



# ARTIFICIAL STONE SILICOSIS LITIGATION CONFERENCE



*JW Marriott Los Angeles | April 28, 2026*

**STOPPING THE SILICOSIS EPIDEMIC: OSHA, PRODUCT STEWARDSHIP, AND H.R. 5437**



**David Michaels,  
M.P.H., Ph.D.**

Epidemiologist  
George Washington University  
Washington DC

# Funding Disclosures

## My salary:

- George Washington University
- McElhattan Foundation (through GWU)

## Paid Activities with potential conflicts of interest:

- Expert in Attorney General of the State of Mississippi v. Johnson & Johnson
- Expert in Thomas Pollock, et al., v. Federal Insurance Co.
- Expert in Karen Morey v. BNSF
- Consultant for Asbestos Claimants' Committee in an ongoing Chapter 11 Bankruptcy Proceeding

**WORKERS'  
MEMORIAL  
DAY**  
**APRIL 28**



# The New York Times



Survivors of the damage from Israeli air strikes in central Beirut, Lebanon, on Wednesday that killed at least 33 and wounded 27 others.

## Rally Planner On Jan. 6 Gets No-Bid Deals

**BY DAVID A. FABRIZIO AND ANDREA F. KELLER**  
WASHINGTON — The Trump administration has proposed to award more than \$1 billion in no-bid contracts to a company that helped organize President Trump's Jan. 6 rally, according to a report by The Wall Street Journal. The deals, which are part of a broader effort to reward loyalists, are seen as a sign of the administration's willingness to use its power to reward supporters.

The contracts have transferred money from the Treasury Department to the Jan. 6 committee, a group of people who organized the rally. The deals are seen as a sign of the administration's willingness to use its power to reward supporters.

## They Had a Mission: Deep Clean Epstein's Online Reputation

**BY TRACY D. WATSON**  
AN EXPERT ON THE REPUTATION OF public figures, Mr. Epstein had been released from prison a year earlier after a conviction for sex offenses. The report, which was published in a magazine, detailed how Epstein's reputation was managed through a series of PR campaigns.

The report, which was published in a magazine, detailed how Epstein's reputation was managed through a series of PR campaigns. It described how Epstein's image was carefully controlled through a network of PR firms and loyalists.

**D.H.S. Nominee's Seller Tosses Bid**  
The Justice Department's bid to purchase the assets of a former aide to a senior administration official has been rejected by the seller.

**Risk Over Schools in Idaho**  
The state's education officials are facing pressure to address concerns about the safety of schools in the state.

## Oil and Gas Prices Jump As Wave of Strikes Hits Energy Facilities in Iran

### Tehran's Intelligence Minister Is Killed in Israeli Attack

**By NEIL MEHRFELDT**  
After the United States and Israel went to war against Iran on Feb. 18, the U.S. military began sending a flotilla every few days along the southern coast of Iran. The flotilla was part of a broader effort to deter Iran from attacking U.S. ships in the Persian Gulf.

### Cesar Chavez Accused of Abusing Girls

**By MANN JENNINGS**  
A man who once led a fight for farm workers' rights is now accused of sexually abusing girls. The allegations are part of a broader investigation into the man's personal life.



Cesar Chavez, a prominent ally of farm workers, described from records in her 30s.

## As Countertop Cutters Fall Ill, Companies Push for Immunity

**By REBECCA DAVIS O'BRIEN**  
Jeff Rose, a 56-year-old grandfather in Georgetown, Ky., contracted a lethal lung disease doing a job he loves: carving kitchen countertops from slabs of quartz. The disease, silicosis, is a result of inhaling silica dust.

Representatives for manufacturers and distributors are pushing for legislation that would provide immunity for companies that use silica in their products.

**Cryptic Grab on Treasury Bonds**  
The Treasury Department's move to sell Treasury bonds in a way that is seen as a signal of its intentions has caused concern among investors.

**Sierra Valley Backs Abolition**  
The county's residents are pushing for the abolition of a controversial project that has caused local tensions.



RD/FRESNO BEE/ZUMA PRESS, VIA REUTERS

## ro assaults in her 30s.

Jeff Rose, a 56-year-old grandfather in Georgetown, Ky., contracted a lethal lung disease doing a job he loves: carving kitchen countertops from slabs of quartz. The disease, silicosis, is a result of inhaling silica dust.

## ine Reputation

again, in 2019, and charged with sex trafficking. But the effort to maintain an air of respectability and preserve social contacts he might have lost had his crimes become more prominent online.

To accomplish that, Mr. Epstein first turned to the author of the

Continued on Page A20

Lebanon and Iraq.  
The United States has a tendency to...  
Continued on Page A9

shipped within the United States.  
Relaxing the law, known as the...  
Continued on Page A8

# As Countertop Cutters Fall Ill, Companies Push for Immunity

By REBECCA DAVIS O'BRIEN

Jeff Rose, a 56-year-old grandfather in Georgetown, Ky., contracted a lethal lung disease doing a job he loves: carving kitchen countertops from slabs of quartz, a man-made product that has surged in popularity as an alternative to marble and granite.

Mr. Rose's 30-year-old son, Skyler, followed his father into the stone-fabrication business and, like him, inhaled the tiny particles of silica that are released when quartz is cut. He contracted silicosis, too.

"It really hurts knowing I'm sick like this," said Mr. Rose, who used to chop down the family Christmas tree but now loses his breath climbing a flight of stairs. "I love being creative with my hands. I'm not able to do that anymore."

The Roses are among hundreds

of stone-fabrication workers who have been diagnosed with silicosis, a disease long associated with industrial toil that is afflicting more of the workers who help build American kitchens. The industry, confronting mounting litigation, is seeking legal immunity from Congress.

Representatives for manufacturers and distributors — many of them small businesses — say fabricated quartz, also known as engineered stone, is safe, and blame fabrication workshops further down the chain of production, where the slabs are cut to spec with improper equipment or precautions, for the surge in silicosis cases.

"The problem is the process, not the product," said Rebecca Shult, the chief legal officer at

Continued on Page A17

# Hawks Nest Tunnel Disaster



UNIVERSAL NEWSREEL

**SEN. HOLT URGES  
ACTION TO CURB  
SILICOSIS DEATHS**

GRAHAM McNAMEE



## MORE SILICOSIS SUITS ARE FILED

**Tunnel Contractor Named  
by 30 Plaintiffs in  
Fayette Actions**

FAYETTEVILLE, Jan. 4. — Thirty additional silicosis suits were filed in the office of the circuit clerk Tuesday. All were on pauper's affidavits and each seeks \$25,000 damages from the constructors of the 5 1-2 mile tunnel from Hawks Nest to Gauley Bridge, the Rinehart and Dennis company.

The plaintiffs are represented by the law firm of Townsend, Bock and Moore, of Charleston. They include: John Austen, Edgar Bostic, Richard Boyd, Johnnie Bryson, Major Chattfield, Dewey Clemons, A. A. Cole, Howard Cole, Earl Cole, John Cole, George Cole, Ben Gaither, J. T. Geter, John Gill, Jessie Gladden, Dock Gladden, Frank Gladwell, Henry Gibson, Steve Hayes, Johnnie Holmes, Henry Jackson, Jim Jordan, Cornelius Jumper, Clarence Meadows, Joseph Moore, Walter Raleigh, Fred Stinson, James Tillman, Horace Tidwell and James Watson.



