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An Ecological Call to Arms

The Air of Death and the Origins of Environmental Activism in Ontario

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[See table of contents](#)

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Article abstract

This article argues that the 22 October 1967 broadcast of *The Air of Death* was a central event in the emergence of environmental activism in Ontario. A production of the Canadian Broadcasting Corporation, *The Air of Death* examined air pollution's adverse impact upon the environment. This documentary drew the ire of industrial interests as a result of its allegations of human fluorosis poisoning in Dunnville, Ontario. Subsequently, the film and the team behind it were subjected to two high-profile investigations, an Ontario ordered Royal Commission and a Canadian Radio-Television Commission hearing. This controversy resulted in the creation Ontario's first two environmental activist organizations, most notably the highly influential Pollution Probe at the University of Toronto, which would play a key role in shaping the province's nascent environmental community.

An Ecological Call to Arms

The Air of Death and the Origins of Environmental Activism in Ontario

By Ryan O'Connor

Historians have pinpointed the emergence of a new environmental ethos among Canadians during the 1960s.¹ Characterized by an understanding of the interconnection of all life forms and a growing awareness of the consequences of pollution, this ethos gave rise to a new force within Canadian society—the environmental activists. By 1971 environmentalists had organized in all of the country's major urban centres, capping a

remarkable burst of political activism.

Despite the rise of the environmental movement as a powerful political force, little is known about its Canadian origins. Historians in the United States frequently cite the battle to prevent the damming of Echo Park in the 1950s, the publication of Rachel Carson's *Silent Spring* in 1962, and the celebration of the first Earth Day in 1970 as key moments in the movement's birth.² However, none

¹ Jennifer Read, "'Let us heed the voice of youth': Laundry Detergents, Phosphates and the Emergence of the Environmental Movement in Ontario," *Journal of the Canadian Historical Association* 7 (1996), 227-50; George M. Warecki, *Protecting Ontario's Wilderness: A History of Changing Ideas and Preservation Politics, 1927-1973* (New York: Peter Lang Publishing, 2000), 144; Arn Keeling, "Urban Waste Sinks as a Natural Resource: The Case of the Fraser River," *Urban History Review* 34:1 (Fall 2005), 58-70; Tina Loo, *States of Nature: Conserving Canada's Wildlife in the Twentieth Century* (Vancouver: UBC Press, 2006), 210.

² Hal K. Rothman, *The Greening of a Nation? Environmentalism in the United States Since 1945* (New York: Harcourt Brace & Company, 1998), 36; Kirkpatrick Sale, *The Green Revolution: The American Environmental Movement, 1962-1992* (New York: Hill and Wang, 1993), 5-6; Benjamin Kline, *First Along The River: A Brief History of the U.S. Environmental Movement* (San Francisco, CA: Acada Books, 1997), 78; Mark Dowie, *Losing Ground: Environmentalism at the Close of the Twentieth Century* (Cambridge, MA: MIT Press, 1995), 23; Samuel P. Hays, *Beauty, Health, and Permanence: Environmental Politics in the United States, 1955-1985* (New York: Cambridge University Press, 1987), 52; Philip Shabecoff, *A Fierce Green Fire: The American Environmental Movement* (New York: Hill and Wang, 1993), 113; Jacqueline Vaughan Switzer, *Green Backlash: The History and Politics of Environmental Opposition in the U.S.* (Boulder, CO: Lynne Rienner Publishers, 1997), 7.

Abstract

*This article argues that the 22 October 1967 broadcast of *The Air of Death* was a central event in the emergence of environmental activism in Ontario. A production of the Canadian Broadcasting Corporation, *The Air of Death* examined air pollution's adverse impact upon the environment. This documentary drew the ire of industrial interests as a result of its allegations of human fluorosis poisoning in Dunnville, Ontario. Subsequently, the film and the team behind it were subjected to two high-profile investigations, an Ontario-ordered Royal Commission and a Canadian Radio-Television Commission hearing. This controversy resulted in the creation Ontario's first two environmental activist organizations, most notably the highly influential Pollution Probe at the University of Toronto, which would play a key role in shaping the province's nascent environmental community.*

Résumé: *Cet article soutient que l'émission "The Air of Death", télévisée le 22 octobre 1967, a été l'événement central dans l'émergence de l'activisme environnemental en Ontario. Une production de la section anglaise de Radio-Canada (the CBC), "The Air of Death" examinait l'impact néfaste de la pollution sur l'environnement. Ce documentaire a été vivement critiqué par des intérêts industriels, à cause de ses allégations d'empoisonnement de plusieurs habitants de Dunnville Ontario. Le film et ses producteurs ont été soumis à deux enquêtes: une commission royale commandée par le gouvernement ontarien, et une investigation par le Conseil de la Radio-télévision canadienne. Cette controverse a mené à la création des deux premières organisations d'activistes environnementalistes, notamment Pollution Probe à l'Université de Toronto, qui allait jouer un rôle essentiel dans la formation de la communauté environnementaliste ontarienne.*

of these events were directly responsible for the emergence of environmental activism in Canada. Echo Park did not engage the Canadian masses. *Silent Spring* was a best-seller in Canada that inspired a broad spectrum of the population, including many environmentalists-to-be. Nonetheless, it too failed to ignite environmental activism in this country, as the first organizations did not appear until several years after its publication. The first Earth Day, meanwhile, passed with little fanfare outside of the United States, and otherwise occurred after the first batch of environmental activist organizations had been launched in Canada. Clearly,

one needs to look elsewhere to identify the key galvanizing force behind the ascendancy of Canadian environmental activism.

