

Report on visit to Ponds factory, Attn. Dr. Ravi Narayan & Mr. Kumar

Subject: Report on visit to Ponds factory, Attn. Dr. Ravi Narayan & Mr. Kumar

Date: Sat, 01 Sep 2001 10:46:22 +0100

From: "psychiatry" <psychiatry@nimhans.kar.nic.in>

To: sochara@vsnl.com

Dear Navroz,


It was indeed a pleasure to visit Kodi and examine several patients - current and former employees of the Hindustan Lever factory. It was also very useful to have lengthy discussions with you regarding various aspects of mercury poisoning amongst workers. I am herewith enclosing a brief note about my visit and observation.

Thanking you,

Yours sincerely

Mohan Isaac

copy to : Dr. Ravi Narayan & Mr. Kumar

 Ponds Factory.doc	Name: Ponds Factory.doc Type: Winword File (application/msword) Encoding: base64
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^{1/6}
Dr. Praveen / Dr. Ravi

TO: Dr. Ravi
3/9/01 (214)

Preliminary assessment of persons exposed to mercury in Kodaikanal

Visit of Dr. Praveen and Dr. Mohan Isaac, Community Health Cell, Bangalore

Dr. Praveen and Dr. Mohan Isaac of Community Health Cell visited Kodaikanal on 22nd July 2001 to make a preliminary assessment of health effects of mercury amongst current and past workers of Ponds factory. 30 persons who were either current workers or ex workers of the Hindustan Lever's thermometer factory (Ponds factory) were examined from around 9 a.m. till 5:30 p.m. on 22nd July 2001. The history taking and physical/mental examinations were focussed to assess if there were neurological/psychiatric sequelae of mercury poisoning amongst these workers. However, the specific aspects about work history, duration of exposure, previous consultation patterns for health related problems, current occupational history, etc. were obtained as part of the general history and the general examination was done on all the persons. The following are the findings of this preliminary assessment.

Total subjects examined 30

Males	25
Female	5

Age range 24 – 49 years

Prominent health problems found

Gum & teeth problems (such as bleeding gums, inflammation of gums shaking and falling of teeth)	9 persons
Skin problems (especially in the lower and upper extremities)	5
Non-specific functional (? Psychiatric) symptoms	9
Infertility problems	2
Renal problems	2
Gastrointestinal tract disorders	3
Recurrent depression	1
White discharge p/v (? non-organic)	1

Although specific neurological problems such as tremors of the hand, tongue and eyelids, difficulty in balancing and walking, etc. and psychiatric symptoms such as mood fluctuations, irritability, memory loss, hallucinations, etc. were looked for specifically, none in this group of 30 subjects were found to have major neuro-psychiatric problems. One person who had suffered from recurrent depression appeared to have a unipolar depressive disorder perhaps not related to mercury exposure. However, many people were found to have gum and skin allergy related problems which appeared to be due to exposure to mercury. Few persons with infertility and renal problems also were detected. What is most interesting is that most of the 30 subjects interviewed reported to frequent

taking of leave due to a variety of health problems while they were regularly working in the Ponds factory. Of the 30 subjects examined 12 persons had resigned from their job after varying periods of work in the Ponds factory and all of them attributed their resignations to health factors.

The preliminary assessment of a random number of 30 workers exposed to mercury at the Ponds factory indicates that there is a need to assess all the exposed workers in greater detail for health effects of mercury. It is suggested that all the workers (past and present) be assessed for health effects of mercury initially and if there is any evidence for the need for further assessment a more detailed community survey of the population around the Ponds factory be carried out.

DR. PRAVEEN

DR. MOHAN ISAAC

Report on visit to Ponds factory, Attn. Dr. Ravi Narayan & Mr. Kumar

Subject: Report on visit to Ponds factory, Attn. Dr. Ravi Narayan & Mr. Kumar

Date: Sat, 01 Sep 2001 10:46:22 +0100

From: "psychiatry" <psychiatry@nimhans.kar.nic.in>

To: sochara@vsnl.com

Dear Navroz,

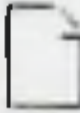
It was indeed a pleasure to visit Kodi and examine several patients - current and former employees of the Hindustan Lever factory. It was also very useful to have lengthy discussions with you regarding various aspects of mercury poisoning amongst workers. I am herewith enclosing a brief note about my visit and observation

Thanking you,

Yours sincerely

Mohan Isaac

copy to : Dr. Ravi Narayan & Mr. Kumar

 <u>Ponds Factory.doc</u>	Name: Ponds Factory.doc Type: Winword File (application/msword) Encoding: base64
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CHESS file →

RN

Greetings

Cher file

Subject: Greetings

Date: Tue, 11 Sep 2001 16:23:38 +0530

From: Community health cell <sochara@vsnl.com>

To: murlidharv@vsnl.com

Dear Murali,

Greetings from Community Health Cell!

I shall be in Mumbai from 15th to 17th attending the Peoples Health Assembly, National Working Group meeting at Vinayalaya, Andheri East (Tel - 8325162 and 8312192). I arrive on 15th evening from Indore and leave on 17th evening for Bangalore. We have a busy programme but I shall try and contact you and Vijay and your team. If either of you are free you could join us on the 17th for the meeting on National Health policy and other policies. OH / EH are weak in all these policies. The PHA - NWG meetings are informal so like mfc meetings all interested people can also attend. Do send me all the phone numbers to contact you both. A visit to your center would have been nice but perhaps not feasible.

Best wishes,

Dr. Ravi Narayan,
Community Health Adviser.

Re: Report on the visit to Ponds Factory

Subject: Re: Report on the visit to Ponds Factory

Date: Mon, 3 Sep 2001 13:13:19 +0530

From: "Navroz Mo" <navrozmo@vsnl.net>

To: "psychiatry" <psychiatry@nimhans.kar.nic.in>

CC: "Community Health Cell" <sochara@vsnl.com>, <nity@del3.vsnl.net.in>, <mangoforu@vsnl.net>

Dear Dr Isaac, Thank you for the Report, which I had already mentioned to the Chairperson of TNPCB. She is keen to have a more comprehensive survey done, and I will be meeting her on the 9th to see how this can be done. I think the survey can be conducted by a group at Bharthidasan University, but the questionnaire and interpretation will have to be done via NIMHANS or, I think DR Ravi was suggesting someone at the NICH. We have also raised the issue of the two other major contributors of mercury in TN at Tuticorin and Mettur, and she was keen to do something about that too. I shall let you know of progress on this after seeing the Chairperson next week. Thank you for the enormous trouble taken by Praveen and yourself. Regards, Navroz

----- Original Message -----

From: psychiatry <psychiatry@nimhans.kar.nic.in>

To: <navrozmo@vsnl.net>

Sent: Saturday, September 01, 2001 3:11 PM

Subject: Report on the visit to Ponds Factory

>
> Dear Navroz,
>
> It was indeed a pleasure to visit Kodi and examine several
> patients - current and former employees of the Hindustan
> Lever factory. It was also very useful to have lengthy
> discussions with you regarding various aspects of mercury
> poisoning amongst workers. I am herewith enclosing a brief
> note about my visit and observation
>
> Thanking you,
>
> Yours sincerely
>
> Mohan Isaac

RJ
7/9
1 of 1

(264) 7/9/01
To: Dr. Praveen

9/7/01 10:34 AM

Re: Your visit

Subject: Re: Your visit

Date: Tue, 18 Sep 2001 10:03:12 -0500

From: Nityanand Jayaraman <nity68@vsnl.com>

To: "Ravi Agarwal" <ravig@del6.vsnl.net.in>, "ravi" <ravig@del6.vsnl.net.in>, "srishti" <srishtidel@vsnl.net>, "Peter Orris, MD, MPH" <porris@uic.edu>

CC: <mdutta@vsnl.net>, "Gary Cohen" <gcohen@igc.org>, <aleonard@essential.org>, "S. Altamira" <altamira@igc.org>, tnarayan@vsnl.com, sochira@vsnl.com

hello ravi/peter:

i'm copying your email to Dr. Ravi & Thelma Narayan. Both are doctors working on community health and epidemiology respectively.

Dr. NARAYANs: Dr. Peter Orris is a visiting physician from United States who has worked actively in understanding and communicating the various kinds of impacts of toxics on human health. I wanted to explore the opportunity of you all meeting. Also, if Peter visits Bangalore, it may be well to put him in touch with Dr. Girish of Ramaiah's medwaste group. For your informations, here are the contact details for the various people i'm currently seeking to connect.

Ravi Agarwal from Srishti Dehi: ravig@ndf.vsnl.net.in. Tel: 011 4328006

Peter Orris: porris@uic.edu

Ravi/Thelma Narayan: tnarayan@vsnl.com

Tel: 080 5531518 or 5525372. Res: 5533064

ciao, nity

At 08:06 AM 9/19/01 +0530. Ravi Agarwal wrote:

>>>>

Dear Peter, I am out of town for a couple of days. Will respond in detail later. But a broader focus sounds good to me. Just need to sense what will fit best here. Will need to discuss with specifically folks who are here... madhu/anu/ Nity are you there? But suggestion are welcome from everyone. Best Ravi -----Original Message-----

From: Peter Orris, MD, MPH <porris@uic.edu>

To: ravi <ravig@del6.vsnl.net.in>; srishti

<<mailto:srishtidel@vsnl.net>srishtidel@vsnl.net>; nity@del3.vsnl.net.in <nity@del3.vsnl.net.in>

Cc: <mailto:mdutta@vsnl.net>mdutta@vsnl.net <mdutta@vsnl.net>, Gary Cohen <gcohen@igc.org>; aleonard@essential.org

<aleonard@essential.org>; S. Altamira <altamira@igc.org>

Date: 18 September 2001 19:05

Subject: Re: Your visit

sounds great. I would suggest a broader topic for the lecture - such as POPs and Med Waste or Stockholm Conv and Med Waste, or Health implications of Health Waste or state of the art on understanding the health effects of med waste or the Occupational Health problems of med waste (if that would give more diversity to the lectures)

As I don't know where and what else you want me to talk about I don't know if these topics are covered in other settings. Could also do New thoughts on the environment and neuro development or current thinking about POPs and neurodevelopment, or Recent studies on Dioxin Toxicity.

RN
19/9

CHESS →
Raven

RN/TM
19/9

Re: Your visit

Many possible. Will hopefully need 2 week advance to prepare but am will to talk about most Occ Med topics with little prep as well.

P

At 12:15 PM 9/18/2001 -0700, ravi wrote:

Dear Peter,

Toxics Link has just begun a collaboration with the India International Centre, a premium serious place for academics, policy, writers, artists, media etc. to hang out in Delhi.

Toxics Link is carrying out a 6 talks per year. Environment and Health Public Lecture series. The talk will be hosted by the IIC and announced by them in their programme.

They have suggested a talk by you on the 16th on an area in your expertise. We will also invite people from our networks. There could be a 80 - 100 people, if we do this right.

I really think that this is a good opportunity to address them. A topic could be Occupational safety and Medical Waste, or something you suggest.

Also the Centre of Occupational Health in Delhi is considering the possibility of having a half day round table meeting with you, their specialists and people from the Health ministry etc. We could also call some of the folks you know:

Dr Laxmi Raghupathy,
Dr Geeta Mehta

Mr. Lalit Kapoor.

People from the Nursing Association.

I think it may be a good forum.

If you agree on both you will be tied up on the 16th.

For the Bangalore people, can we invite them to come to Delhi and join us for the 18th 19th MAN meeting, as Nity feels, rightly so, that they may be important to connect to?

Let me know asap...

Ravi

Peter Orris, MD, MPH
Cook County Hospital
Division of Occupational Medicine
1900 W. Polk, Rm. 500
Chicago, IL 60612
312-633-5310

Fx. 312-633-6442

Subject: Intro: Environmental Health

Date: Sat, 22 Sep 2001 14:26:56 -0500

From: Nityanand Jayaraman <nity68@vsnl.com>

To: narayan@vsnl.com, sochara@vsnl.com, thanai@vsnl.com, spadre@vsnl.com, shreepadre@sancharnet.in, pss@narmada.net.in, samatha@satyam.net.in, tldelhi@vsnl.com, sujvij@vsnl.com, murliidharv@vsnl.com, ravigl@vsnl.com, fordisha@cal2.vsnl.net.in

CC: cec@giadl01.vsnl.net.IN, jeff@hesperian.org, aleonard@essential.org, gcohen@igc.org, sambavna@bom6.vsnl.net.in, mangoforu@vsnl.net, navrozmo@vsnl.net, kanan@vsnl.com, tichennai@vsnl.net

hello all:

Berkeley-based Hesperian Foundation (known for their book "Where there is no doctor") is working on a book on environmental health. in line with their other books, this appears to be another comprehensive book and likely to be immensely translatable. Annie and I met Jeff Conant, the coordinator of this book project that will cover a range of issues from sanitation, urban health, occupational health overlaps, toxics including pesticides, mining, resource extraction (forestry), vector borne diseases etc.

The books are usually not organised in manual form. rather, they are geared for a learning process through analyses of case studies and tools/interventions of assessing, communicating and addressing community health issues in areas of environmental distress.

I briefed Jeff about:

- a) Bhopal: with specific reference to the recent study through Sambhavna that assessed the health of children born before and after disaster by tabulating simple indicators such as mid-arm circumference, torso-lower body ratio etc.
- b) Kasragode Endosulfan disaster and the ongoing efforts for a comprehensive health survey. Also mentioned the success of Kasargode community in exposing the scientific establishment as unscientific and lacking caution.
- c) unilever: the mercury story and the health effects observed among workers of Unilever.
- d) The Bangalore Community and Environmental Health skillshare.
- e) Community Health Cell and its role in Public Health Assembly, in linking Globalisation and Health etc.

Also, requested Jeff for a mechanism where queries on environmental health can be posted to a wider group of resource persons through Jeff. This will probably take some time and remain informal and on a case-by-case basis for the time being.

It would be good to feed in some of the experiences from the health-based aspects of campaigning from Gujarat, Kerala (Endosulfan), Occupational Health (Hema Chemicals, Vijay/Murli's work), Bhopal and Mercury poisoning in Kodaikanal.

This is an email to put you all in touch with Jeff in the hope that you will be individually in touch with Jeff Conant. here's the list of introductions.

1. Jeff Conant: Environmental Health book project coordinator.
Email: jeff@hesperian.org
2. Dr. Thelma Narayan: She's a specialist trained in epidemiology and

Community health, and is with Community Health Cell. Advises WHO.
3. Dr. Ravi Narayan: Specialist in community health. active in PHA. advises WHO. With Community Health Cell, Bangalore.

Both Dr. Ravi and Dr. Theima can be reached: tnarayan@vsnl.com

4. Ravi Agarwal: Coordinates Srishti, a group that is perhaps the most knowledgeable about medical waste issues in India. email: ravig1@vsnl.com
5. Shree Padre: A farmer and community activist from Kasaragode, Kerala, where the ongoing controversy around endosulfan poisonings are unfolding. Email: shreepadre@sancharnet.in

6. Thanal: Thanal is a voluntary group of activists from Trivandrum, Kerala, that has spent a lot of time informing and working with toxics-impacted communities in Kerala. Thanal has supported the Kasargode anti-endosulfan struggle with information on toxicity, international linkages and advise on strategy. Thanal is also working on toxics and health, garbage and health, and is now engaged also in a zero-waste program for a tourist hotspot in Kerala. Email: thanal@vsnl.com

7. Toxics Link: is an organisation that assists struggles against toxics pollution by providing toxics-related information and by linking struggles in India with each other and with counterparts internationally.

8. Dr. Praveen and Lalit Narayan: Also work with Community Health Cell in Bangalore. They coordinated the Bangalore Environmental Health Survey skillshare and will be bringing out the proceedings of the meeting. Email: sochara@vsnl.com

9. Ms. Rajulamma and Ms. Bhanu, Samatha. THIS Hyderabad-based group works with indigenes people. Bhanu also coordinates the Women in Mining program of the Mines, Minerals and People. MMP is a network of community groups and NGOs from mining-impacted areas. Impacts of Mining on health will be a focus of the Women and Mining group. Email: samatha@satyam.net.in

10. Paryavaran Suraksha Samiti, Gujarat: This group of activists works in South Gujarat. Among other things, they also work on the impacts of industrial pollution on communities and the environment in South Gujarat. South Gujarat is probably the worst polluted region in the country. Email: pss@narmada.net.in and Contacts: Michael, Anand, Swati

11. Vijay Kanhere: a labour activist working on occupational health issues. has along with Dr. Murlidhar (next) worked on noise-induced hearing loss among workers and cases of asbestosis etc. Has successfully employed inexpensive and innovative methods for assessing health damage, and followed that through to resolution by legal interventions and pressure building.

12. Dr. Murlidhar: A physician from Sion Hospital, Mumbai. Has worked a lot on noise induced hearing loss. Also knowledgeable about toxics and health effects.

