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Raising the Bar in Asbestos Litigation

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Radiation is a *Known* Cause of Mesothelioma

A Commentary by Edward R. Hugo of Hugo Parker LLP

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Plaintiffs’ counsel argue that the only *known* cause of mesothelioma is asbestos exposure. But it is now *known* that additional causes of mesothelioma include exposure to other types of mineral fibers (such as erionite), naturally occurring mesothelioma arising in the setting of pathogenic germline mutations (also known as gene-related mesothelioma)¹ and *radiation*.

The History of Radiation

In 1895, the German physicist Wilhelm Conrad Röntgen discovered “a new kind of ray,” emitted by a gas discharge tube, that could blacken photographic film contained in light-tight containers. He called these rays “X-rays” in his first announcement in December 1895 - the x representing the unknown. In demonstrating the properties of X-rays at a public lecture, Röntgen asked Rudolf Albert von Kölliker, a prominent Swiss professor of anatomy, to put his hand in the beam and so produced the first publicly taken radiograph [See Figure 1].

The first medical use of X-rays was reported in the *Lancet* of

January 23, 1896. In this report, X-rays were used to locate a piece of a knife in the backbone of a drunken sailor, who was paralyzed until the fragment was removed following its location. The new technology spread rapidly through Europe and the United States, and the field of diagnostic radiology was born. There is some debate about who first used X-rays therapeutically, but by 1896, Leopold Freund, an Austrian surgeon, demonstrated before the Vienna Medical Society the disappearance of a hairy mole following treatment with X-rays. Antoine Henri Becquerel discovered radioactivity emitted by uranium compounds in 1896, and 2 years later, Pierre and Marie Curie isolated the radioactive elements polonium and radium. Within a few years, radium was used for the treatment of cancer.

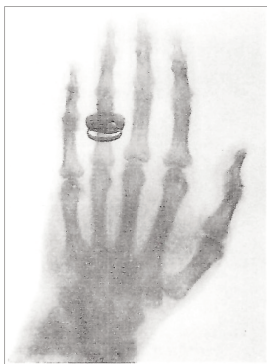


Fig. 1. The first publicly taken radiograph of a living object, taken in January 1896, just a few months after the discovery of X-rays.

The first recorded biologic effect of radiation was due to Becquerel, who inadvertently left a radium container in his vest pocket. He subsequently described the skin erythema that appeared 2 weeks later and the ulceration that developed and that required several weeks to

heal. It is said that Pierre Curie repeated this experience in 1901 by deliberately producing a radium “burn” on his own forearm.²

Within a few years, a large number of skin cancers had been observed and, in 1911, the first report of leukemia occurring in five radiation workers appeared.³ Marie Curie and her daughter Irene are both thought to have died from complications of radiation-induced leukemia.

Animal models to study radiation carcinogenesis were developed primarily after World War II, and large-scale tumor-induction studies were carried out in mice and rats over the succeeding 3 decades.⁴ These studies defined many of the general characteristics of radiation carcinogenesis, and were supported by the emerging findings from various epidemiologic studies in human populations receiving radiation exposure from occupational, medical and accidental sources. Foremost amongst these has been the long-term follow up of the atom bomb survivors from Hiroshima and Nagasaki.⁵ These studies have shown radiation to be a ‘universal carcinogen’, in that it will induce cancer in most tissues of most species at all ages including the fetus. . . .

The universal nature of radiation as a carcinogen relates to a specific characteristic of ionizing radiation that differentiates it from chemical toxic agents or other physical carcinogens, which are usually tissue specific in their action. This is its ability to penetrate cells and to deposit energy within them in a random fashion, unaffected by the usual cellular barriers presented to chemical agents. All cells in the body are thus susceptible to damage by ionizing radiation; the amount of damage will be related to the physical parameters that determine the radiation dose received by the particular cells or tissue.⁶

The Physics of Radiation

Radiation is energy that originates from a source and propagates through matter and space. The absorption of energy from radiation in biologic material may lead to excitation or ionization. Excitation is the raising of an electron in an atom to a higher energy level without ejecting the electron. Ionization is raising the energy to a level that ejects one or more electrons from the atom. [See Figure 2]

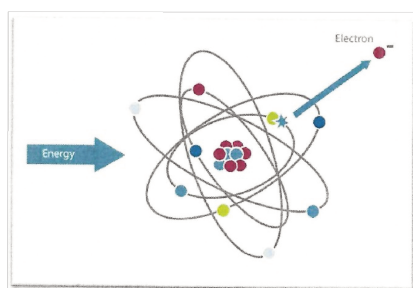


Figure 2. The ionization process.