# Effects of Exposure to Respirable Crystalline Silica

- Silicosis
- Lung cancer
- Chronic obstructive pulmonary disease
- Kidney and immune system disease

# A Rapidly Growing Global Epidemic

Israel (1997)

Spain (2009)

Italy (2012)

United States (2014)

Australia (2015)

France (2017)

Belgium (2018)

China (2018)

Taiwan (2021)

United Kingdom (2023)

# Silica Hazards from Engineered Stone Countertops

March 11, 2014 by Karen Worthington, MS, RN, COHN-S; Margaret Filios, SM, RN; Mary Jo Reilly, MS; Robert Harrison, MD, MPH; and Kenneth D. Rosenman, MD

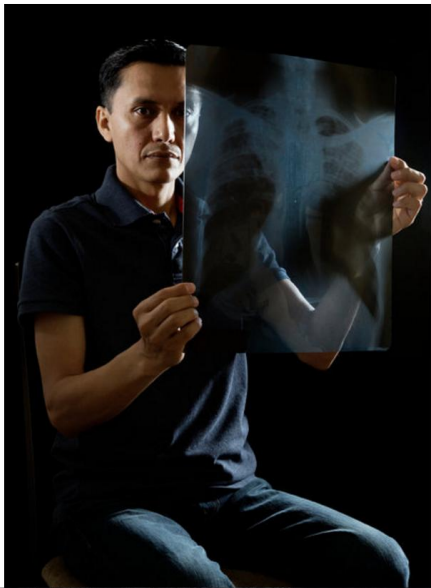


A new engineered stone countertop product known as “quartz surfacing,” was created in the late 1980s by combining quartz aggregate with resins to create a product for use in home building and home improvement. Manufacturing of this material, including products such as CaesarStone™, Silestone™, Zodiaq™, or Cambria™ is a fast growing industry. First made in Israel and Spain, production of these materials has grown world-

(Schwartzkopf 2013, StatWatch 2013). Quartz surfacing materials may contain up to 93% crystalline

# Popular Quartz Countertops Pose a Risk to Workers

By BARRY MEIER APRIL 1, 2016



As sleek “engineered stone” countertops grow in popularity, safety experts are warning that workers who handle them are at particularly high risk from an old workplace hazard — silica, the mineral tied to [silicosis](#), a debilitating and potentially deadly lung disease.

The countertops are made from processed quartz, a material containing silica levels as high as 90 percent, or twice the amount found in granite.

## Morbidity and Mortality Weekly Report (MMWR)

MMWR

Print, Email, RSS, Headphones, and a red flag icon.



## Notes from the Field: Silicosis in a Countertop Fabricator — Texas, 2014

Weekly  
February 13, 2015 / 64(05);129-130

Gary K. Friedman, MD<sup>1</sup>, Robert Harrison, MD<sup>2</sup>, Heidi Bojes, PhD<sup>3</sup>, Karen Worthington, MS<sup>4</sup>, Margaret Filios, MSc<sup>5</sup> (Author affiliations at end of text)

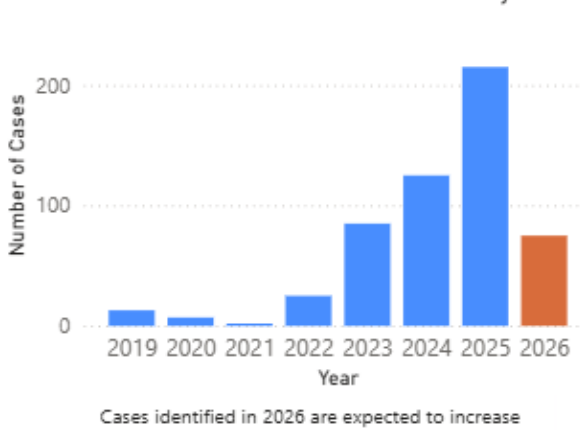
# Silicosis Cases Rising Rapidly

## California Engineered Stone (ES) Silicosis Surveillance Dashboard

Date last updated: 4/23/2026

<b>547</b> Confirmed ES Silicosis Cases	<b>30</b> Deaths
<b>46</b> Median Age at Diagnosis	<b>51</b> Median Age at Death
<b>99.8%</b> Percent of all cases male	<b>98%</b> Percent of all cases Latino

Year confirmed ES Silicosis cases identified by CDPH

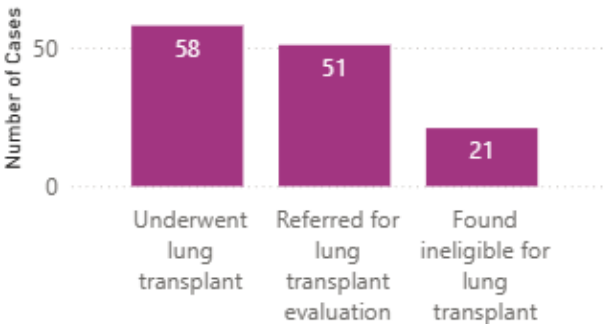


Confirmed ES Silicosis cases have been identified in the following counties:

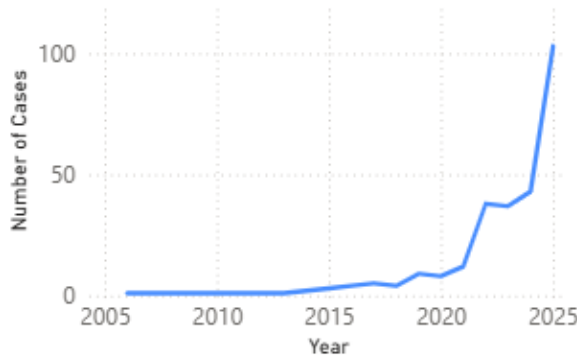
- Alameda
- Contra Costa
- Fresno
- Kern
- Los Angeles
- Napa
- Orange
- Riverside
- Sacramento
- San Bernardino
- San Diego
- San Francisco
- San Mateo
- Santa Barbara
- Santa Clara



Last known transplant status for confirmed ES Silicosis cases



Year of diagnosis\* for confirmed ES Silicosis cases



\*Known years of diagnosis are displayed through 2025; data for more recent years are incomplete due to reporting lags. Diagnosis year is missing for some cases.

County of residence

All

County	Count
Alameda	16
Alpine	No known cases
Amador	No known cases
Butte	No known cases

# How Many Engineered Stone Silicosis Cases are there in the US?

- No largescale screening activities in the US
- Victoria, Australia: all workers in “stone benchtop” industry offered screening
- Of 544 workers screened, 117 had silicosis, or **21.5%**
- It is estimated that 100,000+ workers are employed in approximately 10,000 US fabrication shops
- **Do the math....**

# Very Few of these Workers Receive Workers' Compensation Benefits

Of 114 engineered stone silicosis cases in California, how many received workers' compensation benefits?

- 8 (7%)
- Medi-Cal was the primary payer: 64%
- Uninsured or self pay: 15%
- Private insurance: 14%



er Jordan at his home in Urbana, Mo., on March 11, 2026. Photographer: Arin Yoon/Bloomberg Law

**DEEP DIVE**

# **Next Black Lung: Countertop Silica Dust Cases Pile Up in Courts**

April 9, 2026, 5:02 AM

By Tre'Vaughn Howard

119TH CONGRESS  
1ST SESSION

# H. R. 5437

To prohibit civil actions brought against a manufacturer or seller of a stone slab product for harm resulting from the alteration of such a product by a fabricator, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2025

Mr. McCLINTOCK (for himself and Mr. BIGGS of Arizona) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To prohibit civil actions brought against a manufacturer or seller of a stone slab product for harm resulting from the alteration of such a product by a fabricator, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Protection of Lawful  
5 Commerce in Stone Slab Products Act”.

6

4 (b) PURPOSES.—The purposes of this Act are as fol-  
5 lows:

6 (1) To prohibit civil actions against manufac-  
7 turers and sellers of stone slab products for injuries  
8 caused by exposure to respirable silica or other sub-  
9 stances arising from or relating to the fabrication of  
10 such products by third-parties.

