

There is no longer a complacent consumer attitude to our food and drug safety. The growing non-nutritious and artificial chemical nature of food diets and drug based health cures are a very personalized way of being exposed to broader safety concerns. If the very safety of our bodies' health is being undermined, then the very criteria for safety have to be re-examined.

One orientation is to call for better sanitation and quality controls of our food and drug production. There has also been revival in eating nutritional and natural foods and in meditation and exercise as means of reducing dependency on chemical and drug cures for all but the most severe health problems. A third approach is tougher research standards and effective consumer information on food and drug use.

Current controversy surrounds such food additives as red dye 2 and over use of antibiotics in health treatments. Food and drug issues like the use of birth control pills, pesticides, cyclamates and thalidomide are some of the well known cases of the last decade. Reviewed here is the problem mercury poisoning of fish is causing to the Grassy Narrows reserve and people's reactions to such a threat.

The People of Grassy Narrows Reserve

It was back in 1969-1970 that scientific concern was first expressed about the mercury poisoning of Canadian waterways. It was then that a nation wide ban on commercial fishing in river systems near chloro-alkali plants was instituted. Over five years later, the problem has become immediate for the economic and personal health of native groups in several areas, including northwestern Ontario and Québec. Internal government reports had in the early seventies indicated there was a health problem to those eating mercury contaminated fish. Company medical testing methods tended to play down the problem. It has only been in the last year and a half that the public, including the native communities that were the people most effected, has been aware of the dimensions of the problem and that a small effort has been made to correct the situation. High levels of methyl mercury in the blood effect the brain causing problems in coordination, hearing and sight and may cause future birth defects. There is no known cure for what is called Minamata disease named after the Japanese community first afflicted.

The case reported here is the reaction of the Ojibway people of Grassy Narrows Reserve in Northwestern Ontario, some fifty miles by road north of Kenora. The Dryden Pulp and Paper Company was dumping large quantities of mercury at least until 1969 into the English-Wabagoon river system. The people of Grassy Narrows (along with the Whitedog Reserve and others) were making a living primarily off commercial fishing in that river system and guiding sports fishermen in the area.

The provincial authority's first action was in 1970, to order the company to stop dumping large quantities of mercury and order an end to commercial fishing along the river system. However, it took a few years, until 1975, for the provincial government to set up a coordinating committee, place a project officer in the area, and to impose total ban on the dumping of mercury by the Dryden Company. Their only concrete action of retribution was to give the area native people two large freezers for fish caught in the nearby fresh water lakes. This has not solved their problems. Federal authorities in mid 1976 have recommended minimal compensation through protein supplement assistance. A federal-provincial initial meeting recommended consideration of establishing a national park in the area.

Meanwhile, area natives have still been eating the fish from the river system and medical tests are beginning to show potential Minamiti disease symptoms in some of those tested. Despite widespread media coverage, opposition party questions, and a demonstration in Toronto by the American Indian Movement, little has changed. One constructive aid was the Canadian Friends Services Committee sponsorship on an independent retired doctor in the area. Another positive measure has been discussions on the Grassy Narrows reserve itself by the band council members revolving around what are desirable alternate economic problems and what government action is needed to attack the health problem. The National Indian Brotherhood also became involved along with native leaders from the area in looking for solutions to the mercury poisoning hazard, creating a research team and establishing contacts with Japanese experts and victims.

The main weapon used to change the situation has been publicity. A key dramatic element that has focussed public attention on the problem has been the exchange visits by experts, victims and indigenous leaders sponsored by the National Indian Brotherhood between the effected northwestern Ontario area and the Japanese community of Minamata, where the effects of mercury poisoning created by the large Chisso Chemical Corporation resulted in deaths, permanent disability and birth defects. Their local alliance negotiated an out-of-court compensation settlement for more than \$84 million in damages. The first trip brought Japanese doctors to Canada to examine the problem. The second trip involved a delegation including people from Grassy Narrows visiting Minamata. The third trip included victims from Minamata visiting Canada, including relating their experiences to the people of Grassy Narrows. The trips forced Canadian authorities to conduct proper medical tests and resulted in a great deal of public awareness of the dimensions of the problem.