This essay argues that the 22 October 1967 broadcast of *The Air of Death* was a central event in the emergence of environmental activism in Ontario. A production of the Canadian Broadcasting Corporation [CBC], *The Air of Death* examined air pollution's adverse impact upon the environment. Heavily promoted by the CBC, *The Air of Death* proved to be a ratings hit as well as a critical success. It also drew the ire of industrial interests due to its allegations of human fluorosis poison-

ing, a crippling condition caused by the ingestion of excessive fluorine, in Dunnville, Ontario. Subsequently, the film and the team behind it were subjected to two high-profile investigations, an Ontario-ordered Royal Commission and a Canadian Radio-Television Commission [CRTC] hearing. *The Air of Death* was not the first documentary to raise concerns about Canada's environment, nor was it even the first documentary to address fluorosis pollution in Dunnville. However, a combination of the publicity surrounding the documentary and the subsequent public inquiries transformed *The Air of Death* into a *cause célèbre* that mobilized the public in a manner previously unseen in Canada, giving rise to the first generation of Ontario's environmental activists.

In her study of the fight against phosphate pollution in the Great Lakes, Jennifer Read noted the "emergence of environmental values" in Ontario during the mid-1960s. However, Read also noted that "at this point the concern still lacked focus."³ As this article demonstrates, *The Air of Death* played a key role in crystalizing the foci of environmentally-conscious Ontarians, inspiring the creation of the province's initial environmental activist organizations. Despite this, the

story of *The Air of Death* has gone largely unexamined. While a number of articles and books have made passing reference to the documentary, none have devoted more than a few lines to the subject.⁴ Given its historic significance an examination of *The Air of Death*, the ensuing controversy, and its legacy, is in order.

Background

The environmental ethos was the result of a confluence of postwar trends. According to sociologist Ronald Inglehart, the unrivalled affluence and physical security enjoyed by the Western population in the postwar years resulted in the shift of values "towards a greater emphasis on the quality of life."⁵ Historian Samuel P. Hays points towards the expansion of outdoor recreation in the 1950s, which helped give the masses an appreciation for the inherent value of natural areas. He notes that this later "became infused with attempts to cope with" air, water, and chemical pollution.⁶ Other key developments during the postwar period include the growing popularity of ecology, which examines the interrelationship between organisms and their environments, the rapid expansion and democratization of postsecondary education, and the grow-

³ Read, "Let us heed the voice of youth," 242.

⁴ References to *The Air of Death* can be found in: Robert Page, *Northern Development: The Canadian Dilemma* (Toronto: McClelland and Stewart, 1986), 35; A.K. McDougall, *John P. Roberts: His Life and Government* (Toronto: University of Toronto Press, 1986), 206; Doug Macdonald, *The Politics of Pollution* (Toronto: McClelland and Stewart, 1991), 97; Killan, *Protected Places: A History of Ontario's Provincial Parks System* (Toronto: Dundurn Press, 1993), 159-62; Read, "Let us heed the voice of youth," 244; Warecki, *Protecting Ontario's Wilderness*, 96.

⁵ Ronald Inglehart, *The Silent Revolution: Changing Values and Political Styles Among Western Publics* (Princeton, NJ: Princeton University Press, 1977), 3.

⁶ Hays, *Beauty, Health, and Permanence*, 3.

ing prominence of scientific public intellectuals that helped articulate concern for the environmental crisis.⁷

This article maintains a distinction between conservation and environmentalism. While related, the movements differed in important ways. As John McCormick explains in *Reclaiming Paradise: The Global Environmental Movement*,

if nature protection had been a moral crusade centered on the nonhuman environment and conservation a utilitarian movement centered on the rational management of natural resources, environmentalism centered on humanity and its surroundings There was [in environmentalism] a broader conception of the place of man in the biosphere, a more sophisticated understanding of that relationship, and a note of crisis that was greater and broader than it had been in the earlier conservation movement.⁸

This line of reasoning is echoed by Samuel Hays, who writes in “A Historical Perspective on Contemporary Environmentalism,” that the “conservation movement was associated with efforts of managerial and technical leaders to use physical resources more efficiently; the environmental movement sought to improve the quality of the air, water, and land as a

human environment. Conservation arose out of the production or supply side of the economy, the environment out of the consumer or demand side.”⁹ Michael Egan further distinguishes the two movements, noting that that in environmentalism “the human body became an ecological landscape worth protecting: human health was more fully recognized as a product of the larger ecology.”¹⁰

There are those that downplay the differentiation between these two movements. For example, Tina Loo’s award-winning study of wildlife conservation, *States of Nature*, broadly defines environmentalism “as a concern for the natural world.”¹¹ Gerald Killan and George Warecki refer to the work of the Algonquin Wildlands League, which was founded in 1968 with the goal of protecting select Ontario hinterlands from development, interchangeably as “preservationist,” “conservationist,” and “environmentalist.”¹² However, as Robert Paehlke has noted, Canadian environmental activist organizations expressed little interest in issues concerning wildlife habitat and the forests during the 1960s and 1970s. This distinction would

⁷ Gerald Killan, *Protected Places*, 159-62; Michael Egan, “Shamans of the Spring: Environmentalism and the New Jeremiad,” in Karen Dubinsky et al., eds., *New World Coming: The Sixties and the Shaping of Global Consciousness* (Toronto: Between the Lines, 2009), 296.

⁸ John McCormick, *Reclaiming Paradise: The Global Environmental Movement* (Bloomington and Indianapolis, IN: Indiana University Press, 1989), 47-48.

⁹ Samuel P. Hays, *Explorations in Environmental History: Essays* (Pittsburgh, PA: Pittsburgh University Press, 1998), 380.

¹⁰ Egan, “Shamans of the Spring,” 297.

¹¹ Loo, *States of Nature*, 6.

¹² Killan, *Protected Places*; Gerald Killan and George Warecki, “The Algonquin Wildlands League and the Emergence of Environmental Politics in Ontario, 1965-1974,” *Environmental History Review* 16:4 (Winter 1992), 1-27.