13. Navroz Mody/Manu Gopalan: Both are Greenpeace toxics campaigners. Navroz is from Kodaikanal, where Unilever's mercury thermometer factory is located. He is closely involved with the campaign to pin liability on Unilever. Manu works more in Kerala along with Thanal, and is also involved in an effort with them and a community living within a highly polluted industrial estate in Eloor, Kochi, Kerala. This is the site of one of the world's last remaining DDT factory. Emails: navrozmo@vsnl.net and mangforu@vsnl.net

14. Kanan R, Palni Hills Conservation Council: A Kodaikanal-based environmental group closely involved in the Unilever fight in Kodaikanal, Tamilnadu.

15. Satinath Sarangi: of Sambhavna Clinic in Bhopal. This clinic has been set up for a) providing health relief for survivors of the Carbide's gas murder in Bhopal. b) documenting the health effects and the failure of the "health care system" in addressing the health problems of Bhopal survivors. Email: sambavna@bcm6.vsnl.net.in

16. Centre for Education and Communication: A New Delhi-based labour

support group that has in the past been involved in the Bhopal campaign, and continues to play a pivotal role in educating labour activists and organisations on occupational health issues. If i'm not mistaken, CEC has a publication on health care workers.

17. Disha: A Calcutta-based NGO working on a wide range of environmental and environmental health issues. Email: fordisha@cal2.vsnl.net.in

Info needed

Subject: Info needed

Date: Sat, 22 Sep 2001 14:27:01 -0500

From: Nityanand Jayaraman <nity68@vsnl.com>

To: sochara@vsnl.com, tnarayan@vsnl.com

CC: jeff@hesperian.org

Hello Praveen/Lalit:

my previous email probably gave you an idea about Hesperian's book project.

Can I request that you mail a few documents to Jeff Conant of Hesperian.

1. The proceedings of the August meeting (as and when it becomes ready)

2. People's Health Assembly report

Can you also forward by email (jeff@hesperian.org) good contacts such as Dr. Ravi and Dr. Sharma from Delhi who can clarify questions that Jeff may have on Malaria and other vector-borne diseases?

Jeff's mailing address:

Jeff Conant
Hesperian Foundation
1919 Addison St., Suite 304
Berkeley, CA 94704
USA.

Kindly acknowledge receipt of this email. Thanks and ciao, nity

Nipin. Gangadhar → nipin@yzk @ yahoo, co. uk.
(Emolt engineer)

Subject: Unilever's inconsistencies
Date: Fri, 26 Oct 2001 10:19:06 +0530
From: nity68@vsnl.com
To: sochara@vsnl.com

Hello Dr. Praveen:

Kindly download and print the following link for Dr. Ravi/Dr. Rajmohan's briefing file for the Unilever meeting.
<http://www.corpwatch.org/un/updates/2001/unilever.html>

Inconsistencies Galore

A Timeline on Unilever's Mercury Dumping in India
By Nityanand Jayaraman CorpWatch October 4, 2001

(PRIVATE)RELATED STORY

{HYPERLINK "unilever.html"} Unilever's Mercury Fever Did Unilever downplay the dangers of mercury dumping? *In the months following the discovery and expose of Unilever's polluting practices in Kodaikanal, many of the responses and statements by the company have been contrary to facts. The time line below outlines a few. (Emphasis is the author's.)*

The Scrap Yard Dump

March 7, 2001: Kodaikanal townspeople cordon off scrap yard containing tons of mercury-containing toxic wastes from Unilever's thermometer factory. They confront factory management with photographs of visibly mercury-contaminated waste.

March 7, 2001: In an interview at the factory gate, Mr. Subramaniam, export marketing manager for Hindustan Lever denied reports of dumping and said: "No hazardous wastes have left the factory site." {HYPERLINK \ "1"}1

March 7, 2001: In an email response from the headquarters, Unilever stated that "It is this glass waste from the non-mercury area, which is *completely free from any mercury at all*, which we have sold, this too only with necessary permission from Customs and Central Excise officials." {HYPERLINK \ "2"}2

March 8, 2001: Unilever subsidiary Hindustan Lever said: "Allegations that scrap glass generated in the HLL Kodaikanal Thermometer factory's non-mercury area, purchased by a local scrap dealer more than 15 months back, contains some glass with mercury waste has caused the company enormous surprise and concern since *such a possibility is remote* given established systems and controls which are in place." {HYPERLINK \ "3"}3

June 21, 2001: Unilever subsidiary Hindustan Lever said: "Hindustan Lever Limited has retrieved, for secure storage at the site, the 5.3 tonnes of *mercury containing glass scrap* currently stored on a scrap dealers premises in Kodaikanal, which had been inadvertently removed from the factory in breach of established procedures."

The toxic wastes that Unilever claims were "inadvertently removed from the factory" were actually sold by the company to the scrap dealer. The company admits that at least 30 more tons of mercury-containing wastes has been sold to recyclers in various parts of South India. Such sales are patently illegal under Indian law.

Waste Exhumed

April 11, 2001: Factory workers report that company exhumed wastes containing visible quantities of mercury from unlined pits in the factory. Worker testimonies and video footage available with Greenpeace confirm that the wastes were exhumed by workers without appropriate protective gear. The company's response does not indicate whether there were any independent witnesses present to supervise the operations. Neither does it

appear that the Company sought the permission or presence of the Tamilnadu Pollution Control Board for the operations.

April 12, 2001: Unilever said: "In so far as our own site is concerned, post suspension of manufacturing operations, we have been using the workforce rendered idle for good housekeeping and also for activities connected with material balancing. . . We have actually notified the customs authorities that we were taking out the non-mercury glass that had been buried at our own site in the 80s as a part of this work."

Clean Up: Small Lies

June 20, 2001: A document signed by a representative of the Pollution Control Board and a representative of the Kodaikanal township indicates that Hindustan Lever retrieved 7.4 tons of mercury-containing glass scrap and 3.5 tons of soil from the scrap yard located in Kodaikanal.

June 21, 2001: Unilever's statement underreports the quantity of mercury wastes dumped and retrieved from the scrap yard. "Hindustan Lever Limited has retrieved, for secure storage at the site, the 5.3 tonnes of mercury containing glass scrap currently stored on a scrap dealers premises in Kodaikanal, which had been inadvertently removed from the factory in breach of established procedures."

Footnotes

Public interview with Mr. Subramaniam, manager (exports), Hindustan Lever, at HLL Thermometer Factory, Kodaikanal. March 7, 2001.

Pers. Comm. via email from Debasis Ray, Corporate Communications Manager, Hindustan Lever Ltd. March 7, 2001.

"HLL orders comprehensive audit & review at thermometer plant, suspends operation for the time being." HLL press release, Mumbai. March 8, 2001.

Re: Corp Watch on HLL

Subject: Re: Corp Watch on HLL

Date: Mon, 8 Oct 2001 10:16:01 -0500

From: "Harlan Johnson" <harlan@actualizations.net>

To: "Navroz Mo" <navrozmo@vsnl.net>, "Harihara Charitable Trust" <omkrisna@yahoo.com>, "Gautam Patel" <gasp@beag.net>, "Dr. T.N.Mahadevan" <devan@apsara.barc.ernet.in>, "dev ghosh" <ghoshdev@hotmail.com>, <debi@beag.net>, "D. Karunasagar" <dks@cccm1.ernet.in>, "Community Health Cell" <sochara@vsnl.com>

Greetings all

I'm back in Rockford, Illinois, and want to be helpful in any way I can.

I also haven't given up on my idea of developing a network of organizations to keep an eye on the midday meal program in every school in India - both as a watchdog and supporter - a local group (preferably parents, but possibly gram panchayat or Lions, Rotary, etc) and a class of children from a school that caters to more affluent kids - either in India or anywhere in the world.

If such a plan is implemented, millions of children, particularly little girls, will be educated and nourished, and the benefits to India will be tremendous.

If any of you have any suggestions as to how this can be implemented, please let me know.

Also, I'm very interested in knowing the reactions people around you are having to the atrocity in New York and the subsequent events!

Email me at harlan@actualizations.net

Harlan Johnson

----- Original Message -----

From: Navroz Mo

To: Harlan Johnson ; Harihara Charitable Trust ; Gautam Patel ; Dr. T.N.Mahadevan ; dev ghosh ; debi@beag.net ; D. Karunasagar ; Community Health Cell

Sent: Monday, October 08, 2001 3:16 AM

Subject: Fw: Corp Watch on HLL

----- Original Message -----

From: Navroz Mo

To: Harlan Johnson ; Harihara Charitable Trust ; Gautam Patel ; Dr. T.N.Mahadevan ; dev ghosh ; debi@beag.net ; D. Karunasagar ; Community Health Cell Cc

Sent: Saturday, October 06, 2001 11:47 AM

Subject: Corp Watch on HLL

Dear All, Here's a recent article on this story that might interest you. Regards, Navroz Mody

To: Dr. Praveen
9/10/01

Talking points: Unilever meeting

Subject: Talking points: Unilever meeting
Date: Fri, 26 Oct 2001 11:36:59 +0530
From: nity68@vsnl.com
To: sochara@vsnl.com
CC: navrozmo@vsnl.net, mangoforu@vsnl.net

hello Dr. Ravi:
Earlier, I had sent you all the Unilever press releases as attachments. Kindly acknowledge receipt.

Here're a few questions/concerns that you could ask of Dr. Rajagopalan of Unilever. It would be important to stipulate that you would like answers to the below question-by-question. Kindly indicate that having this information IN ADVANCE would greatly enhance the quality of the discussion. Not having this information would make the discussion meaningless, especially given that you would have to accept Lever's claims at face value without the support of facts.

Please arrange to get from Navroz the full details "FROM THE GROUND" as to how the medical surveillance was actually conducted. Also, kindly obtain a copy of the questionnaire used in the surveillance.

Questions for Lever.

1. What is the exact nature of protective equipment provided and used by workers in:
 - a) mercury area;
 - b) crushing and distillation room;
 - c) screening (oven room where name, number are printed).
2. You indicate in the Dames & Moore report that records for mercury vapour levels have been maintained for the period 1983-2000, and that the records for 1994-1999 are missing. Kindly provide the readings for January 2000 and May 2000.
3. You indicate that the records for the monthly urine monitoring are available since 1988. Kindly indicate number of samples analysed per employee per year. Kindly provide the urine analyses results (anonymous) for May 2000.
4. You indicate that "employees whose mercury levels exceeded this level (100 micrograms of mercury per litre of urine), were redeployed from the mercury area."
 - a) Are your doctors aware that under the presence of more than 50 micrograms/litre in urine indicates "Harmful Exposure."?
 - b) Kindly let us know whether 100 micrograms/l is the prescribed maximum limit for mercury among workers engaged in mercury-related operations in the Netherlands or United Kingdom.
5. You mention in the Dames & Moore report that "The medical records of 30 employees who left the company others whose services of were (sic) terminated in the recent past are available and are within normal limits." (p. 2-5). Kindly provide us with figures for what you consider "normal limits."
6. Please send us an advance copy of your medical surveillance. Please also indicate the number of people surveyed, the dates on which the study was conducted, the qualifications of the doctors/experts involved in the study.
7. Kindly also indicate the average time taken per interview.
8. Please let us know if your procedure has been to explain the results of your monthly urine tests to your employees.
9. Kindly let us know if you have shared the results of your most

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recent tests (Mar-Apr 2001) with the concerned workers.

7. Please attach results of any biochemical monitoring, and kindly explain why urine was analysed even among ex-workers when urine is known to carry only signs of recent exposure to mercury? Were any tests performed on hair samples from workers or ex-workers? If so, please provide results. If not, kindly indicate the reasons for opting for urine analyses instead of hair sampling.

Subject: IMP:Unilever press releases
Date: Fri, 26 Oct 2001 10:14:02 +0530
From: nity68@vsnl.com
To: marayan@vsnl.com, sochara@vsnl.com

Bello Dr. Ravi/Praveen:
Attached are the press releases issued by Unilever/HLL. Kindly go through all the press releases because that is the evidence of the company's insincerity. Separately, I'm sending you an update about the worker situation in Kodaikanal.
ciao, nity

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----- File information -----
File: HLL PR Kandla.txt
Date: 26 Oct 2001, 10:06
Size: 6320 bytes.
Type: Text

HLL PR Kandla.txt Name: HLL PR Kandla.txt
Type: Plain Text (text/plain)
Encoding: BASE64

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File: Unilever's June PR.doc
Date: 18 Aug 2001, 14:17
Size: 39936 bytes.
Type: Unknown

Unilever's June PR.doc Name: Unilever's June PR.doc
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File: Unilever PR March 8.doc
Date: 18 Aug 2001, 14:20
Size: 21504 bytes.
Type: Unknown

Please download the attachment

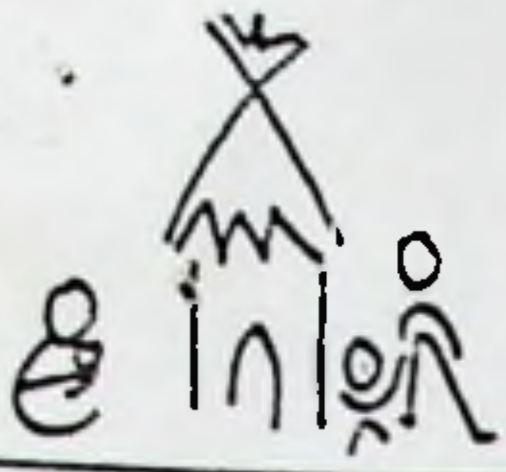
pr/rw
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File: Unilever PR March 22.doc
Date: 18 Aug 2001, 14:19
Size: 34816 bytes.
Type: Unknown

Unilever PR March 22.doc Name: Unilever PR March 22.doc
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ಸಮುದಾಯ ಆರೋಗ್ಯ ಕೋಶ
COMMUNITY HEALTH CELL - CHC

Phone : 0091-80-5531518/5525372
Fax : 0091-80-5525372
email : sochara@vsnl.com

No. 367, Srinivasa Nilaya, Jakkasandra I Main, I Block, Koramangala, Bangalore - 560 034.

Ref.: CHC/3.28/2001

November 2, 2001.

Dear Friends

Further to our telephonic discussions enclosed the following background material for the proposed meeting with the Medical team from Hindustan Lever headed by Dr. T.Rajgopal, Corporate Medical Adviser. We have suggested 12th or 13th November as the date for a meeting and evaluation. A confirmation of the date and time will be intimated shortly. The background material includes the letter from Dr. Rajagopal; the short report by Dr. Mohan Isaac after his visit with Dr. Praveen to Kodi; some press releases on the matter and some notes and questions of concern from some of the campaigners. More material will be sent if and when received.

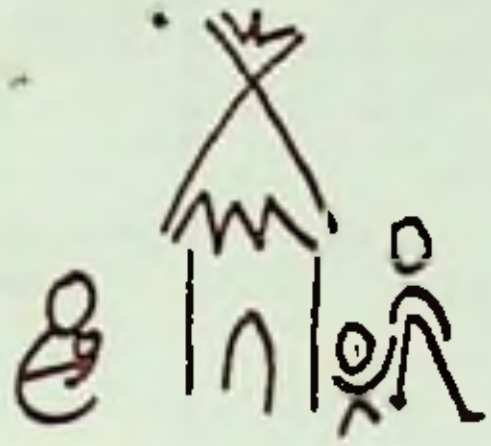
With best wishes.

Yours sincerely,

Ravi Narayan

Dr. Ravi Narayan
Community Health Adviser, CHC.

Encl: as above



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COMMUNITY HEALTH CELL - CHC

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No. 367, Srinivasa Nilaya, Jakkasandra I Main, I Block, Koramangala, Bangalore - 560 034.

November 2, 2001.

Dr. T.Rajagopal,
Corporate Medical Advisor,
Hindustan Lever Limited,
165/166 Backbay Reclamation,
MUMBAI - 400 020

Dear Dr. Rajagopal,

Greetings from Community Health Cell and apologies for the delay in replying to your letter (e-mail) dated 18th October. I was away in Europe lecturing at the London School of Hygiene and Tropical Medicine and attending the WHO Meeting on the Global Forum for Health Research. On my return after a long trip I had a relapse of a spondylosis problem and returned to work after a phase of leave and hence the delay.

CHC is a training and policy research group working with NGOs, governments and Civic Society on community health issues. A pamphlet and recent newsletter is enclosed.

Last year a group of NGO's and citizens action groups involved with environmental toxins and or industrial wastes in their own community got in touch with us primarily because of CHCs long standing involvement with research on the Bhopal disaster and my own long standing interest in occupational / environmental health issues from a citizens / workers / community point of view. These discussions led to the evolution of a short Lay epidemiology course in which 10 groups were helped to understand how to do a socio-epidemiologically-based community health survey so that the campaigns are based on scientific data and not just anecdotal evidence. It is in this connection that we got to know about the Kodi campaign and the concerns about mercury pollution of the environment due to inadequate waste handling processes by the Ponda factory. Dr. Mohan Isaac, Professor of Psychiatry of NIMHANS, also the Vice President of our Society visited Kodi along with another volunteer doctor to make a very preliminary assessment. The report, which has been quoted in the Greenpeace website, is from this short report.