11 (2) To preserve consumers’ access to a supply  
12 of stone slab products, to protect manufacturers and  
13 sellers from frivolous civil actions alleging liability  
14 for such injuries, and to preserve a lawful industry  
15 that employs tens of thousands of Americans in sev-  
16 eral States.

17 (3) To prevent the use of such civil actions to  
18 impose unreasonable burdens on interstate and for-  
19 eign commerce.

1 **SEC. 3. PROHIBITION ON BRINGING OF QUALIFIED CIVIL**  
2 **ACTIONS IN FEDERAL OR STATE COURT.**

3 (a) **IN GENERAL.**—A qualified civil action may not  
4 be brought in any Federal or State court.

5 (b) **DISMISSAL OF PENDING ACTIONS.**—A qualified  
6 civil action that is pending on the date of enactment of  
7 this Act shall be dismissed, as soon as is practicable after  
8 the date of enactment of this Act, by the court in which  
9 the action is pending.

10 **SEC. 4. DEFINITIONS.**

11 In this Act:

12 (1) **FABRICATION.**—The term “fabrication”  
13 means the process of altering a qualified product by  
14 cutting, drilling, shaping, polishing, grinding, or  
15 other means.



# Between a Rock and a Hard Place: Protecting the American Stone Slab Industry from Lawfare

## Hearing

**Date:** Wed, 01/14/2026 - 10:00 AM

**Location:** 2141 Rayburn House Office Building



**WASHINGTON, D.C.** – The House Judiciary Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet will hold a hearing on Wednesday, January 14, 2026, at 10:00 a.m. ET. The hearing, "Between a Rock and a Hard Place: Protecting the U.S. Stone Slab Industry from Lawfare," will examine the problem of and potential legislative solutions to abusive litigation, arising out of unlawful workplace practices of unscrupulous third parties, against U.S. manufacturers and distributors of stone slab products that contribute \$30 billion to the U.S. economy and employ well over 100,000 workers.

## WITNESSES:

- Rebecca Shult, General Counsel, Cambria - [testimony](#)
- Jim Hieb, Chief Executive Officer, Natural Stone Institute - [testimony](#)
- Gary Talwar, Vice President, Natural Stone Resources - [testimony](#)
- David Michaels, Professor, The George Washington University - [testimony](#)

## Subcommittees

[Courts, Intellectual Property, Artificial Intelligence, and the Internet \(119th Congress\)](#)





**CBS NEWS**

DR. CÉLINE GOUNDER MARCH 12

**DISEASE ONCE LINKED TO MINING  
HITS WORKERS IN COUNTERTOPS  
INDUSTRY**

"Silicosis is not new. It was synonymous with mining disasters and sandblasting...What is new is the industry in which it has resurfaced."

**CBS NEWS 24/7**

**HEALTH WATCH**

**THE DAILY REPORT**

**SILICOSIS CASES APPEARING MORE FREQUENTLY  
AMONG ENGINEERED STONE WORKERS IN U.S.**

**HEADLINES**

**LATIN AMERICAN DRUG KINGPIN WANTED BY U.S. IS ARRESTED IN BOLIVIA**

# Industries Granted Immunity from Litigation

- Government contractors (if following precise government specifications)
- Firearms manufacturers
- Tech platforms (under Section 230)
- Manufacturers of vaccines and "covered countermeasures"\*
- Biomaterials (used in surgical implants)
- Beryllium products manufacturers\*

“The real issue at the heart of this problem is unsafe workplaces; specifically, fabrication shops that are not following established OSHA regulations.”

-Industry witness

# H. R. 5437

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## IN THE HOUSE OF REPRESENTATIVES

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16 eral States.

17 (3) To prevent the use of such civil actions to  
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19 eign commerce.

# H. R. 86

To abolish the Occupational Safety and Health Administration, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2025

Mr. BIGGS of Arizona introduced the following bill; which was referred to the Committee on Education and Workforce

---

## A BILL

To abolish the Occupational Safety and Health Administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nullify Occupational  
5 Safety and Health Administration Act” or the “NOSHA  
6 Act”.

2

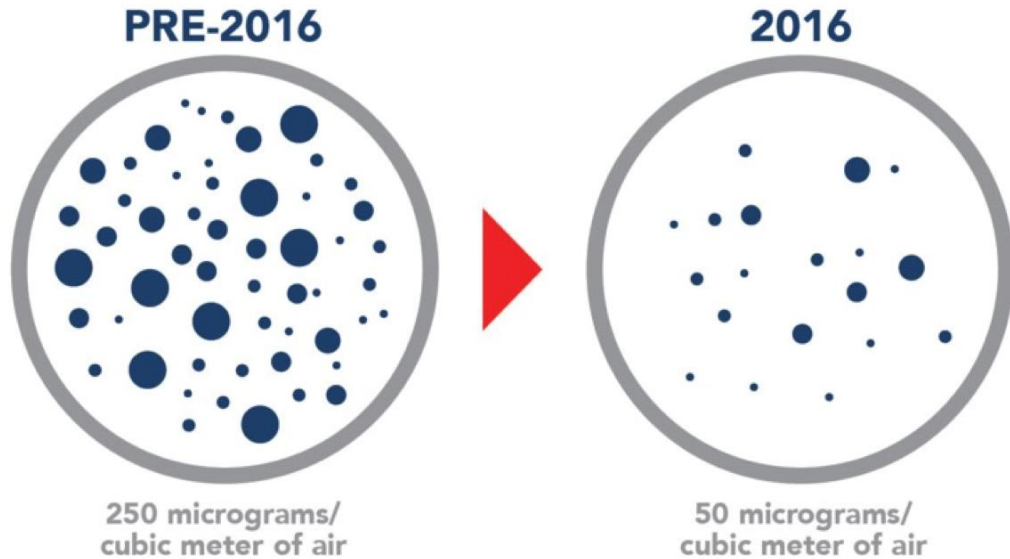
1 **SEC. 2. IN GENERAL.**

2 The Occupational Safety and Health Act of 1970 is  
3 repealed. The Occupational Safety and Health Adminis-  
4 tration is abolished.

○

# OSHA Silica Standard: Employer Requirements

IN 2016, OSHA REDUCED THE PEL OF RESPIRABLE CRYSTALLINE SILICA AVERAGED OVER AN 8-HOUR SHIFT BY 5X. ■



- **Determine** amount of **exposure**
  - Action level: 25 $\mu$ g/m<sup>3</sup>
  - Permissible Exposure Limit: 50 $\mu$ g/m<sup>3</sup>
- Use **dust controls** and safer work measures
- Written **exposure control plan**
- **Train workers** on health effects
- Offer **medical exams**
- **Keep records** of exposures and medical exams