The dangerous effects of mercury poisoning on the people of Grassy Narrows reserve are still not officially recognized. There is recognition of inadequate government economic action to date. The different

Leadership factions in Grassy Narrows are still trying to determine how tough their strategies should be in order to win concrete changes involving compensation and economic development projects. They have taken their case to the international Habitat Forum and may try other measures to embarrass governments into serious negotiations and action. The issue has raised questions about the nature of Canadian waterways and government regulation of them in the interest of individual health and safety and alerted Canadian to growing hazards in the food we eat.

OCCUPATIONAL SAFETY

Safety issues in the workplace are receiving much attention as the truth about occupational diseases and death comes out. There can no longer be an attempt to concentrate exclusively on individual worker's responsibility for industrial accident prevention as workers become more aware of industrial responsibilities for accident situations and occupational health problems. Unions are placing a high priority on unsafe equipment, pressing industry and government to deal with both facilities and procedures and toxic materials in the work environment.

Health problems caused by, for instance, toxic gases and dust substances can mean a worker's early death and tragedy for families and whole communities as well. The Elliot Lake uranium miners problem with silicosis and the dust, and radiation problems of the men at the St. Lawrence, Newfoundland flurospar mines are examples of recent industrial health problems brought to the public's attention. The Confederation of National Trade Unions has focussed on achieving justice in a test case for compensation and penalties against Canadian Copper Refinery Ltd. where two workers died. The Ontario Federation of Labour has taken the offensive on use of vinyl chloride in factory processes where insufficient government standards exist. The involvement of labour in the safety as a collective bargaining issue may well be the most significant push needed to promote tough safety regulations and to institute effective machinery for credible safety enforcement.

Described here is the battle the United Steelworkers of America has had at several work locations over inadequate asbestos production safety measures.

United Steelworkers of America

The hazards found in asbestos mines and mills have lately received widespread publicity in several countries, including Canada. Certain levels of asbestos fibres found in the air (well under two fibres per cubic centimetre) are hazardous to health and may cause early death or disabilities. The most dreaded disease, asbestosis, may take ten to twenty years to develop and is usually fatal as is mesothelioma and lung cancer, both asbestos-linked ailments. Cancer of the larynx and rectal area may also be the result of overexposure to asbestos fibres.

Independent research has been done on the subject by experts for the International Labour Organization, in North America, by medical specialists at Mount Sinai Hospital in New York, and by a medical group in England.

The problem workers faced with this occupational health problem has been raised, in Ontario and Quebec, by the United Steelworkers of America and the Confederation of National Trade Unions respectively. The issue has also been raised, in terms of its effect on community health, by some local health boards such as the Scarborough Board of Health, an area in which the asbestos industry has operations. The asbestos occupational and community health problem has also become a political issue, raised primarily by the New Democratic Party.

In Ontario, asbestos industry sites include the Johns-Mansville plant in Scarborough, their former mine near Timmins, the Raysbestos Manhattan Ltd. Peterborough plant, and the new United Asbestos Inc. Matachewan plant.

The regional efforts of the United Steelworkers of America to get action on the issue has included local union discussions in British Columbia, Ontario and Newfoundland. The United Steelworkers of America, as one of the largest unions in Canada, has safety experts on its central staff. It produces a safety manual and periodic occupational health documents. They are just beginning to succeed through collective bargaining (in the 1975-76, Inco Sudbury-Port Colborne operations and the BC Cassiar Asbestos operation) in winning the right to joint labour - management safety monitoring committees.

It was largely through its clout that a royal commission in Ontario on mine safety was set up in 1975. The Ontario New Democratic Party, pressed by the union leadership, undertook research into the records of asbestos readings that indicated continuous industry violations and minimum government regulation. The Steelworkers have also been partially successful in getting standards strengthened for regulation of air borne asbestos fibres from federal authorities who introduced a Clean Air Act. Again, with union pressure, compensation classification for asbestosis victims as part of the Workmen's Compensation Board on Ontario policy, was also achieved.

The Steelworkers have been able to win labour and some community support to get action on this lethal occupational hazard. They are prepared to stop certain asbestos products from being produced or close the asbestos industry if the industry will not willingly meet tough standards. The Steelworkers want the right to monitor the work area, to evacuate unsafe work places without pay loss, to a system of complete and independent regular medical examinations, a complete record and the right to be warned by employers of all substances at the workplace hazardous to workers, and the right to adequate compensation provisions for asbestos and other occupational health victims. A further struggle is on their hands to win a comprehensive program in Ontario and elsewhere for their membership.