Right: Larry Gosnell (Personal collection, Denise Gosnell). Gosnell's documentary, The Air of Death, received first prize in its category as well as the Canadian Council of Resource Ministers' Award of Excellence in the 1967 Resources Reporting Awards Competition.



diminish over time, highlighted by environmentalists' concern over the disappearance of tropical rainforests in the 1980s.¹³ For the sake of historical accuracy, the distinction between conservation and environmentalism is maintained within this article.

The Birth of *The Air of Death*

In November 1966 the Canadian Council of Resource Ministers sponsored "Pollution and Our Environment," a five day conference in Montreal. Conceived as a gathering place for Canada's leading minds to identify key environmental issues, the event attracted over 600 delegates representing government, industry, and the public, in addition to 400 observers from across Canada and abroad. Attendance at this conference proved to be a pivotal event in the career of Larry Gosnell, the CBC Department of Farm and Fisheries' media delegate. Born on the family farm in Orford Township, Ontario, on 18 May 1923, Gosnell went on

to study agronomics at the Ontario Agriculture College in Guelph. While Gosnell's work as a radio and television producer focused upon social and economic issues affecting rural Canada, much of his early work celebrated the benefits provided by scientific advances in agricultural. By the late 1950s his tone acquired a critical edge and farmers' widespread use of chemical sprays became a point of interest. This subject was addressed in his 1960 National Film Board [NFB] production *Poisons, Pests and People*, which highlighted the dangers insecticides presented to humans, farm animals, and plants. However, this version of the film was not broadcast, as senior management at the NFB demanded re-writes that accentuated the benefit of insecticides.¹⁴

¹³ Robert Paehlke, "Eco-History: Two Waves in the Evolution of Environmentalism," *Alternatives* 19:1 (1992), 18.

¹⁴ "Larry Gosnell – Biography," 21 June 1972, Biography A-Z 1974-1998, CBC Reference Library [CBCRL]; Marc St-Pierre, "Footprints: Environment and the Way We Live," National Film Board, nd, accessed 10 August 2010, <http://www3.nfb.ca/footprints/nfb-and-environment/the-early-years>.

Despite his early work on the ecological consequences of insecticides, “Pollution and Our Environment” proved to be an eye-opening event for Gosnell, who later explained that “For me the Conference was a revelation on the degree of pollution that had already happened in our country.”¹⁵ Upon his return to Toronto he began to formulate the idea of a three-part prime time television series that would explore air, water, and soil pollution. Despite facing two major impediments—the subject matter was rather gloomy fare for prime time and the Farm and Fisheries Department had no experience producing programming for this vaunted time slot—these concerns subsided when Gosnell recruited Stanley Burke, anchor of *The National News*, to participate in the project. One of Canada’s most recognized and respected figures, Burke had a noted background in journalism, having served as president of the United Nations Correspondents Association, as well as the CBC bureau chief in such locales as Washington and Paris. Described in the contemporary press as “glamorous” and a “dashing figure,”¹⁶ Burke was attracted to the urgent tone of Gosnell’s project. When asked about his decision to invite Burke’s participation, Gosnell would downplay Burke’s celeb-

rity and highlighted his journalistic credentials.¹⁷ Nonetheless, the addition of Burke’s “star power” would prove key to getting the project off the ground. On 25 January 1967, Murray Creed, head of the Farms and Fisheries Department, met with Doug Nixon, the CBC’s director of English television, and the project proposal was given the green light, with the stipulation that the films must be made interesting enough to maintain the interest of a general audience.¹⁸

Gosnell began educating himself on the subject, seeking out experts on urban air pollution in Ottawa, Montreal, Syracuse, New York City, and Washington, D.C. while research assistants were dispatched to the heavily industrialized cities of Windsor, Sarnia, Hamilton, and Detroit. Through April the research concentrated on issues pertaining to urban air pollution. Two vital developments occurred in May. It was decided that the as-of-yet unnamed special would preempt the Sunday night ratings hit *The Ed Sullivan Show* in the autumn lineup, thus ensuring a sizable audience.¹⁹ The project also took a significant twist when Gosnell attended a lecture in New York City on the topic of fluorosis. Here he heard the results of a study of Garrison, Montana, where vegetation, crops, and cattle

html?part=3.

¹⁵ Canadian Radio-Television Commission [CRTC], *Public Hearing, In Connection with the Preparation, Production and Broadcasting of the CBC Television Programme entitled ‘Air of Death,’* (Toronto: CRTC, 1969), 58.

¹⁶ Ralph Thomas, “So Choose Sides: Earl or Stanley,” *Toronto Star*, 12 November 1966, 28.

¹⁷ CRTC, *Public Hearing*, 330.

¹⁸ Murray Creed, interview with author, 28 January 2008, conducted by telephone; Untitled timeline, 20 February 1969, Larry Gosnell papers [LGP], in the possession of Denise Gosnell.

¹⁹ Untitled timeline, 20 February 1969, LGP.

had been devastated by effluent from the nearby Rocky Mountain Phosphate plant. Subsequently, in March 1966 local ranchers received \$123,000 in damages after a court found that the plant's fluorine emissions were at fault.²⁰

The Garrison presentation drew Gosnell's attention to the situation then unfolding in the vicinity of Dunnville, Ontario, where farmers were complaining of fluorine pollution from the Electric Reduction Company [ERCO] phosphate plant in Port Maitland. This situation was examined in a segment on CBC television's *Country Calendar*, broadcast in 26 February 1966, as well as the 19 October 1966 edition of CBC radio's *Matinee*. Although these productions failed to garner much attention beyond their intended agricultural audiences, they did provide a starting point for Gosnell's research on the topic. Particularly useful was the "Air Pollution" segment on *Matinee*, produced by Gosnell's longtime friend Rodger Schwass. As Gosnell later acknowledged, Schwass served as a key source, providing background information and contacts.²¹