U.S. Department of Labor



DSG FS-3682 02/2018

# Flexibility for Dust Controls

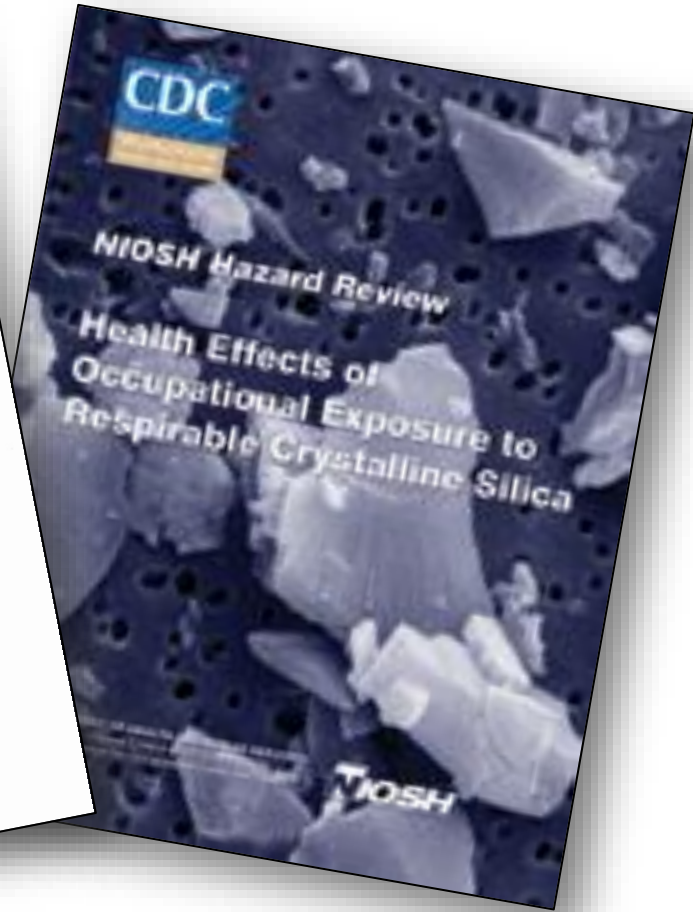
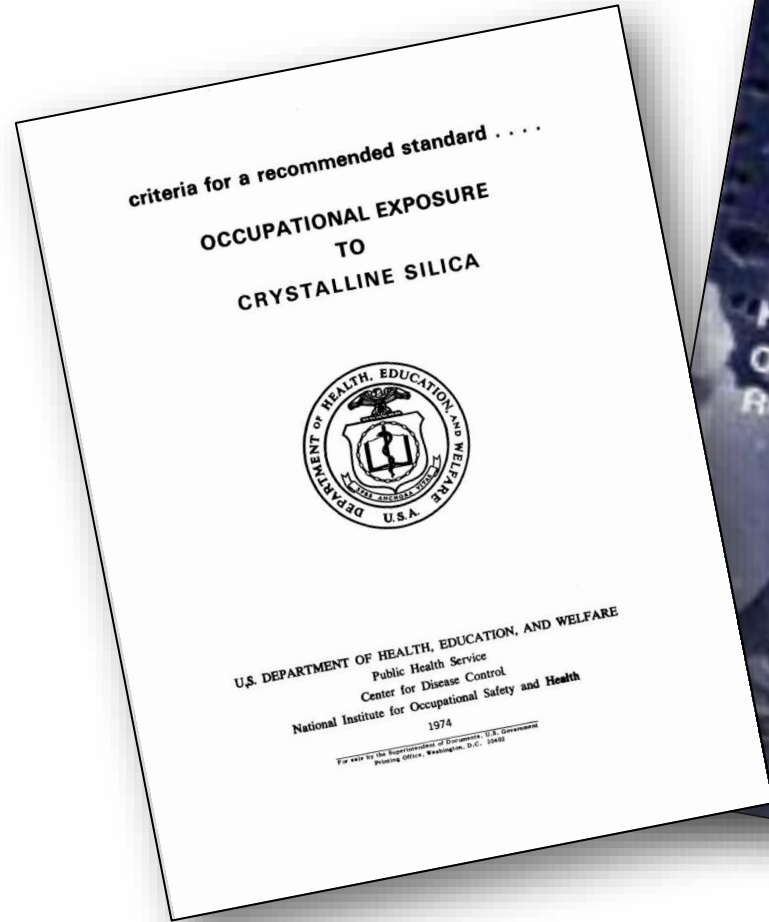
Employers can use any dust or work practice controls to protect workers, such as:

- Water sprays
- Enclosures
- Vacuum dust collection systems
- Prohibiting dry sweeping





# NIOSH Recommendations



# Considerable Stakeholder Engagement

- Held 14 days of **PUBLIC HEARINGS**:  
**200+ STAKEHOLDERS** presented testimony
- Accepted over **2,000 COMMENTS**,  
totaling more than 34,000 pages
- OSHA considered all comments and  
made **SUBSTANTIAL CHANGES**



**To: OSHA's Docket Office at 202-693-1648**

**Re: OSHA-2010-0034**

**From: James Hieb, Marble Institute of America**

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### **OSHA's Proposed Silica Rule A Serious Concern for Construction Industry According to MIA**

**Cleveland, OH, August 29, 2013** — In a statement issued on August 23, 2013, the Occupational Safety and Health Administration (OSHA) issued notice that they intend to reduce the current silica dust exposure rate by 50%. The Marble Institute of America (MIA) is urging the OSHA to maintain current levels as they are appropriate if adhered to. Data from the U.S. Centers for Disease Control (CDC) show a greater than 90 percent reduction in the silicosis mortality rate from 1968 to 2010. It is doubted that a further reduction of the allowable exposure limits will impact those numbers.

Advances in wet cutting and stone industry education have positively aided OSHA in the effort to curb silica exposure during the past few years. The MIA believes that OSHA will continue to have a positive impact if attention is focused on compliance at the current exposure levels.

The natural stone industry advocates the use of proper equipment, training, vigilance and continual monitoring to minimize the risk of silicosis. The MIA has produced videos, handouts, and training guidelines on awareness and prevention and is providing many of those resources free-of-charge to stone companies online at [www.marble-institute.com/silica](http://www.marble-institute.com/silica).

"We consider ourselves partners with OSHA in this effort, and believe strongly that safety is paramount," said James Hieb, MIA Executive Vice President. Independent studies have estimated costs for construction industry compliance will well exceed \$1 billion per year. He added, "don't hamper economic growth for companies who are in compliance at the current levels."