We had already heard about your study and we are glad to have an opportunity at your request to hear more about it.

We have a terribly busy programme in November but after consulting all our CHC associates ie - professionals from St. John's and other colleges and centers who were resource persons at our lay epidemiology course, the only dates convenient for all of us is 12th or 13th November as a possible date. Some of our associates will also join this



informal but purely professional session. You may suggest whether morning or afternoon is convenient. Either of these is convenient for us.

We look forward to getting your report in advance and perhaps more information of the past occupational health evaluations covering more than a decade since perhaps the latter will be equally important.

Do ring us up if any further matters need to be discussed before the meeting.

Our team will include myself, Dr. C.M.Francis (Consultant, CHC); Dr. Mohan Isaac, (Vice President, SOCHARA and NIMHANS); Dr. T. Venkatesh, (Prof. of Biochemistry, St. John's Medical College. Heavy Metal Toxicology expert); Mr. As Mohammed, (Statistics / Demographer, St. John's Medical College) and two or three other associates from local training research institute who are still to confirm their availability.

With regards,

Yours sincerely

Ravi Narayan

Dr. Ravi Narayan MD, DTPH(London) DIH (UK)
Community Health Adviser, CHC,
Society for Community Health Awareness, Research & Action.
Bangalore.

Telephone: 5531518 (O)
Fax : 5525372

Emai: sochara@vsnl.com

Encl: as above

Subject: IMP:Unilever press releases
Date: Fri, 26 Oct 2001 10:14:02 +0530
From: nity68@vsnl.com
To: tnarayan@vsnl.com, sochara@vsnl.com

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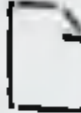
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HLL offers Kodaikanal workmen jobs in Kandla exports factory

Chennai, October 1

Hindustan Lever Limited (HLL) has decided to redeploy its workmen at the Kodaikanal thermometer factory to the Kandla exports factory. There will be no adverse impact on the workmen's existing wages and terms and conditions of service. HLL had stopped manufacturing thermometers since March 2001.

While Kodaikanal was a fully exports-dedicated thermometer plant of the Exports division, Kandla is a fully exports-dedicated soap, detergents and personal products factory of the Exports division. Kandla, which is the main manufacturing hub for these exports, is being expanded further and needs more employees. Exports of soaps, detergents, personal products are a priority business for HLL. Exports of HLL's packaged mass consumption goods registered a strong growth of 12.1% in the June Quarter, particularly in soaps, detergents, and personal products.

HLL had suo moto suspended all production in the factory on its own on March 8, 2001, after breaches in the systems for controlling scrap disposal were brought to the management's notice on March 7, 2001. There has been no adverse environmental impact outside the factory, as per studies conducted by two independent international advisers, URS Dames & Moore and TNO-MEP, who had been appointed respectively by HLL on its own and on the orders of the Tamil Nadu Pollution Control Board (TNPCB) on the basis of a suggestion from Greenpeace itself.

In January 2001, HLL had decided in principle to exit from the thermometer business, because it is not core to the company. In May 2001, HLL communicated to the Working Committee of the TNPCB, which had looked into the issue, that it had already decided to discontinue the manufacture of mercury thermometers in Kodaikanal.

The redeployment of workmen follows the decision to close down the plant. The redeployment will be implemented in phases. In the first tranche today, 25 of Kodaikanal's 130 workmen have been asked to report to Kandla on October 15, 2001. A second batch of 50 workmen will report there on November 15, and a third batch of 24 on December 15. The reporting date of the remaining 31 workmen will be decided later.

The redeployment is being done in accordance with the terms and conditions contained in the employees' appointment letters and also the Standing Orders of the factory. It is being implemented in the same manner as in the past, whenever exigencies and business needs required such redeployment from the factory. While in the past, redeployment has been limited, this time all the workmen are being transferred.

With the need to stop thermometer manufacturing, HLL explored various options on the Kodaikanal workmen, and came to the conclusion that redeployment was in their best interest in the current scenario. HLL did evaluate the commercial viability of any other manufacturing operation either for exports or for the domestic market at Kodaikanal, in lieu of mercury thermometers. It was found that inward and outbound logistics cost made manufacturing any other product at Kodaikanal unviable, compared to other locations in port towns/plains.

The other alternative was severance of the workmen's services on payment of requisite compensation under law. But HLL considered that this was not the best option, when the workmen could be redeployed in another factory of the same Exports business. HLL also thinks that the workmen would prefer continued employment with the company rather than separation benefits provided by law.

After suspending all production at the factory on March 8, 2001, HLL had sent a top management team to investigate. The investigation once again showed that the factory had a safe manufacturing process, and recycling of scrap glass and of scrap glass containing mercury was subject to strict processes, but those processes had not always been followed. As a consequence, scrap glass containing traces of mercury had been sent to recyclers.

The TNPCB had set up the Working Committee to coordinate the study of allegations that the factory had led to mercury pollution/ contamination in and around the premises. It comprised besides officials of the TNPCB, representatives of Greenpeace and a local NGO, Palani Hills Conservation Council, in addition to representatives of industry associations.

The study has found that the factory has not caused any adverse environmental impact outside the factory premises. Two independent international environment advisers, URS Dames & Moore and TNO-MEP, have asserted this in their report to the Working Committee. Among these two reputed advisers, TNO-MEP had been engaged for the study specifically on the orders of the TNPCB on the basis of a request and suggestion received by them from Greenpeace.

Comprehensive medical testing in accordance with established protocols has confirmed that NONE of HLL's employees, former employees or employees of the Kodaikanal scrap dealer has suffered any adverse health effects resulting from mercury exposure. This conclusion too has been endorsed by TNO-MEP. This has been shared with the Government of Tamil Nadu Factories Inspectorate, Ministries of Labour, Industry and Environment and the TNPCB.

HLL has prepared a detailed plan to remediate the site to the most stringent Netherlands standards, applied to land for residential use. Remediation will take place in the dry season, after the NW monsoon later this year and target completion will be before the 2002 monsoon.

The allegation that some workmen of the factory had died due to mercury-related ailment has remained totally unsubstantiated. Those making such allegations have till date even failed to furnish the names of the workmen of the factory who are alleged to have died, despite repeated requests from HLL over the past four months. The Working Committee when it met in Kodaikanal, had specifically asked people making these allegations to provide substantiating details. But those who made these allegations could not provide any details.

HLL has already retrieved, for secure storage at the site, the 5.3 tonnes of mercury containing glass scrap, stored at a scrap dealer's premises in Kodaikanal, which had been inadvertently removed from the factory in breach of established procedures

Thermometer factory: Kodaikanal, India

We have received requests from people in several parts of the world concerning the operation we have at Kodaikanal in India that has been producing medical thermometers containing mercury. Greenpeace India raised questions about operations at the site locally and via their websites. This page provides the facts about the situation.

21 June 2001

Following a two-day meeting at the end of May with the Working Committee appointed by Tamil Nadu Pollution Control Board including industry representatives, leading environmental experts (URS Dames & Moore and TNO-MEP of Netherlands) and NGO's present, Hindustan Lever Limited has announced the following actions; these are being progressively approved by the Chairperson of the Tamil Nadu Pollution Control Board.

The HLL thermometer factory at Kodaikanal will close for production of mercury thermometers and no further production of mercury thermometers will take place there. The thermometer business is not core to HLL's strategy and in January 2001 the company had decided in principle to exit from it. The factory will remain open however to process the glass scrap currently held on site, and to build further infrastructure including silt traps to prevent run-off, with rain water, of any mercury contaminated soil from the site.

Hindustan Lever Limited has retrieved, for secure storage at the site, the 5.3 tonnes of mercury containing glass scrap currently stored on a scrap dealers premises in Kodaikanal, which had been inadvertently removed from the factory in breach of established procedures. This has been carried out observing a strict protocol, which was approved by the Working Committee, and has been supervised by the District environment authority; the Municipal commissioner with the participation of Greenpeace India, other local NGOs.

Hindustan Lever Limited announced details of a plan to remediate its site to the most stringent Netherlands standards, applied to land for residential use. Remediation will take place in the dry season, after the NW monsoon later this year and target completion will be before the 2002 monsoon.

Hindustan Lever Limited has confirmed that, following comprehensive medical testing, there are no employees, former employees or Kodaikanal scrap yard workers that have suffered any adverse health effects resulting from mercury exposure. This conclusion has been endorsed by TNO-MEP of the Netherlands through the representative recommended by Greenpeace.

Hindustan Lever Limited have been reassured by the confirmation of the independent environment advisors, URS Dames & Moore and TNO-MEP, in their Report presented to the Working Committee that there has been no adverse environmental impact outside the factory premises.

Hindustan Lever Limited is committed to continue to work with the independent experts to remediate the factory site to world class standards.

Detailed Background and Commitments - as published here, May 8 2001

Unilever (through Hindustan Lever Limited) has one factory worldwide which has been making mercury thermometers, at Kodaikanal in India. Breaches in Hindustan Lever Limited's own systems for controlling scrap disposal were brought to Hindustan Lever Limited's attention on 7 March. Hindustan Lever Limited took the decision immediately to suspend all production at the factory (8 March) and sent a top management team to investigate.

The investigation showed that:

1. The basic manufacturing process was safe, and had been audited as such both internally and by the State.
2. Recycling of scrap glass and of scrap glass containing mercury was subject to strict processes, but those processes had not always been followed.
3. As a consequence, scrap glass containing traces of mercury had been sent to recyclers where only pure glass should have gone.

Hindustan Lever Limited immediately made those facts public to the relevant statutory body - the Tamil Nadu Pollution Control Board - and through a press statement. It commissioned independent world-renowned experts in mercury to assess the environmental impact. It set in train investigations to track down all scrap which had left the site over the previous ten years. It set up fresh medical examinations for all employees and for any former employees and others in the area who might have fears as to their health. It offered to recover any scrap from recyclers for safe storage on the Kodaikanal site.

Hindustan Lever Limited has proposed the following approach, subject to the agreement of the Tamil Nadu Pollution Control Board:

1. Health checks on employees, former employees and concerned others, the outcomes of which would be shared with the individuals, with the relevant state authorities and Working Committee set up by Tamil Nadu Pollution Control Board which includes Greenpeace India.

Fresh and in depth health checks have been completed, and the findings shared. These show no adverse effects on individuals, attributable to mercury exposure.

2. Widespread sampling to assess any environmental impacts, conducted by reputed international independent experts. The independent experts have been asked to recommend any remediation measures that they feel are required based on their studies of environmental impact. Their findings and recommendations for remediation would similarly be shared with the Tamil Nadu Pollution Control Board and with Greenpeace India.

Environmental samples have been collected and are being subjected to laboratory analysis. The report of the independent expert firm is expected in the next week or so, but their preliminary view is that impact has been largely restricted to the site itself. When available, their report will be shared with the Tamil Nadu Pollution Control Board and with their Working Committee, including Greenpeace India, which has been set up by the Board to coordinate this study.

3. In case any remediation is recommended, an action plan for clean up will be agreed with the Tamil Nadu Pollution Control Board and shared with Greenpeace India.

Background

A mercury thermometer factory was set up in Kodaikanal, Tamil Nadu State, India, in 1983. Unilever acquired the factory when it bought Cheseborough Ponds in 1987. Thermometers are a product line which is not core to Unilever. The factory was retained because it was a source of export earnings, to which the Indian government attaches high importance. Its long term future within Unilever was under review even before recent events, given the strategic decision to exit non-core products.

The Factory

The factory manufactures glass mercury thermometers, overwhelmingly for export markets in Europe, the USA and elsewhere. It is in two main areas. The first takes glass tubing, and turns them into empty thermometers, stems and bulbs. The second fills them with mercury, marks the scale, seals the end and packs. Both areas, working with glass, generate scrap. Glass scrap from the first area is sent for recycling to glass merchants. Glass from the second area contains mercury. The scrap is first treated (crushed and heated) to recover the mercury for reuse. The residual scrap which contains some traces of mercury, is stored on site. Some of that residual

scrap has - erroneously and in breach of the company's operating policies - been sold to recyclers on a few occasions since 1992.

Employees Health

The main risk to employee health would arise from mercury vapour. The location of the factory at a hill station (altitude approx. 6500 ft) itself minimises the vapourisation of mercury. Shop floor measurements of mercury in air are used to monitor the atmosphere, and control mercury levels to within 0.05 mgm/cu. metre with emergency procedures in place should these measures not prevent mercury vapour exceeding this level. All employees are subjected to monthly tests of urine for mercury levels (introduced in 1984) and this is supplemented by an annual medical examination. Any employee whose tests show mercury levels above a very safe level (100 nanograms per millilitre of urine) is redeployed out of the mercury handling area and monitored.

Recent retesting of all employees, using a wider battery of tests including blood analysis and a clinical examination by a panel of doctors which included three local doctors of Kodaikanal, has confirmed that there are no individuals with health problems resulting from mercury. Allegations have been published that ex-employees have suffered adverse health effects, or even died. The company has repeatedly asked the local NGOs for names or other evidence, without success. As far as can be ascertained, no former employee has died from any cause remotely connected to the factory. All those former employees who took up the company's offer of a fresh medical check-up showed no health effects attributable to mercury exposure.

The Environment

All water from the plant is led to a dedicated effluent treatment plant. Sludge from the effluent treatment plant is dried, packed in plastic drums and stored on site under cover.

The investigation sparked by the sale for recycling of glass containing traces (less than 1%) of mercury, after the mercury recovery process also revealed that in the past the factory had buried glass scrap on the site after securing appropriate regulatory approvals. This has now been dug up and awaits clearance for safe disposal.

Given the serious nature of allegations made regarding impact of the factory's operations on the environment of the site and its surroundings, the company has commissioned independent specialists to take samples across the site of soil, of water (from small streams and their silt) and air (from tree lichens). The results on some of the samples are known, but full results and their expert interpretation is awaited in the next week or so. It is likely that the data will show some negative impact on the immediate environment, requiring remedial action, but it is believed that the impact will be limited to a few localised concentrations within the site and will be on a modest scale.

Next Steps

As soon as the experts can report on the environmental data, Hindustan Lever Limited will share that data with the Tamil Nadu Pollution Control Board and other interested parties such as Greenpeace India. It will also seek permission to implement a protocol for remedial action recommended by the experts, and endorsed by all concerned.

HLL ORDERS COMPREHENSIVE AUDIT & REVIEW AT THERMOMETER PLANT, SUSPENDS OPERATION FOR THE TIME BEING

MUMBAI, March 8

Allegations that scrap glass generated in the HLL Kodaikanal Thermometer factory's non-mercury area, purchased by a local scrap dealer more than 15 months back, contains some glass with mercury waste has caused the company enormous surprise and concern since such a possibility is remote given established systems and controls which are in place. However, to rule out any human error, HLL has decided to carry out a comprehensive audit of the operation of the factory, including a comprehensive review of disposal of glass scrap.

Pending the audit and the review, as a matter of abundant caution, the company has decided to suspend thermometer production at the factory.

Production will be resumed only after HLL has fully satisfied itself that the factory's continued operation would not cause any hazard to the local environment, as alleged, and that systems and procedures are fully in place to ensure that there is no risk associated with disposal of glass from the non-mercury area for further processing by industrial users.

These actions have been taken to demonstrate the company's commitment to its stated policy on environment and occupational health.

HLL brings in leading international experts to study mercury issue; invites NGOs to join study

CHENNAI, March 22

Hindustan Lever Limited (HLL) has acted with speed and taken a series of steps, following reports on March 8, 2001, that glass scrap, generated in the Kodaikanal Thermometer Factory and purchased by a local scrap dealer, contained traces of mercury.

As has been reported, HLL suspended operations of the factory on March 8 itself, and ordered a comprehensive audit, including a comprehensive review of the disposal of glass scrap, to establish the full extent of the issue. Following this initial action, the company has taken several other steps in the last one week.

Open offer to NGOs to visit factory

HLL has invited the NGOs concerned to visit the factory site and see the operating conditions, and the mercury recovery equipment that the factory has. The factory has appropriate norms and infrastructure to store and use pure mercury, and to store, treat and handle mercury containing scrap or effluent.

Offer to clear glass scrap

In addition, HLL has offered to clear from the scrap dealer's premises at Munjikkal, the 5.3 tonnes of glass scrap containing traces of mercury under a protocol prepared in consultation with well-known experts. HLL has shared the protocol with the Kodaikanal community and NGOs involved, and has also written to the Tamil Nadu Pollution Control Board (TNPCB). HLL has already purchased the scrap lying at the scrapyard, except for 60 kgs of the scrap which the scrapyard owner had sold to a member of a local NGO. HLL has written to him, seeking to buy this remaining 60 kgs from him. HLL awaits the TNPCB's approval to remove this scrap and bring it inside the factory.