The first signs of crop damage related to the ERCO plant were reported in 1961—just three years after it began operating—when Port Maitland farmer Joseph Casina and his customers noticed

a significant decline in the quality of his produce. Casina suspected industrial fumes from the nearby plant might be at fault, so he contacted the Department of Agriculture, which in turn notified the Department of Health's Air Pollution Control Bureau.²² As the problems continued unabated, Casina struck up a dialogue with W.B. Drowley, director of the Air Pollution Control Bureau, and Everett Biggs, deputy minister of the provincial agriculture department, in the hopes of determining the root cause of the damage. Despite efforts to measure pollution in the area, the government officials refused to point the blame at ERCO's effluent. Meanwhile, the problem worsened. In 1963, area cows began to exhibit symptoms of foot rot. In 1964, Biggs wrote Casina confirming that the "crop damage... appears to be caused by certain industries in the area."²³ By August numerous cattle had died under mysterious circumstances, and Casina himself had been hospitalized.²⁴

In the summer of 1965 urinary and bone analysis conducted at the Ontario Veterinary College confirmed that area cattle had been afflicted with bovine fluorosis; monitors set downwind of the plant during this period likewise revealed high levels of fluoride residues. As evidence continued to mount that fluoride

²⁰ K.C. Walton, "Environmental fluoride and fluorosis in mammals," *Mammal Review* 18:2 (June 1988), 83; Transcript of discussion, Jim McLean, George Salverson, and Larry Gosnell, nd, 1, LGP; "Dunnville Pollution Investigation," nd, 3, LGP.

²¹ Transcript of discussion, Jim McLean, George Salverson, and Larry Gosnell, nd, 4, LGP.

²² Gary Dunford, "Farmer's diary tells the story of six-year pollution fight," *Toronto Star*, 30 October 1967, 31.

²³ Quoted in *ibid.*

²⁴ *Ibid.*

emissions from ERCO were responsible for the cattle and crop damages, negotiations began between the Ontario Federation of Agriculture, representing the local farmers, and ERCO. In September 1965 the parties agreed on the selection of an arbitrator to assess the value of damages. According to the settlement's guidelines, ERCO would cover the costs of damages to crops, ornamental plantings, and livestock, but only for the current year. Furthermore, before payments were made, ERCO required farmers to sign a release acknowledging payment was not an admission of guilt on the part of ERCO, and that the recipient waived the right to further damages through the end of 1965.²⁵ The vast majority of affected farmers signed the agreement, either because they felt it was the only available avenue for compensation or because they were forced into it by immediate financial need. A total of \$86,188.94 was awarded to the farmers in 1965; an additional \$112,221.74 was secured for damages experienced the following year.²⁶

To this point, attention had been focused on the impact fluoride effluent was having on farmers' crops and livestock. A more eerie possibility would arise in June 1967 when Gosnell met Dr. George

Waldbott, a Detroit-based allergist. In the months that followed, the two held numerous telephone conversations discussing the situation in Dunnville. Gosnell would later describe Waldbott as "certainly the most knowledgeable medical man we'd spoken to about fluoride,"²⁷ and consequently, with the support of local farmers, invited him to visit Dunnville on 13 September in order to discuss symptoms with locals. Of the nine farmers he saw, Waldbott determined that two were suffering from fluorine intoxication, a potentially fatal affliction.²⁸

Although Waldbott was a well-regarded allergist who served on the staff of Wayne State University and two local hospitals,²⁹ he was a controversial figure within the medical establishment. A native of Germany who emigrated to the United States shortly after earning his medical degree in 1921, by the 1950s his research began to link water fluoridation with health problems. While water fluoridation was one of the period's most contentious public issues, as evident in the 136 plebiscites and referendums held on the issue across Canada during the years 1960-66, it had been endorsed by expert bodies such as the Canadian Dental Association, the Canadian Medical

²⁵ A good review of events as they impacted the farmers can be found in J.S. Cram, "Downwind from Disaster," *Family Herald*, 26 October 1967, 12-15.

²⁶ Ontario Advisory Committee on Pollution, *Report of the Committee Appointed to Inquire into and Report Upon the Pollution of Air, Soil, and Water in the Townships of Dunn, Moulton, and Sherbrooke, Haldimand County* (Toronto: Queen's Printer, 1968), 346.

²⁷ Transcript of discussion, Jim McLean, George Salverson, and Larry Gosnell, nd, 23, LGP.

²⁸ Since Waldbott was not licensed to practice medicine in Ontario, it would have been illegal for him to conduct physical examinations. CRTC, *Public Hearing*, 370-71; *The Air of Death*, directed by Larry Gosnell (1967; Toronto: CBC Archive Sales, 2008), DVD.

²⁹ CRTC, *Public Hearing*, 349.

Association, and the Royal Commission on Health Services. While Waldbott's reports on the dangers of water fluoridation were published in numerous peer-reviewed journals in Europe, his research was rejected by the major scholarly publications in North America, leading him to develop his own anti-fluoridation infrastructure, including the American Society for Fluoride Research and the bi-monthly *National Fluoridation News*. In 1960 Waldbott appeared before the Morden Commission called to reconsider the freeze on new municipal water fluoridation programs in Ontario, arguing for a losing cause.³⁰ Gosnell later acknowledged that he knew Waldbott was an outspoken opponent of water fluoridation, but that this "was a subject in which I had no professional interest."³¹ Despite Gosnell's efforts to keep the issues of water fluoridation and fluorosis separate, Waldbott's participation in the making of *The Air of Death* would further inflame an already controversial project.