Ionizing radiation has the unique characteristic of a localized release of enormous amounts of energy. [See Figure 3]

Deoxyribonucleic acid (“DNA”) is the main constituent of chromosomes. It is the self-replicating carrier of genetic information. Radiation causes cancer by damaging the DNA in two ways. First, X-rays interact with organic tissue and produce energetic recoil electrons that traverse the cell and induce ionization along their path by removing orbital electrons. The X-rays can cause both direct damage by removing orbital electrons from critical molecules in the cell or indirect damage by removing orbital electrons from nearby water molecules. [See Figure 4] In turn, direct and indirect damage produces free radicals (highly reactive oxygen and nitrogen species) which lead to mutations.

Radiation can cause both single strand and double strand breaks to DNA. Single strand breaks are repaired more easily than double strand breaks which are believed to cause cell death, mutation and carcinogenesis. [See Figure 5] The physics of ionization and DNA damage last only fractions of a second. However, the time between the breaking of chemical bonds and the expression of biological effects may be hours, days, months, years, or decades. Cells may survive radiation despite unrepaired DNA damage and exist with mutations or chromosomal aberrations. These mutations may remain silent or result in radiation-related cancers.

Radiation Causes Mesothelioma

Both animal studies and human data support the link between ionizing radiation and mesothelioma. This includes radiation therapy, Thorotrast (an X-ray contrast medium), and exposure at nuclear facilities.



Figure 3. U.S. Army Air Forces, aerial photograph of atomic explosion over Nagasaki, Japan, August 9, 1945.

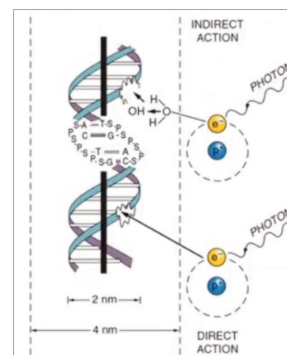


Figure 4. Direct and Indirect Action

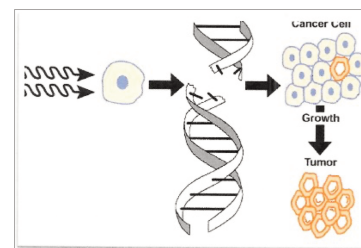


Figure 5: Double strand breaks in DNA, mutation, and resultant cancer.

Animal Studies

In one study, 27 percent of rats treated with intraperitoneal plutonium developed mesotheliomas.⁷

Thorotrast

Since Thorotrast, a colloidal solution of thorium dioxide, was used as a roentgenographic contrast medium over 300 cases of Thorotrast-induced malignancies have been reported, including peritoneal mesotheliomas in patients with no history of exposure to asbestos.^{8,9}

Occupational Exposure

Mesothelioma has been reported from occupational exposure to gamma-ray emission and internal radionuclides in a radiation technologist.¹⁰

Radiation Treatment for Hodgkin's Lymphoma

A statistically significant increase in mesothelioma as a second cancer has been reported in patients who received radiation treatment for Hodgkin's

“...Subsequent animal studies and human data have demonstrated that radiation, alone, is a known cause of mesothelioma.”

Lymphoma. 2567 patients who underwent radiotherapy and were five-year survivors were studied. The risk of mesothelioma was almost 30 times higher for patients treated with irradiation compared to the general population.¹¹

Similarly, 18,862 five-year survivors from 13 population-based cancer registries in North America and Europe were studied. The largest relative risk (20-fold) for a second cancer was observed for malignant mesothelioma.¹²

External Beam Radiation for Prostate Cancer

A statistically significant increase in both pleural and peritoneal mesotheliomas has been identified in men who received radiation treatment for prostate cancer.¹³ And, a higher relative risk was found for peritoneal mesothelioma which occurred within the irradiated field than outside of it.¹⁴

Conclusion

The carcinogenic effects of X-rays in humans were first reported in 1902. Leukemia due to radiation exposure was reported in 1925. In 1926, Herman Müller proved that ionizing radiation produced breakages in chromosomes which resulted in hereditary changes.¹⁵ He was awarded the Nobel Prize for his work in 1946. Subsequent animal studies and human data have demonstrated that radiation, alone, is a **known** cause of mesothelioma.



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See <https://hugoparker.com/edward-hugo/>

Footnotes

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