Pending approval of the Protocol by the Greenpeace and the authorities in the Tamil Nadu Pollution Control Board, HLL has not touched the glass scrap containing traces of mercury at the Munjikal site. HLL has, in order to eliminate any potential risk to the public, analyzed the atmosphere at that site using Jerome Mercury Vapour Mercury Analyzer Model 431X and have measured the mercury vapour presence at different distances from the glass scrap starting with 6 inches to a few yards. HLL has found the mercury vapour in the range of 0.006 to 0.017 milligrams per cubic meter which is well within the prescribed limit of 0.05 milligrams per cubic meter considered safe. The presence of mercury traces in the glass scrap should therefore not cause any concern from a public health point of view.

After the glass scrap has been removed HLL would carry out tests to determine the measures that are required to clean up the scrap dealer's site at Munjikkal and the surrounding area of any remainder hazard.

Internationally renowned experts engaged

HLL has engaged Dames and Moore, an internationally renowned agency for evaluating

environmental impact and testing, and Prof. P. Viswanathan, an Indian Expert (and member of the WHO Task Group which published under its Environment Health Criteria Report No. 86, a Report on "Mercury - Environmental Aspects"), as its consultants, who are advising the company on the issue and any other related matters. They have already been at the site.

Environmental Impact Assessment

HLL is studying the impact on the soil and water in the neighboring area of the factory to ascertain if there has been any adverse impact. 22 soil samples, three of them from outside the factory, and 6 water samples, four from outside the factory, have been taken and sent for testing at reputed laboratories in Melbourne, SGS-Chennai, ITRC-Lucknow, and also HLL's own facilities. HLL will share the results with the community. If such studies indeed throw up issues, HLL will address them, and decide and initiate remedial measures. HLL has requested the NGOs to share with the company details of tests, if any, done by them. In that spirit, HLL is prepared to co-operate with the NGOs in dealing with the issue. In the unlikely event of there being a difference of opinion between the assessments made by HLL experts and those engaged by the NGOs, should the NGOs feel the need to do so, HLL would expect an informed and objective debate to arrive at a fair solution.

Impact Assessment on Employees

HLL has a regular protocol for testing the health of employees on an ongoing basis as also through annual medical check ups. Till date, HLL has not noticed any material adverse impact on the employees. Employees working in the mercury area and elsewhere are constantly monitored through urine examination so as to ensure that they operate within absolutely safe limits. The employees have personal protective equipment, while exhaust fans and regular monitoring of vapour in the area ensure that the environment remains safe. This year's annual health check has already begun. Its scope has been expanded to make it more comprehensive by including additional tests, like mercury in blood and more elaborate urine tests. The clinical protocol and physical evaluation have been validated by reputed experts. This year's tests, as in the previous years, have not as of now shown any adverse impact.

As regards ex-employees, HLL had written as far back as March 10 to Mr. Mahindra Babu, the ex-employee concerned, who had been quoted in the media as alleging that some of them had died due to the adverse effects of exposure to mercury. He was requested to share the personal particulars of the ex-workmen who had allegedly so suffered and substantiate such claims. There has been no response from him till date. Similarly HLL has also asked the Tamil Nadu Alliance against Mercury to substantiate their allegation on March 18 that "over 10 employees had died in service and the health of ex-workers are severely affected" supposedly due to ill-effects of mercury exposure. There has not been any response from them either. If any specific cases of ex-employees are brought to the factory's notice, which show symptoms of any work related sicknesses, HLL will have them medically examined and provide appropriate medical treatment.

The ex-employee and NGOs seem to be interested in using unsubstantiated allegations

with a view to sensationalize the issue without caring to provide factual data.

Allegation of dumping in forest untrue

HLL also clarifies that the allegations that drums containing mercury bottles had been thrown into the forests outside the factory are not true. The drums were within the factory's fenced site and on factory property. They have now been moved to a better storage location in the factory.

HLL is also in the process of tracking down other shipments of stocks of glass scrap from the factory, bulk of which has gone to industrial users such as bulb manufacturers, to ascertain its nature and quality. It would bring back any recovered crushed glass that may need further evaluation or processing.

HLL ready to share platform with NGOs

HLL has also offered to share with the NGOs any public platform to reiterate its assurances and commitments.

HLL has already met with Mr. Navroz Mody, Campaign Director, Greenpeace, on March 14 and subsequently written to him on March 17, reiterating HLL's concern for the environment and community of Kodaikanal and that it was prepared to fully investigate the issues raised in an objective and transparent manner and undertake such remedial measures as may be necessary and appropriate. These will be consistent with HLL's commitment to the environment wherever it operates. HLL follows the same policies and framework on environmental issues that its parent company, Unilever, follows for its global operations.

While HLL will deal with the issues in a spirit of collaboration and mutual understanding in a responsible and constructive manner, it expects that the NGOs and/or community leaders share openly and transparently the facts and information that they have to help solve it. Any unsubstantiated allegations has the potential to create avoidable scare and adverse impact on the social and economic activities of the town of Kodaikanal and the local community and tourism industry on which it is largely dependant.

Subject: Talking points: Unilever meeting

Date: Fri, 26 Oct 2001 11:36:59 +0530

From: nity68@vsnl.com

To: sochara@vsnl.com

CC: navrozmo@vsnl.net, mangoforu@vsnl.net

hello Dr. Ravi:

Earlier, I had sent you all the Unilever press releases as attachments. kindly acknowledge receipt.

Here're a few questions/concerns that you could ask of Dr. Rajagopalan of Unilever. It would be important to stipulate that you would like answers to the below question-by-question. Kindly indicate that having this information IN ADVANCE would greatly enhance the quality of the discussion. Not having this information would make the discussion meaningless, especially given that you would have to accept Lever's claims at face value without the support of facts.

Please arrange to get from Navroz the full details "FROM THE GROUND" as to how the medical surveillance was actually conducted. Also, kindly obtain a copy of the questionnaire used in the surveillance.

Questions for Lever.

1. What is the exact nature of protective equipment provided and used by workers in:
 - a) mercury area;
 - b) crushing and distillation room;
 - c) screening (oven room where name, number are printed).
2. You indicate in the Dames & Moore report that records for mercury vapour levels have been maintained for the period 1983-2000, and that the records for 1994-1999 are missing. Kindly provide the readings for January 2000 and May 2000.
3. You indicate that the records for the monthly urine monitoring are available since 1988. Kindly indicate number of samples analysed per employee per year. Kindly provide the urine analyses results (anonymous) for May 2000.
4. You indicate that "employees whose mercury levels exceeded this level (100 micrograms of mercury per litre of urine), were redeployed from the mercury area."
 - a) Are your doctors aware that under the presence of more than 50 micrograms/litre in urine indicates "Harmful Exposure."?
 - b) Kindly let us know whether 100 micrograms/l is the prescribed maximum limit for mercury among workers engaged in mercury-related operations in the Netherlands or United Kingdom.
5. You mention in the Dames & Moore report that "The medical records of 30 employees who left the company others whose services of were (sic) terminated in the recent past are available and are within normal limits." (p. 2-5). Kindly provide us with figures for what you consider "normal limits."
6. Please send us an advance copy of your medical surveillance. Please also indicate the number of people surveyed, the dates on which the study was conducted, the qualifications of the doctors/experts involved in the study.
7. Kindly also indicate the average time taken per interview.
8. Please let us know if your procedure has been to explain the results of your monthly urine tests to your employees.
9. Kindly let us know if you have shared the results of your most recent tests (Mar-Apr 2001) with the concerned workers.

s: Unilever meeting

7. Please attach results of any biochemical monitoring, and kindly explain why urine was analysed even among ex-workers when urine is known to carry only signs of recent exposure to mercury? Were any tests performed on hair samples from workers or ex-workers? If so, please provide results. If not, kindly indicate the reasons for opting for urine analyses instead of hair sampling.

Report on visit to Ponds factory. Attn. Dr. Ravi Narayan & Mr. Kumar

Subject: Report on visit to Ponds factory, Attn. Dr. Ravi Narayan & Mr. Kumar

Date: Sat, 01 Sep 2001 10:46:22 +0100

From: "psychiatry" <psychiatry@nimhans.kar.nic.in>

To: sochara@vsnl.com

Dear Navroz,

It was indeed a pleasure to visit Kodi and examine several patients - current and former employees of the Hindustan Lever factory. It was also very useful to have lengthy discussions with you regarding various aspects of mercury poisoning amongst workers. I am herewith enclosing a brief note about my visit and observation

Thanking you,

Yours sincerely

Mohan Isaac

copy to : Dr. Ravi Narayan & Mr. Kumar

<input type="checkbox"/> Ponds Factory.doc	Name: Ponds Factory.doc Type: Winword File (application/msword) Encoding: base64
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Preliminary assessment of persons exposed to mercury in Kodaikanal

Visit of Dr. Praveen and Dr. Mohan Isaac, Community Health Cell, Bangalore

Dr. Praveen and Dr. Mohan Isaac of Community Health Cell visited Kodaikanal on 22nd July 2001 to make a preliminary assessment of health effects of mercury amongst current and past workers of Ponds factory. 30 persons who were either current workers or ex workers of the Hindustan Lever's thermometer factory (Ponds factory) were examined from around 9 a.m. till 5:30 p.m. on 22nd July 2001. The history taking and physical/mental examinations were focussed to assess if there were neurological/psychiatric sequelae of mercury poisoning amongst these workers. However, the specific aspects about work history, duration of exposure, previous consultation patterns for health related problems, current occupational history, etc. were obtained as part of the general history and the general examination was done on all the persons. The following are the findings of this preliminary assessment.

Total subjects examined 30

Males	25
Female	5

Age range 24 – 49 years

Prominent health problems found

Gum & teeth problems (such as bleeding gums, inflammation of gums shaking and falling of teeth)	9 persons
Skin problems (especially in the lower and upper extremities)	5
Non-specific functional (? Psychiatric) symptoms	9
Infertility problems	2
Renal problems	2
Gastrointestinal tract disorders	3
Recurrent depression	1
White discharge p/v (? non-organic)	1

Although specific neurological problems such as tremors of the hand, tongue and eyelids, difficulty in balancing and walking, etc. and psychiatric symptoms such as mood fluctuations, irritability, memory loss, hallucinations, etc. were looked for specifically, none in this group of 30 subjects were found to have major neuro-psychiatric problems.

One person who had suffered from recurrent depression appeared to have a unipolar depressive disorder perhaps not related to mercury exposure. However, many people were found to have gum and skin allergy related problems which appeared to be due to exposure to mercury. Few persons with infertility and renal problems also were detected. What is most interesting is that most of the 30 subjects interviewed reported to frequent taking of leave due to a variety of health problems while they were regularly working in the Ponds factory. Of the 30 subjects examined 12 persons had resigned from their job after varying periods of work in the Ponds factory and all of them attributed their resignations to health factors.

The preliminary assessment of a random number of 30 workers exposed to mercury at the Ponds factory indicates that there is a need to assess all the exposed workers in greater detail for health effects of mercury. It is suggested that all the workers (past and present) be assessed for health effects of mercury initially and if there is any evidence for the need for further assessment a more detailed community survey of the population around the Ponds factory be carried out.

DR. PRAVEEN

DR. MOHAN ISAAC

Kind attention : Dr. Ravi Narayan

Subject: Kind attention : Dr. Ravi Narayan
Date: Thu, 18 Oct 2001 18:25:21 +0530
From: "Thirumalai Rajgopal" <Thirumalai.Rajgopal@unilever.com>
To: "sochara@vsnl.com" <sochara@vsnl.com>
CC: "Mascarenhas, Premala" <Premala.Mascarenhas@unilever.com>,
"HV, Ravimohan" <Ravimohan.HV@unilever.com>

Dear Dr. Ravi Narayan,

I would at the outset introduce myself as the Corporate Medical Advisor to Hindustan Lever Limited.

We have recently come across a note put up by Greenpeace India on their web page on the internet regarding a study conducted by the Community Health Cell on 30 employees/ex-employees at Kodaikanal which attributes some skin and gum conditions in some of the employees to likely exposure to mercury.

We would like to formally request you to grant us a meeting with you and your team to enable us to share with you our findings based on a comprehensive evaluation of 255 employees done in March 2001 [comprising current employees, ex-employees as well as a few members from the public]. Our study was based on an internationally validated protocol drawn up by the US Dept. of Mines and included the administration of a questionnaire, a comprehensive clinical evaluation as well as relevant biochemical investigations including biological monitoring of mercury in the urine through the use of an inductively coupled plasma emission spectrometer [ICP].

The purpose behind seeking this meeting is purely professional in order to apprise you of the scientific basis of our belief that our employees have not / are not suffering from any condition which can be attributed to mercury exposure.

We are aware of the high professional standards and integrity of the community health cell under your stewardship and it would be our pleasure to share our findings with you of our extensive study as well as our past occupational health evaluations covering more than a decade.

If it is convenient, can I request for a meeting on any day after the 6th November with you and your team. From Hindustan Lever apart from me, our team would include Dr. Premala Mascarenhas who is the Area Medical Officer in charge of the southern region and Dr. H V Ravimohan who is our occupational health physician at Bangalore.

I do look forward to hearing from you.

With regards,

Dr. T. Rajgopal
MD., DPH., DIH. DNB
Corporate Medical Advisor
Hindustan Lever Limited
165/166 Backbay Reclamation
Mumbai 400 020.

Tel: + 22 285 5583
Fax; + 22 281 9197

Subject: Unilever's inconsistencies
Date: Fri, 26 Oct 2001 10:19:06 +0530
From: nity68@vsnl.com
To: sochara@vsnl.com

Hello Dr. Praveen:

Kindly download and print the following link for Dr. Ravi/Dr. Rajmohan's briefing file for the Unilever meeting.

<http://www.corpwatch.org/un/updates/2001/unilever.html>

Inconsistencies Galore

A Timeline on Unilever's Mercury Dumping in India
By Nityanand Jayaraman *CorpWatch* October 4, 2001

{PRIVATE}RELATED STORY

{HYPERLINK "unilever.html"}Unilever's Mercury Fever Did Unilever downplay the dangers of mercury dumping? *In the months following the discovery and expose of Unilever's polluting practices in Kodaikanal, many of the responses and statements by the company have been contrary to facts. The time line below outlines a few. (Emphasis is the author's.)*

The Scrap Yard Dump

March 7, 2001: Kodaikanal townspeople cordon off scrap yard containing tons of mercury-containing toxic wastes from Unilever's thermometer factory. They confront factory management with photographs of visibly mercury-contaminated waste.

March 7, 2001: In an interview at the factory gate, Mr. Subramaniam, export marketing manager for Hindustan Lever denied reports of dumping and said: "No hazardous wastes have left the factory site." {HYPERLINK \1 "1"}1

March 7, 2001: In an email response from the headquarters, Unilever stated that "It is this glass waste from the non-mercury area, which is *completely free from any mercury at all*, which we have sold, this too only with necessary permission from Customs and Central Excise officials." {HYPERLINK \1 "2"}2

March 8, 2001: Unilever subsidiary Hindustan Lever said: "Allegations that scrap glass generated in the HLL Kodaikanal Thermometer factory's non-mercury area, purchased by a local scrap dealer more than 15 months back, contains some glass with mercury waste has caused the company enormous surprise and concern since *such a possibility is remote* given established systems and controls which are in place." {HYPERLINK \1 "3"}3

June 21, 2001: Unilever subsidiary Hindustan Lever said: "Hindustan Lever Limited has retrieved, for secure storage at the site, the 5.3 tonnes of *mercury containing glass scrap* currently stored on a scrap dealers premises in Kodaikanal, which had been inadvertently removed from the factory in breach of established procedures."

The toxic wastes that Unilever claims were "inadvertently removed from the factory" were actually sold by the company to the scrap dealer. The company admits that at least 30 more tons of mercury-containing wastes has been sold to recyclers in various parts of South India. Such sales are patently illegal under Indian law.

Waste Exhumed

April 11, 2001: Factory workers report that company exhumed wastes containing visible quantities of mercury from unlined pits in the factory. Worker testimonies

and video footage available with Greenpeace confirm that the wastes were exhumed by workers without appropriate protective gear. The company's response does not indicate whether there were any independent witnesses present to supervise the operations. Neither does it appear that the Company sought the permission or presence of the Tamilnadu Pollution Control Board for the operations.

April 12, 2001: Unilever said: "In so far as our own site is concerned, post suspension of manufacturing operations, we have been using the workforce rendered idle for good housekeeping and also for activities connected with material balancing. . . We have actually notified the customs authorities that we were taking out the non-mercury glass that had been buried at our own site in the 80s as a part of this work."

Clean Up: Small Lies

June 20, 2001: A document signed by a representative of the Pollution Control Board and a representative of the Kodaikanal township indicates that Hindustan Lever retrieved *7.4 tons of mercury-containing glass scrap* and 3.5 tons of soil from the scrap yard located in Kodaikanal.