# How does the OSHA Silica Standard Address Engineered Stone Countertops Work?



# Hierarchy of Controls

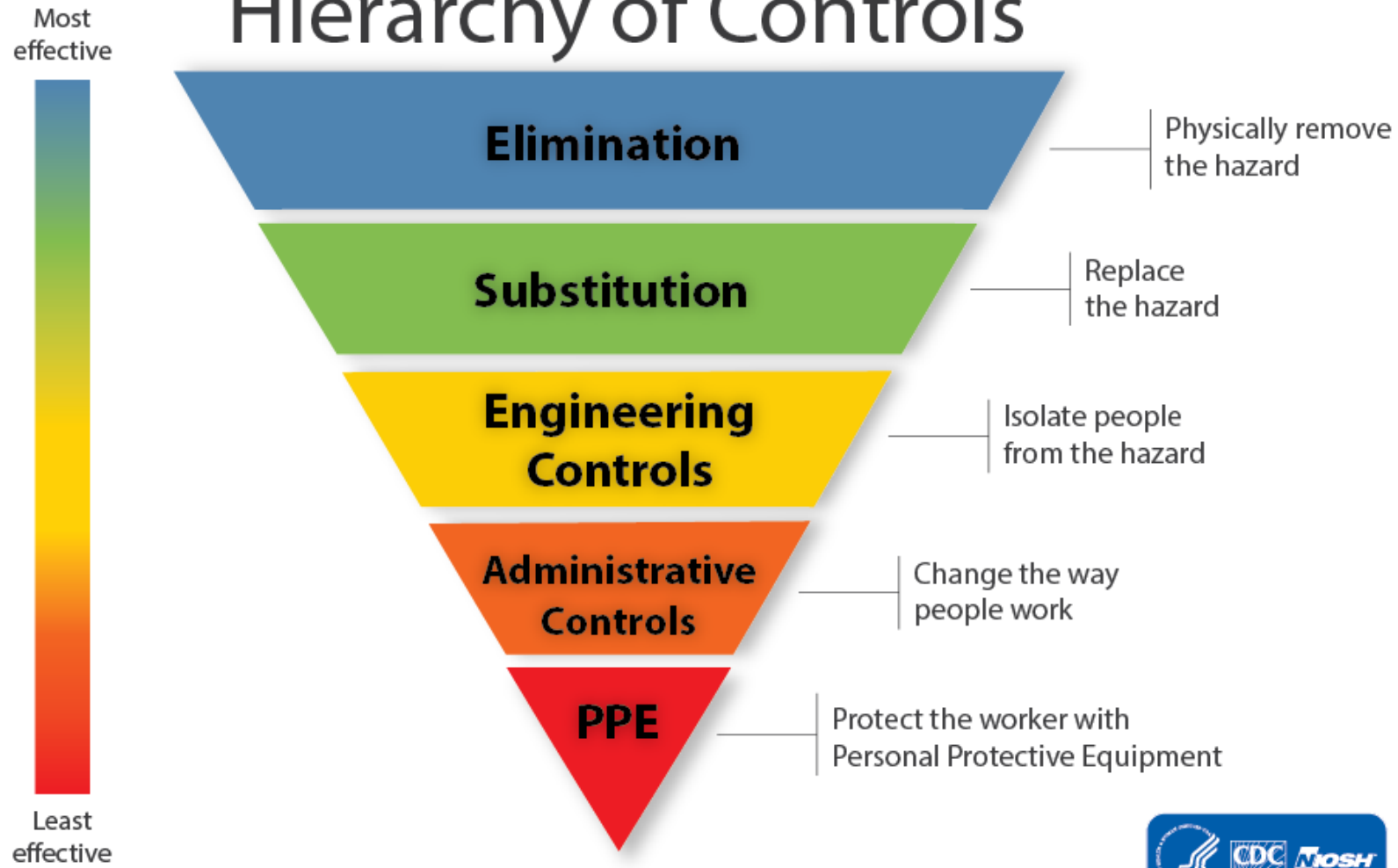
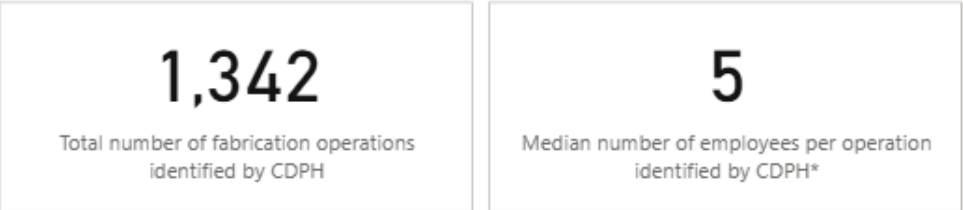


Image by NIOSH



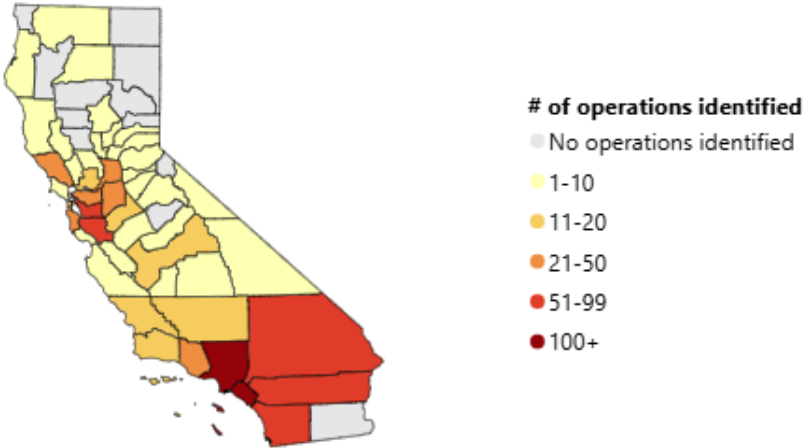
# Cases Coming From Many Fabrication Shops

## Current fabrication operations in California identified by CDPH

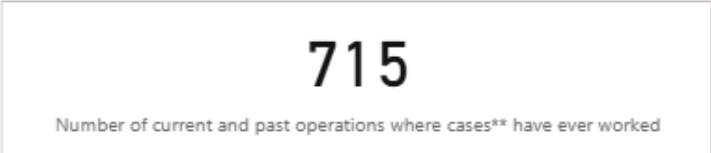


\* Number of employees per operation is only available for about half of operations

## Fabrication operations in California identified by CDPH by county



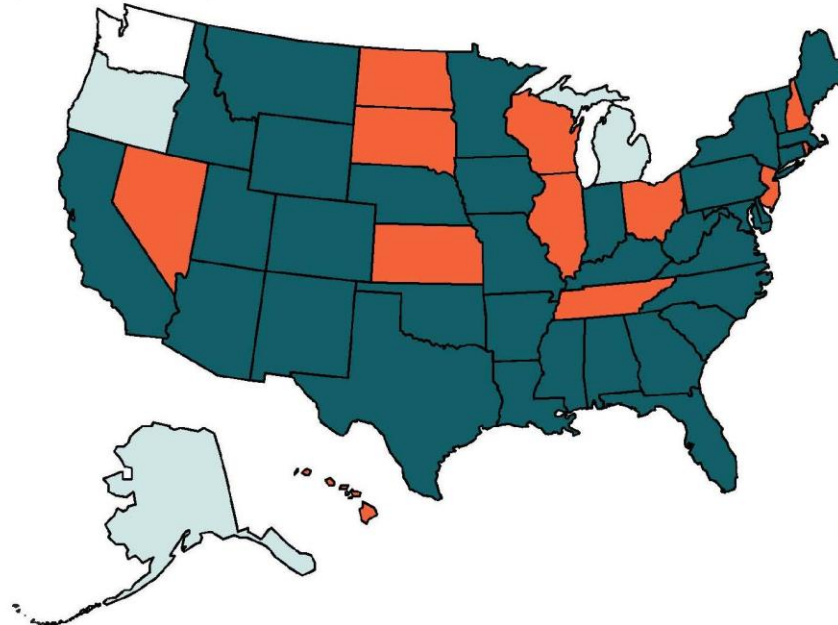
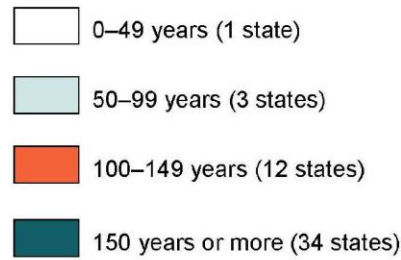
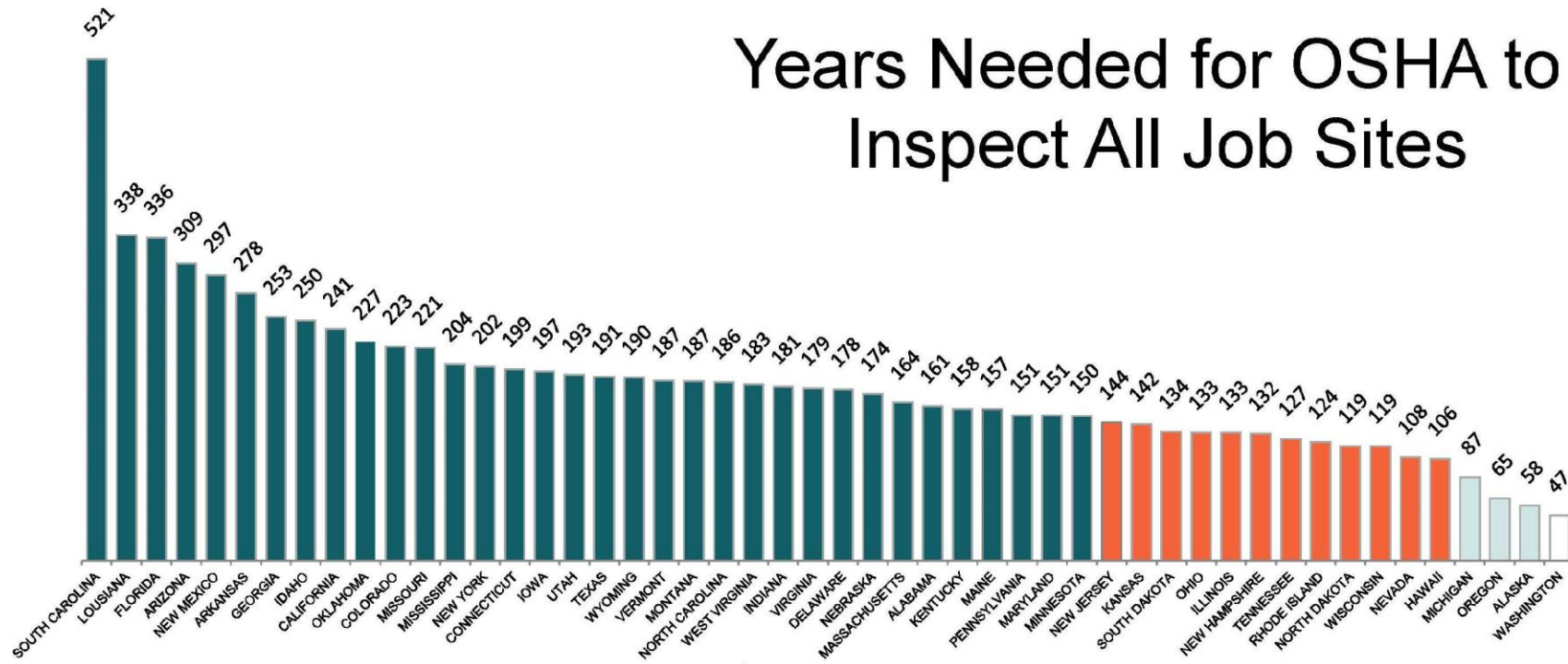
## Work history of confirmed engineered stone (ES) silicosis cases