Gosnell attempted unsuccessfully to arrange an interview with Dr. Roy Pennington, vice-president of ERCO's Agricultural Chemicals Division, who admitted in the "Air Pollution" segment

of *Matinee* in 1966 that the farmers' hardships were "at least in part from our operations down there."³² In the ensuing telephone conversations, Pennington informed Gosnell that he had not received the necessary clearance from his superiors.³³ An 18 March 1969 memo by Dr. Omond Solandt, vice-chairman of the board at ERCO, reveals that the company feared being singled out in the documentary. As Solandt explained, "I felt that it was very unwise for a small company such as ERCO, which is a very minor factor in air pollution on a national basis, to appear on such a program. Responsibility for representing industry on such a program should be taken by the big industries for whom waste disposal is a major continuing problem."³⁴

The Air of Death Broadcast

The Air of Death opened with the stark image of black smoke pouring out of an industrial plant. It then cut to video of an expanding human lung, over which Stanley Burke announced in his distinctive drawl that "Every day your lungs inhale fifteen thousand quarts of air and poison." As the camera rotated between an old man being tested for a pulmonary

³⁰ Catherine Carstairs and Rachel Elder, "Expertise, Health, and Popular Opinion: Debating Water Fluoridation, 1945-1980." *Canadian Historical Review* 89:3 (September 2008), 348; John Colquhoun, "Editorial: Centennial Commemoration," *Fluoride* 31:1 (February 1998), 1; Albert W. Burgstahler, "George L. Waldbott – A Pre-Eminent Leader in Fluoride Research," *Fluoride* 31:1 (February 1998), 2-4; Ontario Royal Commission on Fluoridation, *Report of the Committee Appointed to Inquire into and Report Upon Fluoridation of Municipal Water Supplies* (Toronto: Queen's Printer, 1961).

³¹ CRTC, *Public Hearing*, 363.

³² "Air Pollution," *Matinee*, CBC Radio, 19 October 1966, produced by Rodger Schwass, CBCRL.

³³ CRTC, *Public Hearing*, 207-210.

³⁴ Omond Solandt to Hugh McMahon, lawyer for ERCO, 18 March 1969, Omond M. Solandt fonds, B93-0041/038, University of Toronto Archives [UTA].

condition, a large smokestack, children playing outside an industrial factory, and a hospitalized man with a breathing apparatus inserted through his trachea, Burke continued to set the tone with his voice-over:

You're an old man in a box or a child at play.
You can't choose not to breathe. You must
breathe fifteen thousand quarts a day, air and
poison. You've got to breathe. You breathe
sulphur dioxide, which erodes stone. Benzopyrene makes cancer. Carbon monoxide impairs the mind. They cut a hole in your throat. Death has been gathering in the air of every Canadian city. Poisons continue to accumulate and you must keep breathing.³⁵

Burke then appeared on camera. Against the backdrop of an industrial smokestack he explained that the six months spent researching the program was “a frightening experience.” He continued:

I don't smoke myself, but I now know that I'm getting the equivalent of two packs a day right out of the air. I'm inhaling a cup-full of dirt plus poison. I didn't know what emphysema was and perhaps you don't either, but you will. It's becoming one of the major killers. In fact, lung diseases as a whole are now the number one killer in Canada, and it's rather frightening to realize that most of our hospitals are in polluted areas. There are doctors who won't operate on dirty days. The density of automobiles in Toronto is four times what it is in Los Angeles. I used to think that air pollution was something they had in other countries, but we have it here and now in Canada, and you begin to feel like a fish in a poisoned pond.³⁶

Following this dramatic opening,

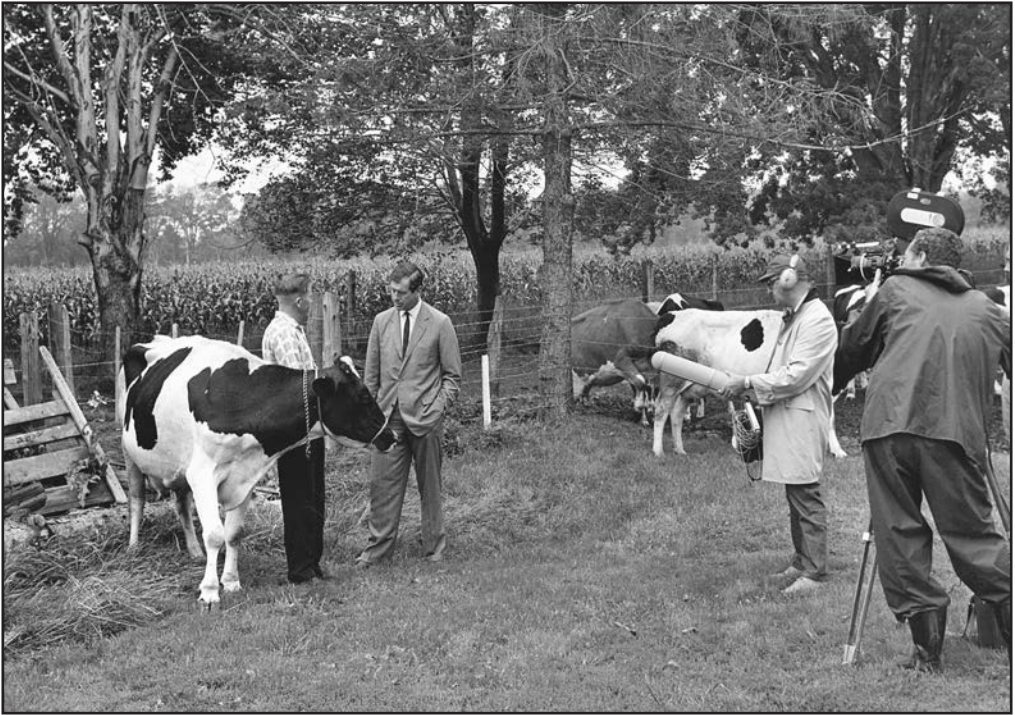
the film began to survey the wide range of air pollution problems experienced in major centres across Canada and the United States. It was revealed that Canadian cities, such as Toronto, Montreal, and Windsor had air quality equivalent to well-known polluted cities in the United States, such as Detroit, Chicago, and Los Angeles. The relationship between Sarnia's highly polluting oil and petrochemical industries and physicians' reluctance to speak out against the effects these were having on locals' health was addressed. Industry representatives were interviewed, such as Dr. L.P. Roy of the Laval Industrial Association, defending industry's right to self-regulate their emissions, while Jean Marier of Montreal's Air Pollution Control argued that the issue could only be resolved if “handled by public representatives.” The film also included an interview with Hazel Henderson of New York City's 24,000-member-strong Citizens for Clean Air. Speaking on her organization's efforts to procure clean air legislation, Henderson explained that “we have made air pollution a household word in New York City” and as a result of their campaign “nobody dared be against clean air.”³⁷

