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dence. Because of the strengths and weaknesses of the data to be evaluated in the assessment of human risk and the complexity of the problem, case-by-case analysis is most appropriate."

#### **INDUSTRY SEEKS MODIFICATION, STAY OF ETHYLENE OXIDE ORDER:**

The Association of Ethylene Oxide Users has asked OSHA to modify its recent standard for worker exposure to ethylene oxide (EtO) and has petitioned the U.S. Court of Appeals for the District of Columbia for a stay of the order.

The 1 ppm permissible exposure limit and the signs and labels stating that EtO is a cancer and reproductive hazard "cannot be shown to be necessary to eliminate significant risks" and therefore the order should be stayed, it told the court through Washington attorney David H. Larry.

In its comments to OSHA, the industry group said its grounds for a modification and stay are based on the failure to justify the need for a short-term exposure limit of 10 ppm for 15 minutes, the inability to demonstrate the need for a PEL of 1 ppm, and the lack of evidence that signs and labels saying EtO is a "cancer hazard and reproductive hazard" are needed.

#### **CDC STUDY DISCOUNTS LINKS BETWEEN AGENT ORANGE, BIRTH DEFECTS:**

To the surprise of few observers, the Centers for Disease Control found that Vietnam veterans generally are no more likely to father children with birth defects than non-veterans as a result of exposure to Agent Orange.

Dr. J. David Erickson, who directed the study, wrote in the Journal of the American Medical Association (Aug. 17) that they gained health histories from the parents of a case group of nearly 5,000 babies born with defects and compared them with the histories from parents of a control group of about 3,000 babies born without defects.

Both groups were drawn from all the approximately 325,000 births in Atlanta from 1968 through 1980. The background risk of serious birth defects in the general population is between 2 and 3 percent.

"The conclusion that Vietnam veterans in general have not fathered babies with all types of birth defects combined at higher rates than other men is based on relatively strong evidence," Dr. Erickson and colleagues wrote.

"In addition, this study does not provide support to the notion that those men who may have been exposed to Agent Orange in Vietnam have had an increased risk of fathering babies with most types of defects. The conclusion regarding the lack of increased risks associated with Agent Orange is based on considerably weaker evidence than the conclusion about Vietnam veterans in general."

About 50,000 tons of Agent Orange were used in Vietnam, containing a total of 368 pounds of TCDD. Approximately 2.6 million Americans served in Vietnam.

The CDC birth defects study estimated exposure to Agent Orange by interviewing the Vietnam veterans and by studying military records that showed troop movements and spraying missions.

It was the second study this year to discount the health effects of Agent Orange on Vietnam veterans. In February the Air Force released initial findings of an ongoing study of 1,200 airmen who sprayed Agent Orange in Vietnam. It found them to be generally in good health but with higher rates of skin cancer, liver disorders and circulatory problems than the general population. It stressed, however, that evidence directly linking these problems to Agent Orange was lacking.

A Federal District Court in New York is conducting hearings to determine whether to accept a \$180 million out-of-court settlement in a class-action lawsuit by Vietnam veterans exposed to dioxin.

Meanwhile, on the basis of the studies by the Air Force and CDC, Sen. Alan Cranston (D-CA) says he will introduce legislation directing the Veterans Administration to develop and evaluate various approaches for providing health care,

rehabilitation and compensation to affected children with birth defects.

#### LET US SPRAY — BUT EPA SEEKS GREATER FARMWORKER PROTECTION:

EPA plans to expand and strengthen current regulations for protecting farmworkers who use agricultural pesticides.

Under the Federal Insecticide, Fungicide and Rodenticide Act, EPA is responsible for licensing all pesticides to prevent any unreasonable risks and hazards they may pose to the environment and public health, and this responsibility extends to agricultural workers.

The proposal is based on a determination that the pesticide farmworker protection standards adopted in 1974 do not adequately reflect the latest information on the potential adverse effects of pesticide exposure.

The changes would expand the current regulations to set safe work practices for categories of workers not currently covered. These include mixers, loaders and applicators of pesticides. The current standards are limited to field workers who perform hand labor after fields have been sprayed with pesticides.

The regulations would require employers to provide training, supervision, personal protective equipment, emergency medical attention and other protective measures for their employees.

The agency also intends to revise the time intervals required before workers can reenter a field after certain pesticides have been applied, and is considering setting a minimum 24-hour reentry interval for the most hazardous category of pesticides (toxicity 1 category). Certain exemptions may be considered for non-hazardous uses, and longer intervals may be required for certain pesticides.

The protective clothing requirements for field workers may also be revised to include gloves or other equipment for workers performing tasks prior to expiration of reentry intervals to reduce exposure to freshly sprayed fields.

The current standard requires that workers be warned before they begin working in a field treated or to be treated with certain pesticides. The employers now have the option of giving the warnings orally or by posting warning signs at points of entry to the field.

EPA is considering revisions to those requirements and will address whether, in addition to oral warnings, the posting of fields should remain optional or be required. The person or persons responsible for communicating warnings may also be specified, the agency said.

All comments should be submitted within 45 days to Environmental Protection Agency, Program Management and Support Division (TS-767C), Office of Pesticide Programs, 401 M St. S.W., Washington, D.C. 20460.

#### EX-EMPLOYEE WINS SUIT UNDER STATE RIGHT-TO-KNOW LAW:

A pregnant woman who refused to work with toxic chemicals unless given information about them has won a lawsuit against an optical company under New York State's four-year-old right-to-know law.

It is understood to be the first time an employer has been cited under the state law, which requires that employers respond within 72 hours to an employee's request for information about workplace hazards and that an employee need not work with the chemicals if a reply is not received.

Instead, the former employee, Kathryn Stellecht, contended she was fired from her job as a laboratory technician at Resin Optics, Inc., of Elma, N.Y., a suburb of Buffalo. She was represented by the office of the State Attorney General, Robert Abrams, who commented that the case "vindicates the right of workers to demand information about toxic chemicals in the workplace and to receive training that will prevent any injuries."

The ruling by the State Supreme Court opened the way for Mrs. Stellecht to collect back wages, court expenses and possibly be reinstated. She had sought