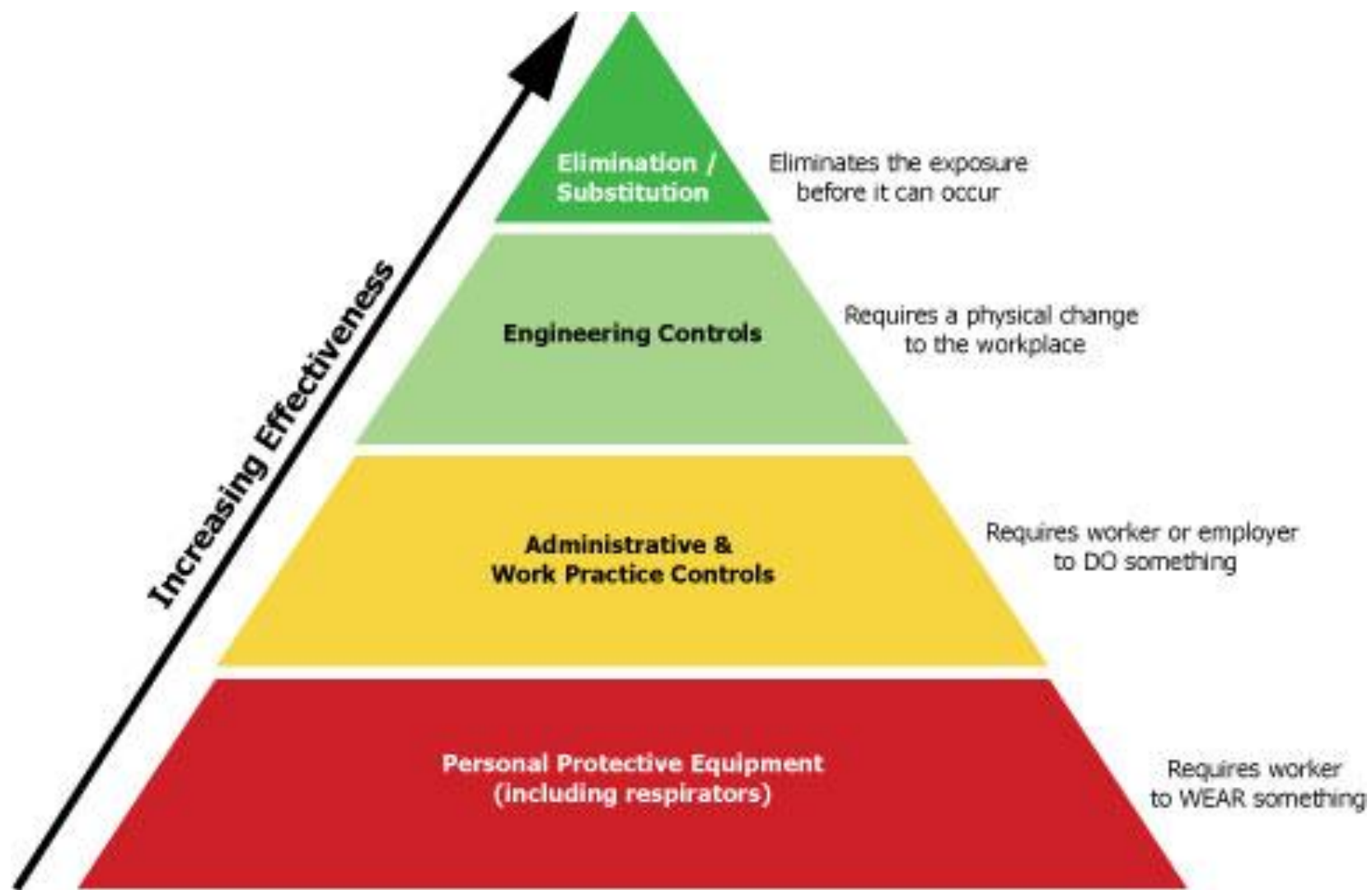
\*\*Work history is only available for 292 cases. More updated case counts are available at the [Engineered Stone Silicosis Surveillance Dashboard](#)

Date last updated: 02/03/26

# Years Needed for OSHA to Inspect All Job Sites



Prepared by the AFL-CIO



# Transitioning to Safer Chemicals: A Toolkit for Employers and Workers

Home

Why Transition to Safer Alternatives?

Basics of Informed Substitution and Alternatives Assessment

Success Stories

Watch Assistant Secretary Michael's Introductory Video

Explore the Steps

Welcome.

American workers use tens of thousands of chemicals every day. While many of these chemicals are suspected of being harmful, only a small number are regulated in the workplace.

As a result, workers suffer more than 190,000 illnesses and 50,000 deaths annually related to chemical exposures.<sup>1</sup> Workplace chemical exposures have been linked to cancers, and other lung, kidney, skin, heart, stomach, brain, nerve, and reproductive diseases.

Establishing a chemical management system that goes beyond regulatory compliance and strives to reduce or eliminate chemical hazards at the source through informed substitution best protects workers. Transitioning to safer alternatives can be a complex undertaking, but a variety of existing resources make it easier. OSHA has developed this step-by-step toolkit to provide employers and workers with information, methods, tools, and guidance on using informed substitution in the workplace.

By using this toolkit, businesses can improve worker well-being through eliminating or reducing hazardous chemicals, while creating other benefits, including:

- Cost Savings — Reduce expenses and future risks.
- Efficiency — Improve performance.
- Industry Leadership — Invest in innovation to stay competitive.
- Corporate Stewardship — Advance socially responsible practices.

This toolkit can be used by all types of businesses—it is for manufacturers using chemicals in their production processes as well as for businesses that use products containing chemicals in their everyday operations. For example, service-oriented workplaces (janitorial companies, auto body repair shops, and pathology labs) and construction work sites often use products containing chemicals that could present hazards to workers.

Workers also can use this toolkit to better understand chemical use in their workplace, find opportunities for using safer chemicals, and engage with their employers throughout the process of identifying, evaluating, and transitioning to safer alternatives.