The documentary switched gears thirty-three minutes in, putting the focus on the situation in Dunnville. Over a montage of farmers handling shriveled produce and their cattle limping through fields, Burke dramatically summarized the issue:

³⁵ *The Air of Death*, DVD.

³⁶ *Ibid.*

³⁷ *Ibid.*



The Air of Death field shot (Personal collection, Ryan O'Connor). Stanley Burke (grey suit) is interviewing dairy farmer Ted Boorsma.

They noticed it first in 1961, again in '62—worse each year. Plants that didn't burn were dwarfed—grain yields cut in half. He [a local farmer] 'll show you his fruit trees. The twenty-year-old orchard, trees that produced so richly for so many years. Now for six years, they've given up no fruit at all for market; random apples not worth picking. Finally a greater disaster revealed the source of the trouble. A plume from a silver stack—once the symbol of Dunnville's progress—spreading for miles around: poison. Fluorine. It was identified by veterinarians. There was no doubt. What happened to the cattle was unmistakable, and it broke the farmers' hearts. Fluorosis—swollen joints, falling teeth, pain—until cattle lie down and die, hundreds of them. The cause: fluorine poison from the air. Under arbitra-

tion, the Electric Reduction Company paid the farmers two hundred and eighteen thousand dollars for the loss of crops and cattle. Shriveled crops, limping cattle—but now is there a graver development?³⁸

This "graver development" was the suspicion that the fluorine pollution was causing human health issues. To this effect, Burke was shown chatting with farmers Joe Casina and Ted Boorsma, who attributed their undiagnosed ailments, characterized by severely aching joints and swollen feet, to ERCO's effluent.

The documentary then entered its final, most contentious, segment. Burke introduced Dr. Matthew Dymond, the

³⁸ *Ibid.*



*Stanley Burke (middle) is discussing the fluorosis problem with Ontario health minister Dr. Matthew Dymond (left). To the right is an empty chair, set aside for an Electric Reduction Company representative (Screenshot from *The Air of Death*).*

Ontario health minister, who was in studio for an interview. Burke announced that ERCO declined to send a representative; in its place, the set featured an empty chair. Dymond expressed concern regarding the human health problems portrayed but was quick to defend ERCO, stating that their pollution control efforts had limited “at least... ninety percent of the emissions.” Following up on the human health concern, a video was then introduced of Dr. Waldbott, who announced that two of the nine local farmers he examined displayed symptoms typical of those suffering from fluorine intoxication. Asked what he ex-

pected would happen if these two were left untreated, Waldbott’s response was unequivocal: “If they continue to live in this area, eventually they are going to get more serious harm, serious damage to their joints—to their internal organs, particularly to their kidneys, and also to their brain and to the spine, which eventually will lead to death.”³⁹ When the documentary returned to the studio Burke asked Dymond for his response. After acknowledging “that Dr. Waldbott has done a very great deal of work in the study of fluorosis” and that he was “among the most extensively quoted [authorities] on the continent and maybe in

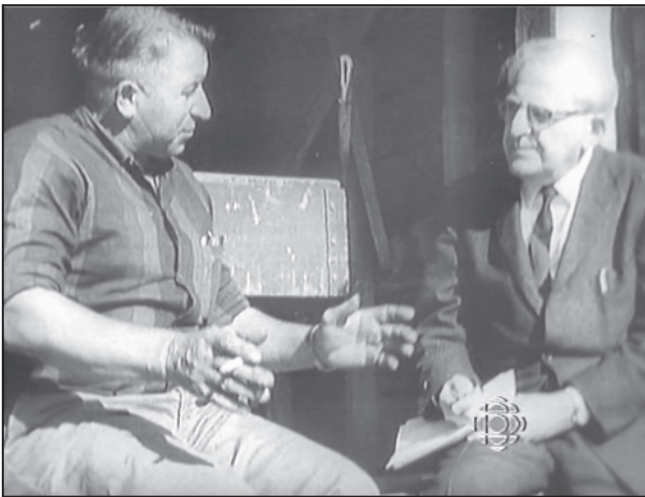
³⁹ *Ibid.*

the world,” Dymond emphasized that the symptoms were likely the result of a more common ailment, such as arthritis.⁴⁰

Discussion then turned to the jurisdiction for controlling air pollution. Dymond placed the onus on the federal government, noting that “air pollution doesn’t recognize any geographic boundaries.” A clip was then shown of Allan MacEachen, the federal health minister, who argued that the British North America Act assigns responsibility for addressing air pollution to the provinces. While he acknowledged that the federal

So who will control air pollution? The cities? It’s been tried and it hasn’t worked very well. Among other things cities compete with one another to try to attract polluting industries. The provinces? Of course, but even provinces compete for industry and it’s going on right now. Most authorities agree that it must be a cooperative effort from the federal government right on down, and most agree that it’s urgent. We don’t even have the detailed statistics in Canada. We don’t know what’s going on, and we may be right now well on our way toward our first disaster. We’ve cited some examples in this program and we could cite others, many others. Out on the prairies, ‘where the skies are not

cloudy all day,’ they have fairly serious pollution problems. Jasper, up in the Rockies, is polluted. Banff could become polluted. Vancouver could have another Los Angeles situation, and experience elsewhere has shown that air can be cleaned up. I’ve driven through Germany, the industrial heartland of Europe, and the air is clear. Russia has imposed the highest standards of purity in the world. But in our society not much happens until the average citizen demands it.⁴¹