June 21, 2001: Unilever's statement underreports the quantity of mercury wastes dumped and retrieved from the scrap yard. "Hindustan Lever Limited has retrieved, for secure storage at the site, the *5.3 tonnes of mercury containing glass scrap* currently stored on a scrap dealers premises in Kodaikanal, which had been inadvertently removed from the factory in breach of established procedures."

Footnotes

Public interview with Mr. Subramaniam, manager (exports), Hindustan Lever, at HLL Thermometer Factory, Kodaikanal. March 7, 2001.

Pers. Comm. via email from Debasis Ray, Corporate Communications Manager, Hindustan Lever Ltd. March 7, 2001.

"HLL orders comprehensive audit & review at thermometer plant, suspends operation for the time being." HLL press release, Mumbai. March 8, 2001.

Draft

November 2, 2001.

Dear

Further to our telephonic discussions enclosed the following background material for the proposed meeting with the Medical team from Hindustan Lever headed by Dr. T.Rajgopal, Corporate Medical Adviser. We have suggested 12th or 13th November as the date for a meeting and evaluation. A confirmation of the date and time ~~which~~ will be intimated shortly. The background material includes the letter from Dr. Rajagopal; the short report by Dr. Mohan Isaac after his visit with Dr. Praveen to Kodi; some press releases on the matter and some notes and questions of concern from some of the campaigners. More material will be sent if and when received.

With best wishes,

Yours sincerely,

RN

Dr. Ravi Narayan

Encl: as above

Sent
RN
2/11

Kind attention : Dr. Ravi Narayan

Subject: Kind attention : Dr. Ravi Narayan

Date: Thu, 18 Oct 2001 18:25:21 +0530

From: "Thirumalai Rajgopal" <Thirumalai.Rajgopal@unilever.com>

To: "sochara@vsnl.com" <sochara@vsnl.com>

CC: "Mascarenhas, Premala" <Premala.Mascarenhas@unilever.com>,
"HV, Ravimohan" <Ravimohan.HV@unilever.com>

Dear Dr. Ravi Narayan,

I would at the outset introduce myself as the Corporate Medical Advisor to Hindustan Lever Limited.

We have recently come across a note put up by Greenpeace India on their web page on the internet regarding a study conducted by the Community Health Cell on 30 employees/ex-employees at Kodaikanal which attributes some skin and gum conditions in some of the employees to likely exposure to mercury.

We would like to formally request you to grant us a meeting with you and your team to enable us to share with you our findings based on a comprehensive evaluation of 255 employees done in March 2001 [comprising current employees, ex-employees as well as a few members from the public]. Our study was based on an internationally validated protocol drawn up by the US Dept. of Mines and included the administration of a questionnaire, a comprehensive clinical evaluation as well as relevant biochemical investigations including biological monitoring of mercury in the urine through the use of an inductively coupled plasma emission spectrometer [ICP].

The purpose behind seeking this meeting is purely professional in order to apprise you of the scientific basis of our belief that our employees have not / are not suffering from any condition which can be attributed to mercury exposure.

We are aware of the high professional standards and integrity of the community health cell under your stewardship and It would be our pleasure to share our findings with you of our extensive study as well as our past occupational health evaluations covering more than a decade.

If it is convenient, can I request for a meeting on any day after the 6th November with you and your team. From Hindustan Lever apart from me, our team would include Dr. Premala Mascarenhas who is the Area Medical Officer in charge of the southern region and Dr. H V RaviMohan who is our occupational health physician at Bangalore.

I do look forward to hearing from you.

With regards,

Dr. T. Rajgopal
MD., DPH., DIH. DNB
Corporate Medical Advisor
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165/166 Backbay Reclamation
Mumbai 400 020.

Tel: + 22 285 5583

Fax: + 22 281 9197

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UNILEVER ADMITS TO TOXIC DUMPING; WILL CLEAN UP, BUT NOT COME CLEAN 19 2001

Mumbai/Delhi: June 19, 2001-Conceding to the demands of citizens groups and Greenpeace, Unilever has agreed to the permanent closure of its polluting mercury thermometer factory in Kodalkanal, and to undertake a clean-up of 5.3 tons of mercury wastes dumped by the company at a local scrapyard. Amidst denials by the company of environmental double-standards or any illegal toxic waste dumping, Greenpeace, Unilever ex-workers, Kodalkanal community groups exposed and cordoned off one of Unilever's illegal dumps in a crowded part of the Southern Indian tourist town.

"Unilever's agreement now to clean up the scrapyard is a clear admission of its guilt," says Eco Matser, Greenpeace's toxics campaigner in the Netherlands. "But the Kodalkanal dumpsite is only a small portion of this company's toxic liabilities. The company's shoddy disposal of mercury wastes exposes its scant regard for the environment in countries like India where environmental regulation is lax," he said.

Greenpeace has called on the Ministry of Environment to acknowledge their shirked and fulfill their responsibility of protecting the environment by initiating an action plan to rapidly phase in safe, non-toxic alternatives to mercury use in India.

Ex-workers from Hindustan Lever, the Indian subsidiary that owns the mercury thermometer factory, say that the company's double-standards were also evident in their casual attitude towards mercury exposure in the workplace, and in the company's continuing and unscientific denials that any such exposure occurred.

The company claims that none of the 140 current workers, or any of the 250 or so ex-workers, (many of who resigned in the past due to health reasons), are at all affected by mercury. Ten workers below the age of 40 have died while employed at the plant. No investigations were performed at the time of death. Ex-workers report kidney problems, chronic stomachaches, blood vomiting, infertility, and women suffering a variety of gynecological disorders. The company has neither conducted a comprehensive and independent epidemiological study, nor published the basis of its claims that no workers have ever been affected.

"Unilever has placed the burden of proof of impact on health on poor workers who receive a meager \$75 per month after 10 to 15 years of service," says Raja Mohammed, an ex-worker. "We have already proven that the company's bad housekeeping has exposed us to toxic mercury. Now, let Unilever prove that the exposure is not causing all these problems we face. Only that would justify their claims that they are treating their Indian workers at par with their Dutch or English workforce," Mohammed says.

A conservative environmental audit conducted by Unilever's consultant indicates that hundreds of tons of mercury-bearing toxic wastes have been sold in the past to unsuspecting recyclers and end users in several southern states. Several tons of wastes that the ex-workers claim are severely contaminated with mercury, were buried by the company in unlined pits at the factory site, bordering a forest sanctuary.

However, till date, the company has failed to fully disclose to the Pollution Control Board the raw data based

on which the calculations for toxic mercury releases from their factory were calculated.

Greenpeace has demanded that aside from assessing and remediating the damage to environment and

workers' health. Unilever should apologise for deceiving the public and endangering worker and community

health and the environment with their careless handling of toxic mercury.

1. The Unilever factory was the largest mercury thermometer factory in the world. At the time that it was

imported from the USA in 1983, the plant was already nearing the end of its life at its previous location in

Watertown, New York.

2. In a report presented to the Pollution Control Board, Unilever assess the amount of mercury put out in the

environment from its factory site at Kodaikanal at 539 kg, (with a statistical variance "of between 43 kg

minimum and 1,075 kg maximum"). Another 284 kg of mercury has been dispersed through "off site

disposal". It has produced 165 million thermometers with 125,000 kg of mercury, with a breakage rate

documented at around 30-40%.

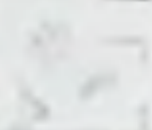
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Hindustan Lever suppresses information to evade environmental and health responsibility 27, Sep 2001

Hindustan Lever suppresses information to evade responsibility
Channel, 24 Sept 01

The Tamilnadu Alliance Against Mercury, Toxics Link, United Citizens Council, Kodaikanal PUCL and Greenpeace condemn Hindustan Lever Ltd's efforts to evade responsibility damage caused to the environment and health of the community of Kodaikanal by its mercury polluting thermometer factory in this tourist hill resort.

After local community groups and Greenpeace exposed Hindustan Lever's hazardous mercury waste dumped at a scrapyard in Kodaikanal in March, HLL temporarily closed factory, to review its functioning. When the community monitored the cleanup of the scrapyard they found not 5.3 tons of waste, which the company claimed it had exported 7.4 tons. The company's "meticulous record keeping" was off by 40%. When the community raised questions before the Tamilnadu Pollution Control Board (TNPCB) on the functioning of the plant itself over the past 18 years as a hazard to a sensitive environment, HLL responded by closing the factory permanently, and has refused to provide information records required to be maintained by all units using hazardous material.

This information would be necessary to arrive at an understanding of the impact of mercury on this sensitive environment and on the lives of over 400 workers and their families who have been potentially exposed to mercury contamination. There is an estimated 20-30% of mercury losses the company has failed to account for in the process of manufacturing and exporting thermometers to the USA. Soil tests required by the TNPCB show contamination around the factory that in places exceeds the permissible limit by a factor of 800-1200. These are described by the company as soil or glass that are "slightly tinged with mercury".

Unilever's attitude towards the health of the workers and the community has also been governed by an apparent lack of understanding of the seriousness of dispersing mercury into the environment. Workers testify to the lack of any substantive measure to limit the sources of mercury contamination around the factory, other than to transfer them temporarily to a less hazardous workplace. They also testify to the casual manner in which the company handled workplace contamination.

Rather than addressing the community's concern for health effects from mercury, HLL has launched a PR campaign disclaiming any impact on health or environment from mercury emissions from the factory. We join the workers of the HLL thermometer factory and the community of Kodaikanal in condemning the statement of Unilever Chairman, Mr Niall Fitzgerald to BBC (Hard Talk, Aug 21) that no workers had been affected by the mercury, and that Unilever had been open and transparent in providing information required to assess the impact of the plant on its environment.

"Unilever may Greenwash itself through UNDP programmes for "corporate responsibility" such as the Global Compact, but on the ground, Unilever's frantic bid to avoid responsibility and run like Carbide did in Bhopal is leading it to make rash and unsustainable claims about the impact of mercury on health and environment. Its claim that the mercury dispersed

Unilever may Greenwash itself through UNDP programmes for "corporate responsibility", such as the Global

Compact, but on the ground, Unilever's frantic bid to avoid responsibility and run like Carbide did in Bhopal is

leading it to make rash and unsustainable claims about the impact of mercury on health and environment.

Its claim that the mercury dispersed by it will not cause health effects, or become methylated (as in Minamata) defies science," says R Kanan of Tamilnad Alliance Against Mercury "Perhaps Global Compact

would like to pay Kodi a visit and see what's happening in their name".

On 8 September the management sent a letter to the Union informing them that they could not be supplied

the health records supposedly maintained by the company out of a sense of "propriety and medical ethics".

All workers have now individually demanded their medical records. HLL further informed the workers that as

per the urine and blood tests carried out by its "specialist experts" (three company doctors), they "did not

find anything that causes concern or gives indication of exposure to mercury". They neglect to mention that

the blood and urine tests were done a month after the last exposure, by which time mercury will not be

reflected in the readings. HLL goes on to advise the Union that "for allaying your fear and apprehension of

worker's health, we would request you not to be misguided by vested interests."

"We did not need vested interests to tell us we have been suffering for years," says S Gopal, a former

supervisor at the plant. "We were misguided in fact by the company who never informed us of what illness is

caused by mercury, so we believed the company when it said our illnesses were not caused by mercury.

Only recently we have come to know that a variety of sicknesses which are common among workers like

kidney or skin problems, headaches, blood vomiting, asthma, lung pains and tiredness, can result from

mercury poisoning".

On 24 Sept a number of affected workers presented themselves to the press in Chennai to display visible effects of mercury poisoning such as skin problems, bleeding gums and falling teeth etc. "How Unilever Chairman would like to view these afflictions is a matter of great interest to us. Would he be able to dismiss us as easily if this had happened in the UK?", asks Israel Booshi, a long time resident of Kodaikanal.

In August a preliminary examination was done of 30 of the current and exworkers by specialists in neurology and psychiatry, through the Community Health Cell, Bangalore. The survey revealed that of the thirty, 9 had gum and teeth problems (bleeding gums, shaking and falling of teeth; 6 had skin problems especially on the extremities; 9 had non specific functional (psychiatric?) symptoms; and others noted infertility, renal, gastrointestinal tract problems, and recurrent depression. The report notes that "none in this group were found to have major neuro psychiatric problems ... However many were found to have gum and skin allergy related problems which appear to be due to exposure to mercury." The report also observes: "What is most interesting is that most of the 30 subjects interviewed reported to frequent taking of leave due to a variety of health problems... Of the 30 subjects examined 12 persons had resigned from their job... and all of them attributed their resignation to health

CHO Role.

factors."In fact the company has also written to the Union complaining that an absenteeism rate of 11% was excessive.

In view of the manipulation and suppression of information by Hindustan Lever, we urge the TNPCB to undertake a comprehensive health survey of all those who worked at the thermometer plant at the expense of the company. We also urge the Board to undertake an independent survey of the impact of the thermometer plant on the waterbodies around the Palani Hills, as well as sites across Tamilnadu to which the company had exported its contaminated waste.

We request the Board to produce an inventory of other mercury uses in Tamilnadu so as to arrive at a policy to phase out the use of mercury especially in areas where alternatives are possible, so that society does not have to bear the social and health costs associated with the dispersal of mercury in the environment.

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Hindustan Lever attempts to evade responsibility 19, Jul 2001

The United Citizens Council Kodaikanal, PHCC, and Greenpeace take strong exception to HLL's statement to the press that it had retrieved 5.3 tons of mercury contaminated thermometers from the scrapyard in Moonjigal. The cleanup took place on June 20, according to a protocol agreed upon by the community, and the community was also present to monitor at the cleanup. However, the company refused the community access to the weighing of the retrieved waste. On the community's insistence, after a four hour sit-in, HLL was forced to weigh the waste before representatives of the community and TN who discovered not 5.3 tons but 7.40 tons, a discrepancy of about 40%. However, the company's news releases continue to claim that only 5.3 tons was recovered.

The significance of this discrepancy, (and HLL's continued denial of it), is that HLL has presented a Report drawn up by its consultants, based on the "meticulous records" that are to be maintained for the past 18 years. The Report concludes precisely on the basis of these records, that 550 kg of mercury have been emitted by the HLL thermometer factory (a total of 125,000 kg used), and there can be no adverse impact on the health of the workers or the environment.

In the very first opportunity the community has had to verify the "meticulous record" findings, it first finds an attempt to cover up the facts, and next a variance of 40% between the company's "records" and reality. Greenpeace insists that HLL produce the records it is required by law to maintain on operations, occupational safety and environmental issues. Instead of resorting to unsubstantiated statements and half truths to absolve itself of responsibility.

The community emphasizes that even according to the company's report there is contamination in and around the sensitively located factory that is several hundred times above permissible limits. "The HLL's report and statements often describe the contamination as 'slight' or 'negligible', says R. Kanan, of the TN Alliance Against Mercury. "For instance, it described the scarpard waste as "slightly tinged" with mercury, containing 'slightly more than 50mg/kg of mercury'. With a content of between 0.15% and 1% mercury this works out to 1500 mg/kg or 10000mg/kg, or between 30 and 200 times the limit. What is meant by 'slight' is not clear." The claim that there is no mercury in the Kodaikanal Lake water is a transparent attempt to avoid discovery, as mercury would largely be in surface sediments, crustaceans or fish (which were not tested), while water would contain traces too low to detect within the testing limits of their equipment.

The details supplied by the company on health and occupational safety issues demonstrate that a large number of workers have been exposed to various levels of mercury contamination above health impairing levels, but no data on sustained records, systematic testing and analysis, remedial action etc are produced. "The only thing the company tells workers is 'wash your hands before you eat'. Even if our urine levels were high, we were transferred to a less contaminated area, then brought back to work in the same contaminated situation. We were given turns to absorb the mercury", says Jaipal Jeyaram, former worker at the HLL plant who left his job for "health reasons", and is suffering from kidney failure.

tested), while water would contain traces too low to detect within the testing limits of their equipment.

The details supplied by the company on health and occupational safety issues demonstrate that a large number of workers have been exposed to various levels of mercury contamination above health impairing levels, but no data on sustained records, systems of testing and analysis, remedial action etc are produced.

"The only thing the company told workers is 'wash your hands before you eat'. Even if our urine levels were high, we were transferred to a less contaminated area, then brought back to work in the same contaminated situation. We were given turns to absorb the mercury", says Jaipal Joseph, a former worker at the HLL plant who left his job for "health reasons", and is suffering from kidney failure.

Greenpeace condemns the utter lack of seriousness with which Lever regard the emission of half to one ton of mercury (by their own unsubstantiated assertion) into this ecologically sensitive watershed. Soil samples outside their property leading into Pambar forest, show mercury levels described as "only marginally above apparent background", but is actually 850 times (eight hundred and fifty) their definition of background. "The HLL's assertion that inorganic mercury would not convert to methyl mercury contradicts all available knowledge on mercury poisoning. We cannot believe a company that is party to the UN Global Compact ensuring ethical business practices could take one position on the effects of mercury in Europe and another in developing countries", says Neville Muncher, a member of the Tamilnadu Alliance Against Mercury.