OSHA wants to help businesses thrive safely by asking them to look at their chemical use and adopt ways to reduce the use of hazardous chemicals. Together, OSHA, employers, and workers can protect America's workforce and strengthen America's businesses.



## Step 2: Examine Current Chemical Use

To identify targets for informed substitution, you need to know how you use chemicals in your workplace and the hazards associated with each of these chemicals. This step will help you examine your current chemical use.

Key Questions

Inventory

**Prioritize**

Further Resources

### Prioritize

While it is important to consider transitioning to safer alternatives for each of the hazardous chemicals used in your workplace, you do not have to pursue substitution activities for every chemical immediately. Instead, you should work with your team to identify priorities to maximize the use of limited resources. Chemicals can be prioritized based on various criteria, including, but not limited to: hazard, exposure, risk, regulation potential, established company policies, interests of relevant stakeholders, and substitution potential. OSHA 300 logs may also provide helpful information about what chemical uses and exposures are of greatest concern in your workplace. Setting these priorities could reflect the larger goals in your work plan for transitioning to safer chemicals or help you further refine your work plan.

### Key Resource



#### European Commission's Prioritization Matrix

The European Commission's [Guidance on Minimizing Chemical Risk to Workers' Health and Safety Through Substitution](#) provides a risk matrix tool that can be used for prioritization. The tool combines a qualitative evaluation of hazard and exposure potential to identify chemicals that could be good targets for substitution efforts. The matrix uses hazard categories found on a Safety Data Sheet to rank the hazard level of the chemical from 1 (low hazard) to 5 (very high hazard). The matrix uses information about where, how often, and in what way the chemical is used to rank exposure potential from 1 (low exposure) to 5 (very high exposure) with regards to working/process conditions, physical properties affecting exposure, frequency or duration of use, quantity used, and accident potential. Combining the qualitative hazard and exposure potential scores allows you to identify chemicals with the highest risk and greatest potential for substitution.

[http://www.osha.gov/dsg/safer\\_chemicals](http://www.osha.gov/dsg/safer_chemicals)



The health and safety of our employees, suppliers, partners and communities are our first priority

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## Cosentino Previews First Zero Silica Surface, New Innovations & Diverse Applications Across Silestone, Dekton, and Sensa at KBIS 2025

*Surface leader previews the next-generation of mineral surfaces, blending*

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**PROTECT WORK**

**Glass Countertops**



15 days for 1 container

Trusted Quality

EXPLORE SAFE & STYLISH  
**SILICA FREE STONE  
BENCHTOPS**



SGS

**KUNGFU** Quartz SLAB

# The Rapid Rise of Silicosis in Victoria, Australia Associated With Artificial Stone Countertop Industry Work

*American Journal of Industrial Medicine*

January 2025

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## Workers' compensation claims in Victoria (1991-2022)

	Total	1991–1998	1999–2006	2007–2014	2015–2022
Number of claims	536	17	19	18	482
Sex, <i>n</i> (column %)					
Male	530 (98.9%)	17 (100.0%)	18 (94.7%)	17 (94.4%)	478 (99.2%)
Age, years <i>n</i> (column %)					
15–34	184 (34.3%)	2 (11.8%)	5 (26.3%)	4 (22.2%)	173 (35.9%)
35–54	283 (52.8%)	8 (47.1%)	8 (42.1%)	5 (27.8%)	262 (54.4%)
55–74	67 (12.5%)	7 (41.2%)	6 (31.6%)	8 (44.4%)	46 (9.5%)
75+	2 (0.4%)	0 (0.0%)	0 (0.0%)	1 (5.6%)	1 (0.2%)
Median age [IQR]	40 [32–49]	50 [42–57]	50 [34–57]	54 [43–58]	39 [31–47]

# Victoria took legal action in 2019 & 2020

- Evidence that ventilation and PPE didn't control exposure in engineered stone processing.
- 2019 Victorian State Government prohibited dry processing of engineered stone
- 2020 a Licensing Scheme for businesses working with engineered stone introduced

# Australian National Dust Disease Taskforce

- Australian Government set up a National Dust Disease Taskforce
- Included lung disease experts and regulators
- Collected evidence
- Reported to the Federal Minister for Health and Aged Care 2021.

# RCS Exposure Levels Remained Too High

- A 2022 survey of Australian hygienists called for a nationally consistent approach to respirable crystalline silica
- Measured exposure to RCS was still high
- After the ban on dry cutting, 24% of jobs in the Victoria had exposure to dry cutting of engineered stone, compared with 87% before ban

# Australian National Government Response: 2024

- Federal, state & territory governments agreed to prohibit the manufacture, supply, processing, and installation of engineered stone materials containing more than 1% crystalline silica.
  - from 1 July 2024 in Victoria
  - transition period until January 2025 elsewhere in Australia

# Short of Prohibiting Fabricating Engineered Stone Countertops, What Can Be Done Here?

- More OSHA Enforcement?
- Stronger OSHA Standards?
- Audit system?
- Product Stewardship

# Product Stewardship



**NOT EVERYTHING IS BETTER  
WITH BUTTER-FLAVORING:  
POPCORN LUNG DISEASE AND THE DANGERS OF DIACETYL**

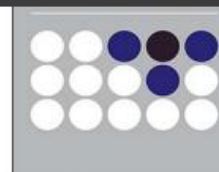


U.S. Department of  
Health and Human Services  
Centers for Disease  
Control and Prevention

**THL** TorHoerman Law, LLC  
People for Justice. Justice for People.

# DIACETYL Popcorn Lung Lawsuit





# The use of diacetyl (2,3-butanedione) and related flavoring substances as flavorings added to foods—Workplace safety issues

John B. Hallagan

*The Flavor and Extract Manufacturers Association of the United States, 1101 17th, Street, N.W. Suite 700, Washington, D.C. 20036, United States*