Dr. George Waldbott (right) is speaking to Dunnville farmer Joseph Casina (left) (Screenshot from The Air of Death).

government could play a role coordinating the provinces, MacEachen concluded by stating that “we do not have fresh plans at the present time for presentation to the provinces.” As images of industrial smokestacks filled the screen, Burke delivered his stirring conclusion:

⁴⁰ *Ibid.*

⁴¹ *Ibid.*

The Response to *The Air of Death*

The Air of Death was a ratings success. According to a study completed by the CBC’s Research Department, sixteen percent of English-speaking Canadians over the age of twelve—or 1.5 million people—watched the documentary. This was considered an amazing achieve-

ment for an internal production. While the program attracted a steady audience across the demographics, the report's authors noted that twelve percent of viewers were teenagers, making it "an audience much younger than that normally attracted to most CBC information and public affairs programs." The film received "an overall index of enjoyment of 81" which the authors noted "represents a very high level of praise indeed," while "90 per cent reported feeling that they knew either 'a great deal more' or 'quite a bit more' about the problems and dangers of air pollution than they knew before" as a result of viewing it.⁴² As Arthur Laird, director of research at the CBC, wrote to Murray Creed, "Actually, 'Air of Death' [*sic*] was so well received that it is difficult to point to anything in the program that, from the audience's point of view, went seriously wrong—nor to anything that, had it been done otherwise, would have been likely to increase substantially the program's general impact."⁴³

The program also proved to be a critical success. According to Roy Shields' October 23 "TV Tonight" column in the *Toronto Star*, "Today we all feel a little more grimy thanks to Stanley Burke, producer Larry Gosnell and the boys of the CBC's farm department." As he explained, "This was a well-researched,

highly-documented program that must have shocked thousands of easy-breathing viewers from coast to coast. For taking a firm journalistic position that Canadians have been living in a fool's paradise of pollution, the program did the nation a service."⁴⁴ Bob Blackburn, television critic at the *Toronto Telegram*, was equally enthusiastic about the production. Calling it "one of the more venturesome things the CBC has done in public affairs," he was particularly taken by the manner the message was delivered. "It didn't get hysterical. It didn't have to. It just calmly recounted the manner in which not only city-dwellers but some rural folk also are quietly being poisoned while no one does anything effective about it." If anything, Blackburn posited that the documentary was not sufficiently alarmist to jolt the public into action.⁴⁵

The fallout from the documentary began on the night of the press screening—19 October—when the Ontario health minister announced his department would conduct medical tests to determine the source of the farmers' illnesses.⁴⁶ Eight days later, Dymond announced a public inquiry into all forms of fluoride pollution in the Dunnville area, exploring its impact on human, animal, and plant health, as well as its financial toll. While the government ac-

⁴² "The Audience and Its Reactions to a CBC-TV Documentary 'Special' On Air Pollution," CBC Research Department, December 1967, 3, Canadian Broadcasting Corporation fonds, RG 41, vol. 571, file no. 70, Library and Archives Canada [LAC].

⁴³ Emphasis in original. Arthur Laird to Murray Creed, memo, 16 January 1968, RG 41, vol. 571, file no. 70, LAC.

⁴⁴ Roy Shields, "TV Tonight," *Toronto Star*, 23 October 1967, 28.

⁴⁵ Bob Blackburn, "In Blackburn's View," *Toronto Telegram*, 23 October 1967, 44.

⁴⁶ "Doctor says two struck by fluorosis," *Globe and Mail*, 20 October 1967, 29.

cepted that the fluorosis poisoning found in local cattle was the result of ingesting “crops exposed to fluoride emissions,” it argued that it was far less likely that there were any cases of human fluorosis, as only a small part of the human diet would consist of local produce, and even this was routinely washed and cooked prior to consumption.⁴⁷ For its part, ERCO maintained a steadfast public denial that their plant was causing human health problems, although Omond Solandt expressed some concern about the company’s culpability in a letter to Sir Owen Wansbrough-Jones, chairman of the parent company Albright & Wilson Ltd. Due to an unpleasant sulphur aroma in local wells, some residents collected and drank rainwater. As Solandt noted, “It is highly unlikely but just possible that they could have ingested significant amounts of fluorine from this source.”⁴⁸ Wansbrough-Jones, who was located in England, requested that Solandt use his

influence to promote ERCO’s side of the story behind the scenes.⁴⁹ As it turns out, Solandt was a highly esteemed member of Canadian society. A physiologist by training, he had held a variety of prominent positions, including chairman of the Defence Research Board of Canada, vice-president of Research and Development at Canadian National Railways, vice-president of Research and Development at DeHavilland Aircraft of Canada, and president of the Royal Canadian Geographical Society. At the time of *The Air of Death*’s broadcast he was serving as chancellor at the University of Toronto as well as chairman of the Science Council of Canada.⁵⁰

The commissioners charged with operating the provincial inquiry were announced on 6 November 1967. At the helm was Dr. George Edward Hall, who had recently retired as president at the University of Western Ontario. He was joined by Alex McKinney, a former presi-

⁴⁷ Quoted in Terrance Wills, “Province orders fluorosis probe around Dunnville,” *Globe and Mail*, 28 October 1967, 1-2.

⁴⁸ Omond Solandt to Sir Owen Wansbrough-Jones, 1 November 1967, Omond M. Solandt fonds, B93-0041/038, UTA.

⁴⁹ Sir Owen Wansbrough-Jones to Omond Solandt, 26 October 1967, Omond M. Solandt fonds, B93-0041/038, UTA.