Greenpeace, UCCK, and the Association of Ex Workers of HLL reiterate their Demands of 7 March, and that the company own up to the fact that mercury in any form is injurious to health and that the symptoms suffered for years by current and ex-workers cannot be written off as unrelated to mercury contamination, nor are the kind of routine examinations done adequate to assure otherwise.

(see Cleanup pics:www.greenpeaceindia.org)

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Hindustan Lever attempts to evade responsibility 19, Jul 2001

The United Citizens Council Kodaikanal, PHCC, and Greenpeace take strong exception to HLL's statement to the press that it had retrieved 5.3 tons of mercury contaminated thermometers from the scapyard in Moonjigal. The cleanup took place on June 20, according to a protocol agreed upon by the community, and the community was also present to monitor at the cleanup. However, the company refused the community access to the weighing of the retrieved waste. On the community's insistence, after a four hour struggle HLL was forced to weigh the waste before representatives of the community and TN government who discovered not 5.3 tons but 7.40 tons, a discrepancy of about 40%. However the news releases continue to claim that only 5.3 tons was recovered.

The significance of this discrepancy, (and HLL's continued denial of it), is that HLL has presented a Report drawn up by its consultants, based on the "meticulous records" that are to be maintained for the past 18 years. The Report concludes precisely on the basis of these records, that 550 kg of mercury have been emitted by the HLL thermometer factory (a total of 125,000 kg used), and there can be no adverse impact on the health of the workers or the environment.

In the very first opportunity the community has had to verify the "meticulous records" it finds first an attempt to cover up the facts, and next a variance of 40% between the company's "records" and reality. Greenpeace insists that HLL produce the records it is required by law to maintain on operations, occupational safety and environmental issues. Instead of resorting to unsubstantiated statements and half truths to absolve itself of responsibility.

The community emphasizes that even according to the company's report there is mercury contamination in and around the sensitively located factory that is several hundred times above permissible limits. "The HLL's report and statements often describe the contamination as 'slight' or 'negligible', says R. Kanan, of the TN Alliance Against Mercury, "for instance described the scapyard waste as "slightly tinged" with mercury, containing 'slightly more than 50mg/kg of mercury'. With a content of between 0.15% and 1% mercury this works out to 1500 mg/kg or 10000mg/kg, or between 30 and 200 times the limit. What is meant by 'slight' is not clear." The claim that there is no mercury in the Kodaikanal Lake water is a transparent attempt to avoid discovery, as mercury would largely be in surface sediments, crustaceans or fish (which were not tested), while water would contain traces too low to detect within the testing limits of their equipment.

The details supplied by the company on health and occupational safety issues demonstrate that a large number of workers have been exposed to various levels of mercury contamination above health impairing levels, but no data on sustained records, systematic testing and analysis, remedial action etc are produced. "The only thing the company tells workers is 'wash your hands before you eat'. Even if our urine levels were high, we were transferred to a less contaminated area, then brought back to work in the same contaminated situation. We were given turns to absorb the mercury", says Jaipal, a former worker at the HLL plant who left his job for "health reasons", and is suffering from kidney failure.

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the company own up to the fact that mercury in any form is injurious to health and that the symptoms

suffered for years by current and ex-workers cannot be written off as unrelated to mercury contamination,

nor are the kind of routine examinations done adequate to assure otherwise.

(see Cleanup pics:www.greenpeaceindia.org)

Subject: Unilever's inconsistencies

Date: Fri, 26 Oct 2001 10:19:06 +0530

From: nity68@vsnl.com

To: sochara@vsnl.com

Hello Dr. Praveen:

Kindly download and print the following link for Dr. Ravi/Dr. Rajmohan's briefing file for the Unilever meeting.

<http://www.corpwatch.org/un/updates/2001/unilever.html>

Inconsistencies Galore

A Timeline on Unilever's Mercury Dumping in India

By Nityanand Jayaraman *CorpWatch* October 4, 2001

{PRIVATE}RELATED STORY

{HYPERLINK "unilever.html"}Unilever's Mercury Fever Did Unilever downplay the dangers of mercury dumping? *In the months following the discovery and expose of Unilever's polluting practices in Kodaikanal, many of the responses and statements by the company have been contrary to facts. The time line below outlines a few. (Emphasis is the author's.)*

The Scrap Yard Dump

March 7, 2001: Kodaikanal townspeople cordon off scrap yard containing tons of mercury-containing toxic wastes from Unilever's thermometer factory. They confront factory management with photographs of visibly mercury-contaminated waste.

March 7, 2001: In an interview at the factory gate, Mr. Subramaniam, export marketing manager for Hindustan Lever denied reports of dumping and said: "No hazardous wastes have left the factory site." {HYPERLINK \1 "1"}1

March 7, 2001: In an email response from the headquarters, Unilever stated that "It is this glass waste from the non-mercury area, which is *completely free from any mercury at all*, which we have sold, this too only with necessary permission from Customs and Central Excise officials." {HYPERLINK \1 "2"}2

March 8, 2001: Unilever subsidiary Hindustan Lever said: "Allegations that scrap glass generated in the HLL Kodaikanal Thermometer factory's non-mercury area, purchased by a local scrap dealer more than 15 months back, contains some glass with mercury waste has caused the company enormous surprise and concern since *such a possibility is remote* given established systems and controls which are in place." {HYPERLINK \1 "3"}3

June 21, 2001: Unilever subsidiary Hindustan Lever said: "Hindustan Lever Limited has retrieved, for secure storage at the site, the 5.3 tonnes of *mercury containing glass scrap* currently stored on a scrap dealers premises in Kodaikanal, which had been inadvertently removed from the factory in breach of established procedures."

The toxic wastes that Unilever claims were "inadvertently removed from the factory" were actually sold by the company to the scrap dealer. The company admits that at least 30 more tons of mercury-containing wastes has been sold to recyclers in various parts of South India. Such sales are patently illegal under Indian law.

Waste Exhumed

April 11, 2001: Factory workers report that company exhumed wastes containing visible quantities of mercury from unlined pits in the factory. Worker testimonies

and video footage available with Greenpeace confirm that the wastes were exhumed by workers without appropriate protective gear. The company's response does not indicate whether there were any independent witnesses present to supervise the operations. Neither does it appear that the Company sought the permission or presence of the Tamilnadu Pollution Control Board for the operations.

April 12, 2001: Unilever said: "In so far as our own site is concerned, post suspension of manufacturing operations, we have been using the workforce rendered idle for good housekeeping and also for activities connected with material balancing. . . We have actually notified the customs authorities that we were taking out the non-mercury glass that had been buried at our own site in the 80s as a part of this work."

Clean Up: Small Lies

June 20, 2001: A document signed by a representative of the Pollution Control Board and a representative of the Kodaikanal township indicates that Hindustan Lever retrieved *7.4 tons of mercury- containing glass scrap* and 3.5 tons of soil from the scrap yard located in Kodaikanal.

June 21, 2001: Unilever's statement underreports the quantity of mercury wastes dumped and retrieved from the scrap yard. "Hindustan Lever Limited has retrieved, for secure storage at the site, the *5.3 tonnes of mercury containing glass scrap* currently stored on a scrap dealers premises in Kodaikanal, which had been inadvertently removed from the factory in breach of established procedures."

Footnotes

Public interview with Mr. Subramaniam, manager (exports), Hindustan Lever, at HLL Thermometer Factory, Kodaikanal. March 7, 2001.

Pers. Comm. via email from Debasis Ray, Corporate Communications Manager, Hindustan Lever Ltd. March 7, 2001.

"HLL orders comprehensive audit & review at thermometer plant, suspends operation for the time being." HLL press release, Mumbai. March 8, 2001.

ort of visit to Ponds factory,Attn.Dr. Ravi Narayan & Mr. Kumar

Subject: Report on visit to Ponds factory,Attn.Dr. Ravi Narayan & Mr. Kumar

Date: Sat, 01 Sep 2001 10:46:22 +0100

From: "psychiatry" <psychiatry@nimhans.kar.nic.in>

To: sochara@vsnl.com

Dear Navroz,


It was indeed a pleasure to visit Kodi and examine several patients - current and former employees of the Hindustan Lever factory. It was also very useful to have lengthy discussions with you regarding various aspects of mercury poisoning amongst workers. I am herewith enclosing a brief note about my visit and observation

Thanking you,

Yours sincerely

Mohan Isaac

copy to : Dr. Ravi Narayan & Mr. Kumar

 Ponds Factory.doc	Name: Ponds Factory.doc Type: Winword File (application/msword) Encoding: base64
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Preliminary assessment of persons exposed to mercury in Kodaikanal

Visit of Dr. Praveen and Dr. Mohan Isaac, Community Health Cell, Bangalore

Dr. Praveen and Dr. Mohan Isaac of Community Health Cell visited Kodaikanal on 22nd July 2001 to make a preliminary assessment of health effects of mercury amongst current and past workers of Ponds factory. 30 persons who were either current workers or ex workers of the Hindustan Lever's thermometer factory (Ponds factory) were examined from around 9 a.m. till 5:30 p.m. on 22nd July 2001. The history taking and physical/mental examinations were focussed to assess if there were neurological/psychiatric sequelae of mercury poisoning amongst these workers. However, the specific aspects about work history, duration of exposure, previous consultation patterns for health related problems, current occupational history, etc. were obtained as part of the general history and the general examination was done on all the persons. The following are the findings of this preliminary assessment.

Total subjects examined 30

Males	25
Female	5

Age range 24 – 49 years

Prominent health problems found

Gum & teeth problems (such as bleeding gums, inflammation of gums shaking and falling of teeth)	9 persons
Skin problems (especially in the lower and upper extremities)	5
Non-specific functional (? Psychiatric) symptoms	9 <i>30%</i>
Infertility problems	2
Renal problems	2
Gastrointestinal tract disorders	3
Recurrent depression	1
White discharge p/v (? non-organic)	1

Although specific neurological problems such as tremors of the hand, tongue and eyelids, difficulty in balancing and walking, etc. and psychiatric symptoms such as mood fluctuations, irritability, memory loss, hallucinations, etc. were looked for specifically, none in this group of 30 subjects were found to have major neuro-psychiatric problems.

One person who had suffered from recurrent depression appeared to have a unipolar depressive disorder perhaps not related to mercury exposure. However, many people were found to have gum and skin allergy related problems which appeared to be due to exposure to mercury. Few persons with infertility and renal problems also were detected. What is most interesting is that most of the 30 subjects interviewed reported to frequent taking of leave due to a variety of health problems while they were regularly working in the Ponds factory. Of the 30 subjects examined 12 persons had resigned from their job after varying periods of work in the Ponds factory and all of them attributed their resignations to health factors. *Answer*

The preliminary assessment of a random number of 30 workers exposed to mercury at the Ponds factory indicates that there is a need to assess all the exposed workers in greater detail for health effects of mercury. It is suggested that all the workers (past and present) be assessed for health effects of mercury initially and if there is any evidence for the need for further assessment a more detailed community survey of the population around the Ponds factory be carried out.

DR. PRAVEEN

DR. MOHAN ISAAC

Kind attention : Dr. Ravi Narayan

Subject: Kind attention : Dr. Ravi Narayan

Date: Thu, 18 Oct 2001 18:25:21 +0530

From: "Thirumalai Rajgopal" <Thirumalai.Rajgopal@unilever.com>

To: "sochara@vsnl.com" <sochara@vsnl.com>

CC: "Mascarenhas, Premala" <Premala.Mascarenhas@unilever.com>,
"HV, Ravimohan" <Ravimohan.HV@unilever.com>

Dear Dr. Ravi Narayan,

I would at the outset introduce myself as the Corporate Medical Advisor to Hindustan Lever Limited.

We have recently come across a note put up by Greenpeace India on their web page on the internet regarding a study conducted by the Community Health Cell on 30 employees/ex-employees at Kodaikanal which attributes some skin and gum conditions in some of the employees to likely exposure to mercury.

We would like to formally request you to grant us a meeting with you and your team to enable us to share with you our findings based on a comprehensive evaluation of 255 employees done in March 2001 [comprising current employees, ex-employees as well as a few members from the public]. Our study was based on an internationally validated protocol drawn up by the US Dept. of Mines and included the administration of a questionnaire, a comprehensive clinical evaluation as well as relevant biochemical investigations including biological monitoring of mercury in the urine through the use of an inductively coupled plasma emission spectrometer [ICP].

The purpose behind seeking this meeting is purely professional in order to apprise you of the scientific basis of our belief that our employees have not / are not suffering from any condition which can be attributed to mercury exposure.

We are aware of the high professional standards and integrity of the community health cell under your stewardship and It would be our pleasure to share our findings with you of our extensive study as well as our past occupational health evaluations covering more than a decade.

If it is convenient, can I request for a meeting on any day after the 6th November with you and your team. From Hindustan Lever apart from me, our team would include Dr. Premala Mascarenhas who is the Area Medical Officer in charge of the southern region and Dr. H V RaviMohan who is our occupational health physician at Bangalore.

I do look forward to hearing from you.

With regards,

Dr. T. Rajgopal
MD., DPH., DIH. DNB
Corporate Medical Advisor
Hindustan Lever Limited
165/166 Backbay Reclamation
Mumbai 400 020.

Tel: + 22 285 5583
Fax; + 22 281 9197

HLL brings in leading international experts to study mercury issue; invites NGOs to join study

CHENNAI, March 22

Hindustan Lever Limited (HLL) has acted with speed and taken a series of steps, following reports on March 8, 2001, that glass scrap, generated in the Kodaikanal Thermometer Factory and purchased by a local scrap dealer, contained traces of mercury.

As has been reported, HLL suspended operations of the factory on March 8 itself, and ordered a comprehensive audit, including a comprehensive review of the disposal of glass scrap, to establish the full extent of the issue. Following this initial action, the company has taken several other steps in the last one week.

Open offer to NGOs to visit factory

HLL has invited the NGOs concerned to visit the factory site and see the operating conditions, and the mercury recovery equipment that the factory has. The factory has appropriate norms and infrastructure to store and use pure mercury, and to store, treat and handle mercury containing scrap or effluent.

Offer to clear glass scrap

In addition, HLL has offered to clear from the scrap dealer's premises at Munjikkal, the 5.3 tonnes of glass scrap containing traces of mercury under a protocol prepared in consultation with well-known experts. HLL has shared the protocol with the Kodaikanal community and NGOs involved, and has also written to the Tamil Nadu Pollution Control Board (TNPCB). HLL has already purchased the scrap lying at the scrapyard, except for 60 kgs of the scrap which the scrapyard owner had sold to a member of a local NGO. HLL has written to him, seeking to buy this remaining 60 kgs from him. HLL awaits the TNPCB's approval to remove this scrap and bring it inside the factory.

Pending approval of the Protocol by the Greenpeace and the authorities in the Tamil Nadu Pollution Control Board, HLL has not touched the glass scrap containing traces of mercury at the Munjikkal site. HLL has, in order to eliminate any potential risk to the public, analyzed the atmosphere at that site using Jerome Mercury Vapour Mercury Analyzer Model 431X and have measured the mercury vapour presence at different distances from the glass scrap starting with 6 inches to a few yards. HLL has found the mercury vapour in the range of 0.006 to 0.017 milligrams per cubic meter which is well within the prescribed limit of 0.05 milligrams per cubic meter considered safe. The presence of mercury traces in the glass scrap should therefore not cause any concern from a public health point of view.

acute exposure or chronic continued exposure?

After the glass scrap has been removed HLL would carry out tests to determine the measures that are required to clean up the scrap dealer's site at Munjikkal and the surrounding area of any remainder hazard.

Internationally renowned experts engaged

HLL has engaged Dames and Moore, an internationally renowned agency for evaluating

environmental impact and testing, and Prof. P. Viswanathan, an Indian Expert (and member of the WHO Task Group which published under its Environment Health Criteria Report No. 86, a Report on "Mercury - Environmental Aspects"), as its consultants, who are advising the company on the issue and any other related matters. They have already been at the site.

Environmental Impact Assessment

HLL is studying the impact on the soil and water in the neighboring area of the factory to ascertain if there has been any adverse impact. 22 soil samples, three of them from outside the factory, and 6 water samples, four from outside the factory, have been taken and sent for testing at reputed laboratories in Melbourne, SGS-Chennai, ITRC-Lucknow, and also HLL's own facilities. HLL will share the results with the community. If such studies indeed throw up issues, HLL will address them, and decide and initiate remedial measures. HLL has requested the NGOs to share with the company details of tests, if any, done by them. In that spirit, HLL is prepared to co-operate with the NGOs in dealing with the issue. In the unlikely event of there being a difference of opinion between the assessments made by HLL experts and those engaged by the NGOs, should the NGOs feel the need to do so, HLL would expect an informed and objective debate to arrive at a fair solution.