HOME SAFETY

A major place of accidents is in and around the home. They include improper storage (drugs, toys), defective materials (lawn mowers, flammable textiles), cooking accidents, (burns, scalds) workshop accidents (faulty power tools, flying objects) outdoor accidents (pools, slippery walks). Some of the most serious problems are associated with fire and poisons.

A common element in home accidents is the improper use of a product or the existance of defective products in the home. Lead based ceramics, drug capsules accessible to children, sharp edged toys and flammable bedsheets are a few of the products considered hazardous. While carelessness is a factor in home accidents, many are caused by defective products. Cases which have gained publicity include lead based kettles, radiation problem TV and micro-ovens and faulty aluminum wiring terminals.

Discussed here is the Concerned Consumer Foundations's fight to resolve the potential fire hazards of aluminum house wiring.

Concerned Consumer Foundation

The potential fire hazards caused by use of aluminum wiring in new homes was brought up as an issue in 1974-75, originally by one maverick Ottawa consulting scientist and later via a group he helped organize called the Concerned Consumer Foundation.

In the early sixties, the use of aluminum wiring became cheaper than using copper wiring in homes. However, its use is potentially dangerous as overheated terminal connections can occur. This is based on scientific principles that have been known for years. Manufacturers, builders, and the Canadian Standard Association officials and hydro inspectors nevertheless have backed its use as safe if proper installation procedures are followed.

The scientist advocate undertook to disprove the official view concerning the fire hazards of aluminum wiring through testing in his independent home laboratory, outspoken speeches and appearances before professional and industrial gatherings, personal and consultant examination of fire-struck homes and through pressing his case with local, provincial and federal authorities.

The Foundation, begun in early 1975 by a small group of scientists, was set up to lend support to the fight for legal rights to safety from the products which use electrical energy. They sought to make the principles of electrical energy and conversation available to the general public particularly as these principles apply to homes. Funds were sought without much success but the Foundation did receive media coverage in its work and queries from the public. The Foundation would like to see proper product performance standards, independent research and testing facilities and the possibility of class actions and recall of unsafe products.

The scientists received support from suburban Ottawa municipalities in March, Nepean and Gloucester Townships for reconsideration of the use of aluminum wiring in new housing starts. In one case, it involved a moratorium, in another, tougher standards for terminal connections and workmanship. Ontario Hydro released a report in mid-1975 recommending a half-way measure of use of largerscrews at the point of terminal and minimal workers' standards. A report from the United States prepared for the Consumer Product Safety Commission went much further, considering a moratorium and recall-compensation method for homes wired with aluminum. A report from a task force of the Canadian Safety Standards Association in June 1976 recommended changing future official Canadian policy but did not offer any compensation means for existing aluminum wired homes.

The Foundation and its active director have not been reassured by Canadian standard and inspectors' organizations and agencies. The Foundation claims these groups are acting to protect private business and are not opening all their records on the matter to the public inspection. They feel politicians are not acting precisely to see savings and safety introduced into home electrical wiring. In forums, including a national consumer television program, the Foundation pushed its case for an independent safety agency's creation and reconsideration of the degree of safety in all electrical home products, especially in the kitchen as well as at locations such as hospitals. The Foundation is investigating the possibility of initiating a class action for compensation for homeowners so that they may be able to make necessary changes to their aluminum wiring.

While the efforts to date have been unsuccessful and the result mainly of a one man show, the Foundation has had publicity and taken the lead in breaking with the complacent attitude of experts to official safety norms. They are continuing to attempt to bridge the gap between the consumer and scientist and to fight against commercial exploitation taking the place of the safe and efficient use of electrical energy.

PROPOSALS FOR CHANGE

A dramatic change in safety legislation and its enforcement in Canada is needed. The key to that change is the need for independent consumer and labour assessment of safety problems and tough safety regulations, given prominence through the creation of a national safety commission.

There should be legal means for citizen involvement in safety decisions through:

- a) access to safety information.
- b) safety assessment public review procedures.
- c) class actions.

Citizen and labour groups need to be given a special role in a new safety organization to undertake:

- a) safety assessment reports including medical and technical examinations.
- b) basic citizen education and training on safety matters.
- c) organizing citizen and labour safety committees.

A national safety commission should be formed along with similar independent provincial tribunals. They should have powers to establish:

- a) model safety bills of rights.
- b) regulations for adequate safety standards.
- c) safety inspection and enforcement procedures.
- d) funding mechanism for citizen and labour involvement in safety issues.
- e) scales of stiff penalties to offenders, and adequate compensation to victims.

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