## ARTICLE INFO

*Keywords:*

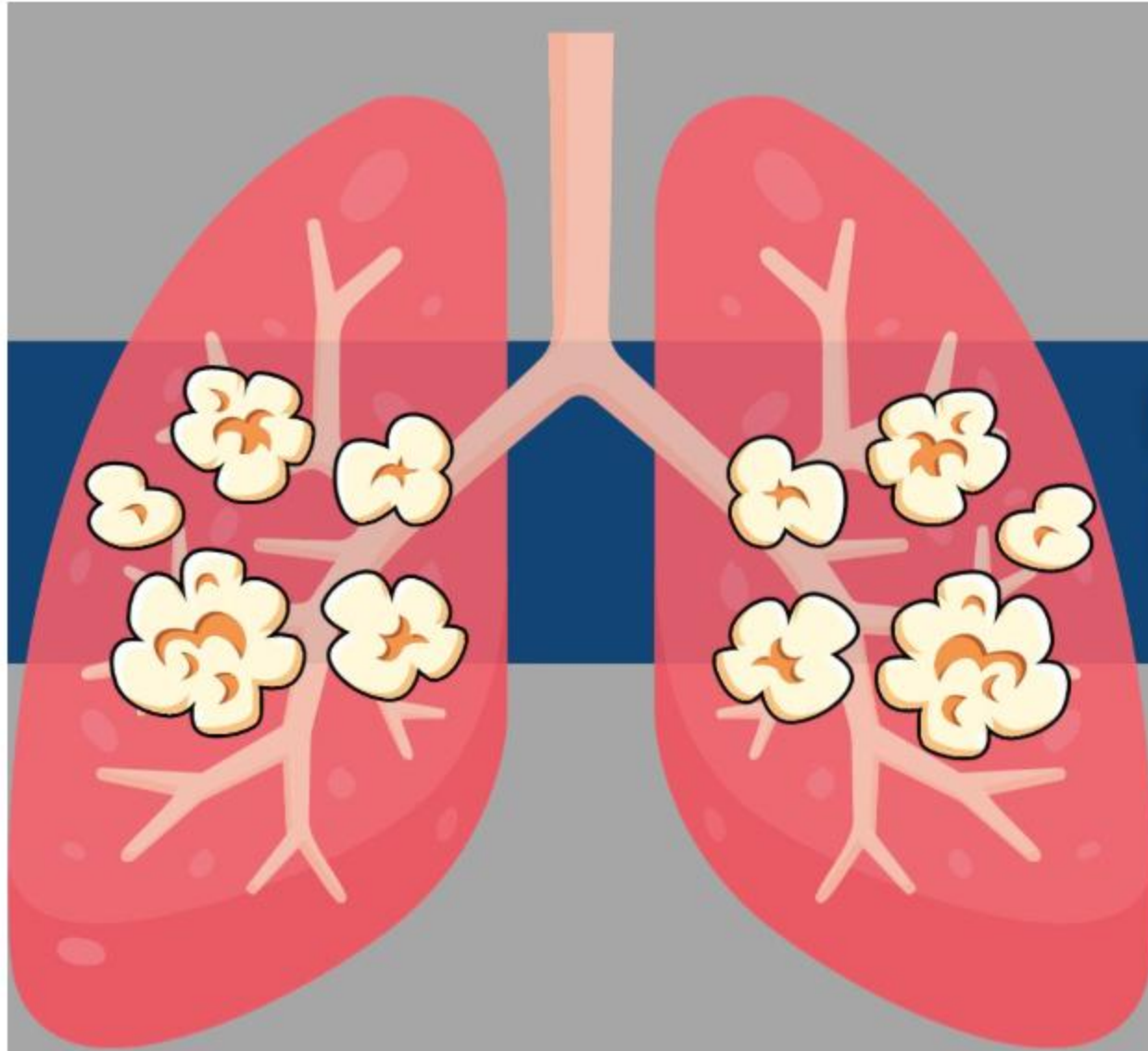
Diacetyl

Flavoring substances

Occupational exposure

## ABSTRACT

In 2001, staff of the National Institute of Occupational Safety and Health (NIOSH) identified diacetyl (2,3-butanedione) as a “marker” of exposure in a microwave popcorn manufacturing facility in which workers developed severe respiratory illness. Subsequent investigations identified additional workers in food and flavor manufacturing facilities also with severe respiratory illness. The flavor industry, NIOSH, and federal and state regulators conducted significant programs to address workplace safety concerns related to the manufacture of flavors and foods containing added flavors. These programs, initiated in 2001, continue today. Key to the success of these programs is understanding what flavors added to foods are and how they are manufactured, how they are incorporated into foods, the specific characteristics of diacetyl and related flavoring substances, and what actions may be taken to assure the safest workplaces possible.



# Does Vaping Cause Popcorn Lung?



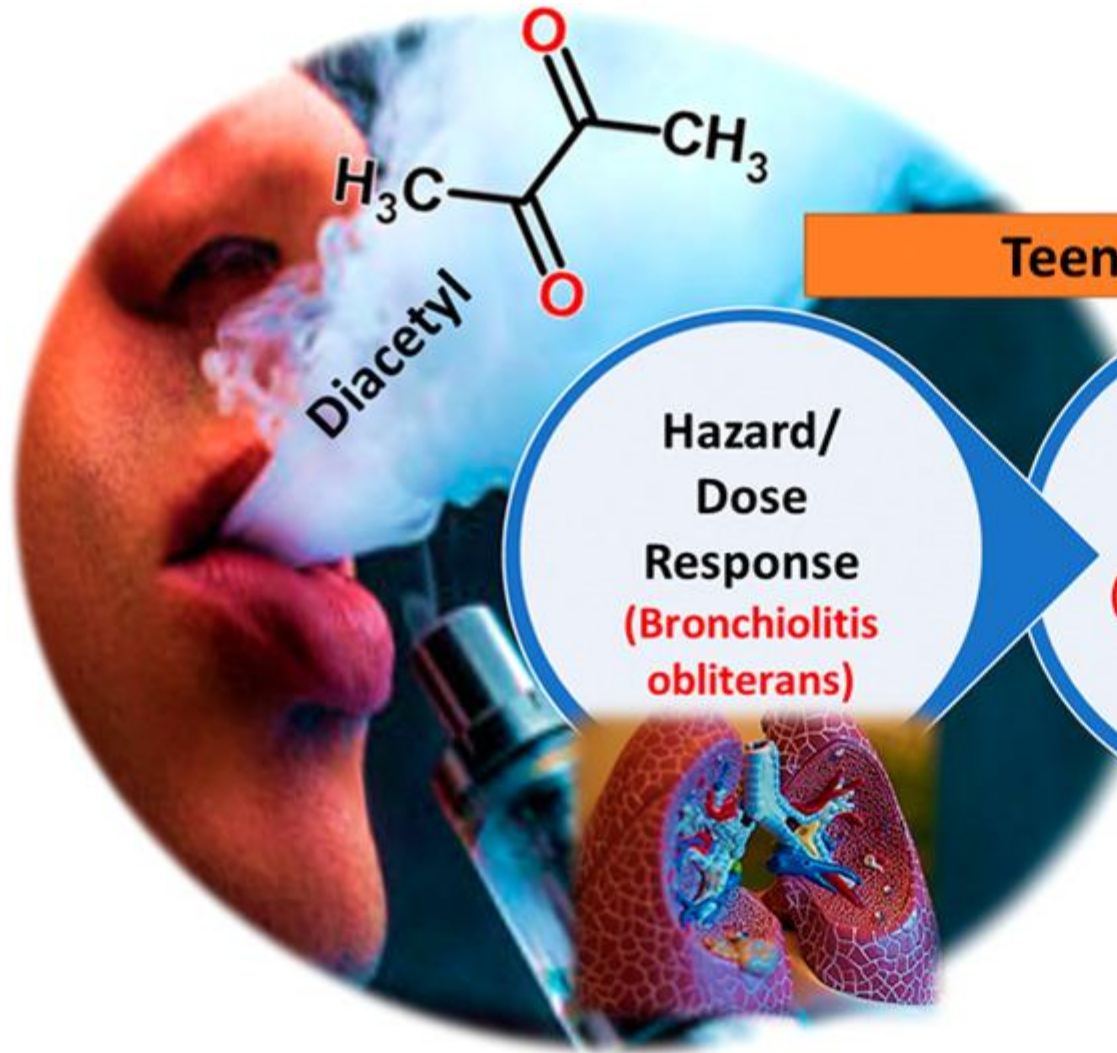
Flavor & Extract Manufacturers Association  
1101 17th St NW, Suite 700 | Washington, DC 20036

## Safety and Regulatory Authority to Use Flavors: Focus on Vaping Products

**First posted May 2013**  
**Revised March 2021**

A variety of vaping products are available on the market including “electronic nicotine delivery systems” (ENDS), “electronic cigarettes” (“e-cigarettes”), and other devices that provide the means by which the user inhales vapor from a mixture of constituents that may include nicotine, flavorings, cannabis derivatives, and other materials.

The Flavor and Extract Manufacturers Association of the United States (FEMA) has for more than 50 years sponsored an extensive program,



Teens & Adults

**Hazard/  
Dose  
Response**  
(Bronchiolitis  
obliterans)

**Exposure  
Assessment**  
(ADD: 0.11 – 5.2  
mg/kg-day)

**Risk  
Characterization**  
(HQ: 6.2875 –  
297.1429)



## If we do not stop exposure.....

- More workers will be sickened. Some will die.
- Many more lawsuits in more jurisdictions
- Insurance Coverage will run out
- Asbestos redux

Thank you for listening.