Impact Assessment on Employees

HLL has a regular protocol for testing the health of employees on an ongoing basis as also through annual medical check ups. Till date, HLL has not noticed any material adverse impact on the employees. Employees working in the mercury area and elsewhere are constantly monitored through urine examination so as to ensure that they operate within absolutely safe limits. The employees have personal protective equipment, while exhaust fans and regular monitoring of vapour in the area ensure that the environment remains safe. This year's annual health check has already begun. Its scope has been expanded to make it more comprehensive by including additional tests, like mercury in blood and more elaborate urine tests. The clinical protocol and physical evaluation have been validated by reputed experts. This year's tests, as in the previous years, have not as of now shown any adverse impact.

As regards ex-employees, HLL had written as far back as March 10 to Mr. Mahindra Babu, the ex-employee concerned, who had been quoted in the media as alleging that some of them had died due to the adverse effects of exposure to mercury. He was requested to share the personal particulars of the ex-workmen who had allegedly so suffered and substantiate such claims. There has been no response from him till date. Similarly HLL has also asked the Tamil Nadu Alliance against Mercury to substantiate their allegation on March 18 that "over 10 employees had died in service and the health of ex-workers are severely affected" supposedly due to ill-effects of mercury exposure. There has not been any response from them either. If any specific cases of ex-employees are brought to the factory's notice, which show symptoms of any work related sicknesses, HLL will have them medically examined and provide appropriate medical treatment.

The ex-employee and NGOs seem to be interested in using unsubstantiated allegations

with a view to sensationalize the issue without caring to provide factual data.

Allegation of dumping in forest untrue

HLL also clarifies that the allegations that drums containing mercury bottles had been thrown into the forests outside the factory are not true. The drums were within the factory's fenced site and on factory property. They have now been moved to a better storage location in the factory.

HLL is also in the process of tracking down other shipments of stocks of glass scrap from the factory, bulk of which has gone to industrial users such as bulb manufacturers, to ascertain its nature and quality. It would bring back any recovered crushed glass that may need further evaluation or processing.

HLL ready to share platform with NGOs

HLL has also offered to share with the NGOs any public platform to reiterate its assurances and commitments.

HLL has already met with Mr. Navroz Mody, Campaign Director, Greenpeace, on March 14 and subsequently written to him on March 17, reiterating HLL's concern for the environment and community of Kodaikanal and that it was prepared to fully investigate the issues raised in an objective and transparent manner and undertake such remedial measures as may be necessary and appropriate. These will be consistent with HLL's commitment to the environment wherever it operates. HLL follows the same policies and framework on environmental issues that its parent company, Unilever, follows for its global operations.

While HLL will deal with the issues in a spirit of collaboration and mutual understanding in a responsible and constructive manner, it expects that the NGOs and/or community leaders share openly and transparently the facts and information that they have to help solve it. Any unsubstantiated allegations has the potential to create avoidable scare and adverse impact on the social and economic activities of the town of Kodaikanal and the local community and tourism industry on which it is largely dependant.

Subject: Talking points: Unilever meeting

Date: Fri, 26 Oct 2001 11:36:59 +0530

From: nity68@vsnl.com

To: sochara@vsnl.com

CC: navrozmo@vsnl.net, mangoforu@vsnl.net

hello Dr. Ravi:

Earlier, I had sent you all the Unilever press releases as attachments. kindly acknowledge receipt.

Here're a few questions/concerns that you could ask of Dr. Rajagopalan of Unilever. It would be important to stipulate that you would like answers to the below question-by-question. Kindly indicate that having this information IN ADVANCE would greatly enhance the quality of the discussion. Not having this information would make the discussion meaningless, especially given that you would have to accept Lever's claims at face value without the support of facts.

Please arrange to get from Navroz the full details "FROM THE GROUND" as to how the medical surveillance was actually conducted. Also, kindly obtain a copy of the questionnaire used in the surveillance.

Questions for Lever.

1. What is the exact nature of protective equipment provided and used by workers in:

- a) mercury area;
- b) crushing and distillation room;
- c) screening (oven room where name, number are printed).

2. You indicate in the Dames & Moore report that records for mercury vapour levels have been maintained for the period 1983-2000, and that the records for 1994-1999 are missing. Kindly provide the readings for January 2000 and May 2000.

3. You indicate that the records for the monthly urine monitoring are available since 1988. Kindly indicate number of samples analysed per employee per year. Kindly provide the urine analyses results (anonymous) for May 2000.

4. You indicate that "employees whose mercury levels exceeded this level (100 micrograms of mercury per litre of urine), were redeployed from the mercury area."

a) Are your doctors aware that under the presence of more than 50 micrograms/litre in urine indicates "Harmful Exposure."?

b) Kindly let us know whether 100 micrograms/l is the prescribed maximum limit for mercury among workers engaged in mercury-related operations in the Netherlands or United Kingdom.

5. You mention in the Dames & Moore report that "The medical records of 30 employees who left the company others whose services of were (sic) terminated in the recent past are available and are within normal limits." (p. 2-5). Kindly provide us with figures for what you consider "normal limits."

6. Please send us an advance copy of your medical surveillance. please also indicate the number of people surveyed, the dates on which the study was conducted, the qualifications of the doctors/experts involved in the study.

7. Kindly also indicate the average time taken per interview.

8. Please let us know if your procedure has been to explain the results of your monthly urine tests to your employees.

9. Kindly let us know if you have shared the results of your most recent tests (Mar-Apr 2001) with the concerned workers.

as: Unilever meeting

7. Please attach results of any biochemical monitoring, and kindly explain why urine was analysed even among ex-workers when urine is known to carry only signs of recent exposure to mercury? Were any tests performed on hair samples from workers or ex-workers? If so, please provide results. If not, kindly indicate the reasons for opting for urine analyses instead of hair sampling.

Thermometer factory: Kodaikanal, India

We have received requests from people in several parts of the world concerning the operation we have at Kodaikanal in India that has been producing medical thermometers containing mercury. Greenpeace India raised questions about operations at the site locally and via their websites. This page provides the facts about the situation.

21 June 2001

Following a two-day meeting at the end of May with the Working Committee appointed by Tamil Nadu Pollution Control Board including industry representatives, leading environmental experts (URS Dames & Moore and TNO-MEP of Netherlands) and NGO's present, Hindustan Lever Limited has announced the following actions; these are being progressively approved by the Chairperson of the Tamil Nadu Pollution Control Board.

The HLL thermometer factory at Kodaikanal will close for production of mercury thermometers and no further production of mercury thermometers will take place there. The thermometer business is not core to HLL's strategy and in January 2001 the company had decided in principle to exit from it. The factory will remain open however to process the glass scrap currently held on site, and to build further infrastructure including silt traps to prevent run-off, with rain water, of any mercury contaminated soil from the site.

How much was taken away by the scrap dealer?

Hindustan Lever Limited has retrieved, for secure storage at the site, the 5.3 tonnes of mercury containing glass scrap currently stored on a scrap dealers premises in Kodaikanal, which had been inadvertently removed from the factory in breach of established procedures. This has been carried out observing a strict protocol, which was approved by the Working Committee, and has been supervised by the District environment authority; the Municipal commissioner with the participation of Greenpeace India, other local NGOs.

Hindustan Lever Limited announced details of a plan to remediate its site to the most stringent Netherlands standards, applied to land for residential use. Remediation will take place in the dry season, after the NW monsoon later this year and target completion will be before the 2002 monsoon.

Who conducts the health check-ups? Records?

Hindustan Lever Limited has confirmed that, following comprehensive medical testing, there are no employees, former employees or Kodaikanal scrap yard workers that have suffered any adverse health effects resulting from mercury exposure. This conclusion has been endorsed by TNO-MEP of the Netherlands through the representative recommended by Greenpeace.

Hindustan Lever Limited have been reassured by the confirmation of the independent environment advisors, URS Dames & Moore and TNO-MEP, in their Report presented to the Working Committee that there has been no adverse environmental impact outside the factory premises.

anything inside?

Hindustan Lever Limited is committed to continue to work with the independent experts to remediate the factory site to world class standards.

Detailed Background and Commitments - as published here, May 8 2001

Unilever (through Hindustan Lever Limited) has one factory worldwide which has been making mercury thermometers, at Kodaikanal in India. Breaches in Hindustan Lever Limited's own systems for controlling scrap disposal were brought to Hindustan Lever Limited's attention on 7 March. Hindustan Lever Limited took the decision immediately to suspend all production at the factory (8 March) and sent a top management team to investigate.

The investigation showed that:

1. The basic manufacturing process was safe, and had been audited as such both internally and by the State.
2. Recycling of scrap glass and of scrap glass containing mercury was subject to strict processes but those processes had not always been followed.
3. As a consequence, scrap glass containing traces of mercury had been sent to recyclers where only pure glass should have gone.

any breach earlier?

Hindustan Lever Limited immediately made those facts public to the relevant statutory body - the Tamil Nadu Pollution Control Board - and through a press statement. It commissioned independent world-renowned experts in mercury to assess the environmental impact. It set in train investigations to track down all scrap which had left the site over the previous ten years. It set up fresh medical examinations for all employees and for any former employees and others in the area who might have fears as to their health. It offered to recover any scrap from recyclers for safe storage on the Kodaikanal site.

Hindustan Lever Limited has proposed the following approach, subject to the agreement of the Tamil Nadu Pollution Control Board:

1. Health checks on employees, former employees and concerned others, the outcomes of which would be shared with the individuals, with the relevant state authorities and Working Committee set up by Tamil Nadu Pollution Control Board which includes Greenpeace India.

3 Fresh and in depth health checks have been completed, and the findings shared. These show no adverse effects on individuals, attributable to mercury exposure.

2. Widespread sampling to assess any environmental impacts, conducted by reputed international independent experts. The independent experts have been asked to recommend any remediation measures that they feel are required based on their studies of environmental impact. Their findings and recommendations for remediation would similarly be shared with the Tamil Nadu Pollution Control Board and with Greenpeace India.

Environmental samples have been collected and are being subjected to laboratory analysis. The report of the independent expert firm is expected in the next week or so, but their preliminary view is that impact has been largely restricted to the site itself. When available, their report will be shared with the Tamil Nadu Pollution Control Board and with their Working Committee, including Greenpeace India, which has been set up by the Board to coordinate this study.

3. In case any remediation is recommended, an action plan for clean up will be agreed with the Tamil Nadu Pollution Control Board and shared with Greenpeace India.

Background

A mercury thermometer factory was set up in Kodaikanal, Tamil Nadu State, India, in 1983. Unilever acquired the factory when it bought Chesebrough Ponds in 1987. Thermometers are a product line which is not core to Unilever. The factory was retained because it was a source of export earnings, to which the Indian government attaches high importance. Its long term future within Unilever was under review even before recent events, given the strategic decision to exit non-core products.

The Factory

The factory manufactures glass mercury thermometers, overwhelmingly for export markets in Europe, the USA and elsewhere. It is in two main areas. The first takes glass tubing, and turns them into empty thermometers, stems and bulbs. The second fills them with mercury, marks the scale, seals the end and packs. Both areas, working with glass, generate scrap. Glass scrap from the first area is sent for recycling to glass merchants. Glass from the second area contains mercury. The scrap is first treated (crushed and heated) to recover the mercury for reuse. The residual scrap which contains some traces of mercury, is stored on site. Some of that residual

Has this report been received?

scrap has - erroneously and in breach of the company's operating policies - been sold to recyclers on a few occasions since 1992.

Employees Health

The main risk to employee health would arise from mercury vapour. The location of the factory at a hill station (altitude approx. 6500 ft) itself minimises the vapourisation of mercury. Shop floor measurements of mercury in air are used to monitor the atmosphere, and control mercury levels to within 0.05 mgm/cu. metre with emergency procedures in place should these measures not prevent mercury vapour exceeding this level. All employees are subjected to monthly tests of urine for mercury levels (introduced in 1984) and this is supplemented by an annual medical examination. Any employee whose tests show mercury levels above a very safe level (100 nanograms per millilitre of urine) is redeployed out of the mercury handling area and monitored.

Recent retesting of all employees, using a wider battery of tests including blood analysis and a clinical examination by a panel of doctors which included three local doctors of Kodaikanal, has confirmed that there are no individuals with health problems resulting from mercury. Allegations have been published that ex-employees have suffered adverse health effects, or even died. The company has repeatedly asked the local NGOs for names or other evidence, without success. As far as can be ascertained, no former employee has died from any cause remotely connected to the factory. All those former employees who took up the company's offer of a fresh medical check-up showed no health effects attributable to mercury exposure.

The Environment

All water from the plant is led to a dedicated effluent treatment plant. Sludge from the effluent treatment plant is dried, packed in plastic drums and stored on site under cover.

The investigation sparked by the sale for recycling of glass containing traces (less than 1%) of mercury, after the mercury recovery process also revealed that in the past the factory had buried glass scrap on the site after securing appropriate regulatory approvals. This has now been dug up and awaits clearance for safe disposal.

Given the serious nature of allegations made regarding impact of the factory's operations on the environment of the site and its surroundings, the company has commissioned independent specialists to take samples across the site of soil, of water (from small streams and their silt) and air (from tree lichens). The results on some of the samples are known, but full results and their expert interpretation is awaited in the next week or so. It is likely that the data will show some negative impact on the immediate environment, requiring remedial action, but it is believed that the impact will be limited to a few localised concentrations within the site and will be on a modest scale.

Next Steps

As soon as the experts can report on the environmental data, Hindustan Lever Limited will share that data with the Tamil Nadu Pollution Control Board and other interested parties such as Greenpeace India. It will also seek permission to implement a protocol for remedial action recommended by the experts, and endorsed by all concerned.

Annual
medical
examination
Does the panel
of doctors
consist of
a psychiatrist
turnover?

HLL ORDERS COMPREHENSIVE AUDIT & REVIEW AT THERMOMETER PLANT, SUSPENDS OPERATION FOR THE TIME BEING

MUMBAI, March 8

Allegations that scrap glass generated in the HLL Kodaikanal Thermometer factory's non-mercury area, purchased by a local scrap dealer more than 15 months back, contains some glass with mercury waste has caused the company enormous surprise and concern since such a possibility is remote given established systems and controls which are in place. However, to rule out any human error, HLL has decided to carry out a comprehensive audit of the operation of the factory, including a comprehensive review of disposal of glass scrap.

Pending the audit and the review, as a matter of abundant caution, the company has decided to suspend thermometer production at the factory.

Production will be resumed only after HLL has fully satisfied itself that the factory's continued operation would not cause any hazard to the local environment, as alleged, and that systems and procedures are fully in place to ensure that there is no risk associated with disposal of glass from the non-mercury area for further processing by industrial users.

These actions have been taken to demonstrate the company's commitment to its stated policy on environment and occupational health.

March 8 : Company has decided to suspend thermometer production. Production will be resumed only after HLL has fully satisfied itself that the factory's continued operation would not cause any hazard to local ~~environment~~ environment and that systems and procedures are fully in place.

May, 2001 : HLL informs Working Committee of TN PCB that it had already decided to discontinue the manufacture of mercury thermometer.

= In January 2001, HLL had decided in principle to exit from the thermometer business because it is not core to the company.

Kodaikanal
Kandla
in here will
they transfer
House
Family
Culture

HLL offers Kodaikanal workmen jobs in Kandla exports factory
Chennai, October 1

Hindustan Lever Limited (HLL) has decided to redeploy its workmen at the Kodaikanal thermometer factory to the Kandla exports factory. There will be no adverse impact on the workmen's existing wages and terms and conditions of service. HLL had stopped manufacturing thermometers since March 2001.

While Kodaikanal was a fully exports-dedicated thermometer plant of the Exports division, Kandla is a fully exports-dedicated soap, detergents and personal products factory of the Exports division. Kandla, which is the main manufacturing hub for these exports, is being expanded further and needs more employees. Exports of soaps, detergents, personal products are a priority business for HLL. Exports of HLL's packaged mass consumption goods registered a strong growth of 12.1% in the June Quarter, particularly in soaps, detergents, and personal products.

HLL had suo moto suspended all production in the factory on its own on March 8, 2001, after breaches in the systems for controlling scrap disposal were brought to the management's notice on March 7, 2001. There has been no adverse environmental impact outside the factory, as per studies conducted by two independent international advisers, URS Dames & Moore and TNO-MEP, who had been appointed respectively by HLL on its own and on the orders of the Tamil Nadu Pollution Control Board (PNPCB) on the basis of a suggestion from Greenpeace itself.

In January 2001, HLL had decided in principle to exit from the thermometer business, because it is not core to the company. In May 2001, HLL communicated to the Working Committee of the TNPCB, which had looked into the issue, that it had already decided to discontinue the manufacture of mercury thermometers in Kodaikanal.

The redeployment of workmen follows the decision to close down the plant. The redeployment will be implemented in phases. In the first tranche today, 25 of Kodaikanal's 130 workmen have been asked to report to Kandla on October 15, 2001. A second batch of 50 workmen will report there on November 15, and a third batch of 24 on December 15. The reporting date of the remaining 31 workmen will be decided later.

The redeployment is being done in accordance with the terms and conditions contained in the employees' appointment letters and also the Standing Orders of the factory. It is being implemented in the same manner as in the past, whenever exigencies and business needs required such redeployment from the factory. While in the past, redeployment has been limited, this time all the workmen are being transferred.

With the need to stop thermometer manufacturing, HLL explored various options on the Kodaikanal workmen, and came to the conclusion that redeployment was in their best interest in the current scenario. HLL did evaluate the commercial viability of any other manufacturing operation either for exports or for the domestic market at Kodaikanal, in lieu of mercury thermometers. It was found that inward and outbound logistics cost made manufacturing any other product at Kodaikanal unviable, compared to other locations in port towns/plains.

The other alternative was severance of the workmen's services on payment of requisite compensation under law. But HLL considered that this was not the best option, when the workmen could be redeployed in another factory of the same Exports business. HLL also thinks that the workmen would prefer continued employment with the company rather than separation benefits provided by law.

retraining

? How many
batches?

2 Decision
with workers
if workers
preferred
severance,
would the
company be
prepared to
pay them?

2
?

After suspending all production at the factory on March 8, 2001, HLL had sent a top management team to investigate. The investigation once again showed that the factory had a safe manufacturing process, and recycling of scrap glass and of scrap glass containing mercury was subject to strict processes, but those processes had not always been followed. As a consequence, scrap glass containing traces of mercury had been sent to recyclers.

The TNPCB had set up the Working Committee to coordinate the study of allegations that the factory had led to mercury pollution/ contamination in and around the premises. It comprised besides officials of the TNPCB, representatives of Greenpeace and a local NGO, Palani Hills Conservation Council, in addition to representatives of industry associations.

The study has found that the factory has not caused any adverse environmental impact outside the factory premises. Two independent international environment advisers, URS Dames & Moore and TNO-MEP, have asserted this in their report to the Working Committee. Among these two reputed advisers, TNO-MEP had been engaged for the study specifically on the orders of the TNPCB on the basis of a request and suggestion received by them from Greenpeace.

Comprehensive medical testing in accordance with established protocols has confirmed that NONE of HLL's employees, former employees or employees of the Kodaikanal scrap dealer has suffered any adverse health effects resulting from mercury exposure. This conclusion too has been endorsed by TNO-MEP. This has been shared with the Government of Tamil Nadu Factories Inspectorate, Ministries of Labour, Industry and Environment and the TNPCB.

HLL has prepared a detailed plan to remediate the site to the most stringent Netherlands standards, applied to land for residential use. Remediation will take place in the dry season, after the NW monsoon later this year and target completion will be before the 2002 monsoon.

The allegation that some workmen of the factory had died due to mercury-related ailment has remained totally unsubstantiated. Those making such allegations have till date even failed to furnish the names of the workmen of the factory who are alleged to have died, despite repeated requests from HLL over the past four months. The Working Committee when it met in Kodaikanal, had specifically asked people making these allegations to provide substantiating details. But those who made these allegations could not provide any details.

HLL has already retrieved, for secure storage at the site, the 5.3 tonnes of mercury containing glass scrap, stored at a scrap dealer's premises in Kodaikanal, which had been inadvertently removed from the factory in breach of established procedures.

Are there reports available?

31

*Does HLL have a system of health check-ups and records?
life span of workers/ex-workers
of workers left, the reasons*

Subject: Our meeting with CHC on 27-11-2001
Date: Fri, 30 Nov 2001 17:02:01 +0530
From: "premala mascarenhas" <Premala.Mascarenhas@unilever.com>
To: Sochara <sochara@vsnl.com>
CC: "Rajgopal, Thirumalai" <Thirumalai.Rajgopal@unilever.com>

Dear Dr. Ravi,

This has reference to our meeting on Tuesday, where we shared with you the results of our yearly analysis and all relevant data and had a good professional interaction with your team. During the course of the meeting it was mentioned that the CHC had conducted a study/clinical evaluation of workmen at Kodaikanal which was preliminary in nature and the findings of this study revealed that some of the workmen suffered from conditions like gingivitis and skin rashes. Can I request you / your group to kindly share full details including photographs of the affected workmen in order for us to ascertain whether they were indeed our workmen and if so whether our internal records show any evidence of their having suffered from any of the conditions mentioned. Many thanks and regards,
Dr. Premala

HLL file -

TU: WD. RW
30/11/01

Proceedings of the meeting in CHC with HLL

(Hindustan Lever Limited)

Participants: Dr. Ravi Narayan, CHC	Dr. Rajagopal, HLL
Dr. Rajmohan, ROHC	Mr. Anil, HLL
Dr. Venkatesh, St. Johns Medical College	Dr. Priya Mascharannes, HLL
Dr. Sampath Krishnan, CHC	Dr. Ashok, HLL
Dr. Mohan Issac, NIMHANS	
Dr. Praveen, CHC	
Dr. Rajkumar N CHC	

This was an meeting with the members of HLL group who had come down to CHC to share the study that was conducted in Kodaikanal by Dr. Rajagopal and his team. Dr. Rajagopal began his presentation with a brief introduction on mercury poisoning and file photographs of the factory in Kodaikannal. The Ponds India group initially managed the factory, which was set up in 1982 and was taken over by HLL in Jan 1999. The factory was situated in kodai because of its altitude and cool temperature (to stabilize the highly volatile mercury). The factory was a 100% export oriented unit and imported about 500 tonnes of mercury in steel containers. It employed about 150 locals in its two-production areas- the mercury area and the non-mercury area. the total area of the mercury area was 60'x 100'x12' The workers were rotated through these two areas every three units and the women were kept away from the mercury area. An excise officer was posted in the factory itself and he is supposed to monitored every kg of mercury of brought into the factory and that was sent out. It was claimed that the workers were given adequate protective measures against mercury like special masks with indicators for mercury exposure and the level of exposure, protective body wear, gloves, etc.. Pictures of the factory were shown and design of factory to protect the workers from exposure was justified. The mercury and non-mercury area was separated by walls and rooms. The

mercury area had exhaust fans to force any mercury vapour in the factory. Enough water was provided to wash away the mercury spills and wash the floors in mercury area. This water was later supposed to be sent to the effluent treatment plant in the factory premises to separate the mercury from it. It was claimed that the mercury wastage during the production was minimal and it was adequately looked after like the waste mercury was put up in drums and stored in the factory premises. A record of the use of every gram is maintained.

Regarding the health of workers, it was claimed that the factory did adequate tests to know the levels of mercury in their body. The factory officials claim to have performed the urine levels of mercury in every worker, every month since the inception of the factory using the Jerome analyser. According to them none of the workers had any major noticeable problems.

Dr. Raja gopal indicated that the study begun on the 9th march, 2001 after the strike in Kodai on March 6th. The study was a general health questionnaire with complete examination and urine tests for mercury as per the prescribed guidelines of WHO. The study was done by a team of seven doctors, three from HLL and the rest from the local area selected by HLL. It was done in a period of three days. A repeat urine examination was done on March 24th. The study claimed that no symptomatic complaints were present in the workers nor any noticeable clinical signs were present like gingivitis, tremors, eczemas. All the levels of mercury in urine was shown to be less than 50 microgram /litre and the mean value of mercury in urine of the workers was claimed to be less than the normal levels indicated. All the levels of WHO guidelines were taken as their reference values. The study did take into consideration of mercury levels of workers for the past 18 years and extensive data, graphs, charts etc were presented depicting this data. In all the data shown to us the number of times the level of mercury rose above the threshold values of 100microgram/litre was only 4 times among different workers and two were claimed to be ex workers. The group mean values of mercury in all these workers was much below the levels to make any noticeable change in health (threshold for group mean value-37microgm/lt)

A number of points were raised by panel during the presentation of the study-

- Dr. Ravi pointed out occupational history was not taken at all in the history, which was very important in this case. Dr. Rajmohan replied that since the factory had individual records of all their workers in the factory for the entire time he thought it was irrelevant in the study.
- Dr. Ravi pointed out that throughout the study the reference values of WHO for mercury levels was taken as the standard without considering the demographic variables of the Indians.
- Dr. Venkatesh asked why the pages of the study were not certified individually.
- Dr. Ravi pointed that the study did not consider the levels of mercury in people in mercury and non-mercury area separately.
- Dr. Ravi stressed on the fact that the individual levels of mercury should have been stressed rather than the group mean values.
- The reliability of the tests and the principle of the tests was questioned by many of the panel members.
- Dr. Francis pointed out that the levels of mercury in the hair should have been included in the study.
- The questions of sickness absenteeism and its relevance was ignored in the study on health impact of mercury.
- The subjective association of symptoms was not given its due importance as per Dr. Mohan Isaac.
- Dr. Ravi pointed that the study could not be started with the bias of compensation malingering based upon his previous experiences in Bhopal.

SHORT RECITAL OF THE CASE

The production activity at the factory of M/s. Hindustan Lever Limited, Thermometer Factory, St. Mary's Road, Kodaikanal - 624 101 (hereinafter referred to as the Company) was discontinued with effect from 8th March 2001. However, all the workers at the said factory including all the parties to this dispute were paid full wages from 8th March 2001 till date and all other terms and conditions of service of the said workers was protected during the said period.

Even though the 129 employees were surplus to the Company's needs consequent to the discontinuation of activities at the thermometer factory of the Company at Kodaikanal, on humanitarian grounds, the Management decided to transfer all the 129 employees concerned in this dispute to Kandla with a view to give them meaningful and productive employment. This transfer was effected in accordance with the terms and conditions of clause 6 of the Standing orders as applicable to the said Kodaikanal factory and also as per clause of the appointment letter of the 129 workers concerned in this dispute and also along the same lines as the precedents of transfer of employees from Kodaikanal to other units in India. The transfer orders were communicated to the concerned employees and the union on 01.01.2001.

The workers and the union informed the Management that they are not interested to take the transfer to Kandla and would instead prefer cessation of employment with Hindustan Lever Ltd. and requested for an opportunity to avail of a VRS package to be mutually discussed and agreed.

In deference to the request of the union and the employees, the Deputy Commissioner of Labour held discussions with both the parties. In the final round of the conciliatory talks held before the Deputy Commissioner of Labour on 09.11.2001, a settlement has been arrived at, on the following terms and conditions.

TERMS OF SETTLEMENT

1. Applicability:

The terms of this settlement are applicable to all the workmen of the establishment at Kodaikanal, and in particular to the 129 employees of the company whose names are given in the list as Annexure-I (hereinafter collectively referred to as the "concerned employees").

2. The Executive Committee members of the Kodaikanal Hindustan Lever Thermometer Employee's Union, St. Mary's Road, Kodaikanal, have been authorised by the General Body of the concerned employees.

3. It is agreed by the Union and the employees that the employment of the concerned employees with the Company will cease in accordance with the terms and conditions mentioned herein below and that the Management of the Company will give a separation package to the said employees.

4. It is agreed and accepted by the parties that the separation package is an ex-gratia payment and is a package deal and is in consideration for the concerned employees agreeing to all the terms and conditions of this settlement. The said amount is full and final settlement and will be paid in accordance with the terms and conditions agreed to in this settlement.

5. Cessation of Employment

5.1. The concerned employees and the Union agree that the employment of all the employees listed in Annexure-I with M/s. Hindustan Lever Limited, will cease with effect from the closing hours of business on 09.11.2001.

5.2. It is agreed between the parties that in order to give effect to the above, each concerned employee will submit his resignation letter to the company and the company will accept the same, subject to the terms and conditions agreed to in this settlement.

6. Separation Package

It is agreed that the concerned employees will be paid a separation package as per Annexure-I. This package shall be based on the completed years of service of each employee as follows.

6.1. All concerned employees will be paid a voluntary separation package of three months salary completed year of service. For this purpose, salary means last drawn basic and dearness allowance only.

6.2. In addition, the company agrees to pay an amount of Rs. 1,40,000/- (Rupees One Lakh Forty Thousand Only) for Group I workmen, numbering 78 – Rs. 95,000/- (Rupees ninety Five Thousand only) for Group II workmen, numbering 40 – and Rs. 65,000 (Rupees Sixty Five Thousand only) for Group III workmen, numbering 50 as a one time lump sum ex gratia amount as a goodwill gesture over and above the amount mentioned in Clause 6(1) above, to each concerned employee. The grouping of workmen mentioned above i.e. Group I, II and III shall be in accordance with clause (1) of the Memorandum of Settlement arrived at between Hindustan Lever Ltd., Thermometer Factory, St. Mary's Road, Kodaikanal and the workmen represented by the Kodaikanal Hindustan Lever Thermometer Employee's Union, Kodaikanal, under Sec. 12(3) of the Industrial Disputes Act 1947 dated 20.09.2000.

6.3. In addition to the above, each employee will be paid gratuity as per the gratuity scheme of the company applicable to each concerned employee, cash compensation for unavailed annual leave in accordance with the terms and conditions of service applicable to each concerned employee and statutory bonus for the current accounting year as and when it becomes due and payable. The company will take timely appropriate steps for early settlement of provident fund

dues of the concerned employee by co-ordinating with the provident fund authorities in Madurai.

- 6.4. All payments will be subject to deduction of income tax unless otherwise exempted from the provisions of the income tax act.
- 6.5. The payment of the separation package as per clause 6(1) and (2), gratuity and cash compensation for unavailed leave, will be made within 30 days from the date on which the employment of the employee with the company ceases. Statutory bonus will be paid as and when it becomes due and payable in accordance with law.
- 6.6. The Union had been demanding health records of the concerned employees and making allegations about their health being adversely affected due to alleged exposure to mercury.

The Management has, by their notice dated 06.11.2001, made available the health records of the workers, a copy of the said notice is attached (Annexure II).

The Management clarifies that based on medical systems set up and the safe working environment, the workmens health is not affected. The Management has done a special medical examination during March and April 2001 by a panel of doctors, to clear the concerns expressed by some of the workmen and the results of this are made available to the workmen.

The Certifying Surgeon, from the office of the Deputy Chief Inspector of Factories, Sivakasi, from time to time, has gone through the medical records and more recently during his visit on 12.07.2001, after verifying the findings of the special medical examination conducted during March and April 2001 and also health records appears to have been satisfied with the health of the workmen.

The Management, in order to be transparent, had requested the Deputy Commissioner of Labour, Dindigul, to invite the Certifying Surgeon at the time of signing this settlement at which time the records will be made available to him to address apprehensions, if any, raised by the workmen.

In the light of the above, the workmen's and Union's apprehensions on health following some news items, is fully satisfied.

The workmen/union are satisfied that the basis of the repeated news item on adverse health impact due to mercury exposure which form basis of their apprehensions was misplaced.

- 6.7. It is clearly understood by the concerned employees and the Union that the above package is in full and final settlement of all claims arising out of

employment/cessation of employment including any health/medical related claims.

- 6.8. It is clearly understood that this settlement is a package deal and all amounts are paid subject to the Union and each and every concerned employee accepting the entire settlement as a package deal.
- 6.9. The concerned employees and the union agree that they will not raise any dispute/disputes, whether past, present or future of any nature whatsoever or raise any claim, whether past, present or future of any nature whatsoever, or make any claim or grievance or complaint, either directly or indirectly, individually or collectively OR through any union/federation/association forum (including any NGO), for any reason/reasons, with the company, whether arising out of their employment or of cessation of employment with the company or otherwise. The concerned employees/Union agree that all dispute/disputes (relating to the concerned employees) pending in any forum are settled herewith and will be withdrawn with immediate effect and no further complaints or claims will be filed before any judicial or quasi-judicial or administrative authority.

Dated at Dindigul this Ninth day of November, 2001.

Subject: HLL Kodi

Date: Tue, 12 Feb 2002 18:09:25 +0530

From: "navroz mody" <navrozmo@vsnl.net>

To: "Community Health Cell" <sochara@vsnl.com>

CC: "Praveen Anur" <anurpraveen@hotmail.com>, <manu.gopalan@dialb.greenpeace.org>, "Ananth" <ananth@dialb.greenpeace.org>, <nity68@vsnl.com>

Dear Ravi, Praveen,

Fyi, I am enclosing a copy of the agreement Lever made the workers sign, prior to handing them their dues, not that they can enforce it in court.

I was wondering if we need a hard piece of evidence such as a hair sample to push the survey with the pcd. The hair by itself may not be adequate, but it might be something that could prompt for a detailed survey.

However, the comments you have on the protocol used by lever to do their survey may also be a handle. If NIOH or someone is interested, we could also see if someone like Dr Lasio (who is an unimpeachable authority on mercury contamination) can be drawn in as consultant to the survey.

Let me know how you think we can move this forward.

Regards Navroz

Name: HLL worker agreement.doc

Type: Winword File (application/msword)

Encoding: base64

HLL worker agreement.doc

✓ PAV. A.

- = Spoke to Dr. Venkatesh about Hg & hair sample study
→ Will follow-up with Dr. Ravi.
- = Critique to be finished by Dr. Ravi.