⁵⁰ Solandt also received numerous honours during his career. He was a companion of the Order of Canada, a fellow of the Royal Society of Canada, a foreign honorary member of the American Academy of Arts and Science, as well as the recipient of the Order of the British Empire, the American Medal of Freedom (Bronze Palm), the Gold Medal of the Professional Institute of the Public Service of Canada, the United States of America Antarctic Service Medal, and the C.D. Howe Award of the Canadian Aeronautics and Space Institute. In the period after *The Air of Death* controversy he served as a public governor of the Toronto Stock Exchange, and as a senior advisor to the Canada-Newfoundland Royal Commission on the Ocean Range Marine Disaster. He also chaired the Royal Commission’s International Conference on Safety Offshore Eastern Canada and the high-profile public inquiries into the transmission of power between Lennox and Oshawa, and Nanticoke and Pickering. “Dr. Omond Solandt: Man in the Middle,” *Canadian Research & Development* (March/April 1970), 32-34; Walter O. Kupsch, “Omond McKillop Solandt (1909-1993),” *Arctic* 46:4 (December 1993), 376-77; Jason S. Ridler, “Omond Solandt: Scientific Renaissance Man,” *INFOR* 46:4 (November 2008), 221-30.

dent of the Ontario Federation of Agriculture, while Dr. William C. Winegard, president of the University of Guelph, was added in January.⁵¹ The choice of commissioners drew ERCO's approval, as Solandt was a longtime friend of Hall.⁵² Not only were all three commissioners partisan Progressive Conservatives, but in the case of Hall and Winegard, they were also well-connected with the fluoride industry. Hall had served on the Morden Commission which was held earlier in the decade regarding municipal water fluoridation in Ontario; consequently, he served as the honorary advisory director of the Health League, the foremost promoters of fluoride in Canada. Opposition to Hall's appointment was voiced by Waldbott, who argued a "whitewash job" was in the offing, as well as the local farmers, who unsuccessfully lobbied Dymond to select a new chair.⁵³ Winegard, who later served as minister of science and technology in the Mulroney administration, had recently received an award from the Canadian Institute of Mining and Metallurgy for "a highly-significant contribution to the field of metallurgy."⁵⁴ The farmers also opposed the selection of McKinney, claiming that

despite his agricultural background, his Tory partisanship meant he would not represent their interests.⁵⁵

The Hall Commission

Hearings for the Hall Commission began on 22 January and concluded on 21 March 1968. Much of the inquiry hinged on the expertise provided by five health consultants. Aside from sharing a pro-fluoridation stance, the consultants lacked experience treating and diagnosing fluorosis. One expert hired for the inquiry was Dr. Patrick Lawther, director of the Air Pollution Laboratories of the Medical Research Council in London, England, who had recently made news headlines when he proclaimed at a pollution control conference in Toronto that "Air pollution is a field which contains more cranks and psychopaths... than any other field I could have stumbled upon." He also refused to link air pollution to health problems, noting that after thirteen years of studying the matter "we have produced no unequivocal results."⁵⁶ These medical consultants consistently rejected the idea that ERCO's effluent was having a negative impact on the local

⁵¹ Ontario Advisory Committee on Pollution, *Report of the Committee Appointed to Inquire into and Report Upon the Pollution of Air, Soil, and Water in the Townships of Dunn, Moulton, and Sherbrooke, Haldimand County*, xv.

⁵² This friendship was noted in Solandt to Wansbrough-Jones, 1 November 1967, Omond M. Solandt fonds, B93-0041/038, UTA.

⁵³ Terry Tremayne, "Fluorides affect 2 more victims, doctor asserts," *Globe and Mail*, 13 November 1967, 1-2; Carstairs and Elder, "Expertise, Health, and Popular Opinion," 353.

⁵⁴ "Personal Mention," *Industrial Canada* [Official Publication of the Canadian Manufacturers Association], January 1968, 53. Winegard was also editor of the *Canadian Metallurgical Quarterly*, an industry newsletter, from 1965-66.

⁵⁵ "Pollution inquiry rigged claims MLA," *Hamilton Spectator*, 1 March 1969, 4.

⁵⁶ Quoted in "Don't believe the cranks on air pollution – UK expert," *Toronto Star*, 7 December 1967, 66.

population's health.

The commissioners also relied upon a selective reading of scientific research. As they explained in the final report, "This report will not contain a complete survey of the [scientific] literature; it is not the responsibility of the commissioners to do so." The commissioners therefore focused upon the scientific data derived from those they deemed "the recognized and accepted scientists."⁵⁷ Consequently, studies that documented human fluorosis and other forms of industrial fluoride pollution were routinely excluded, and the case of Garrison, Montana, was never discussed during the Hall Commission.

Evidence of deleterious human health conditions caused by ERCO was also denied proper hearing. Locals complained on the stand of ill-effects, including sore eyes, burnt lips, and respiratory problems, caused by the industrial dust settling in the area. However, the commissioners blocked local physician Dr. F.D. Rigg from discussing the residents' symptoms, alternately arguing that it was inappropriate to discuss patients' symptoms in their absence and that the doctor was not qualified to diagnose fluorosis.⁵⁸ The commissioners also prevented discussion of a report prepared by the Ontario Water Resources Commission in 1965

that revealed fluoride levels as high as 37.8 parts per million—far beyond the danger threshold of 2.4 parts per million. Efforts by the farmers' lawyer to discuss this were blocked, with the promise by the Hall Commission's lawyer that it would be discussed later when an OWRC representative was available to interpret the test results. When the topic was finally re-addressed, the results were summarily discredited because one of the thirty samples was not properly labeled.⁵⁹

Also missing from the Hall Commission were the figures central to the creation of *The Air of Death*. From the outset the CBC took the position that it would not participate in the hearings, arguing that provincial commissions lack jurisdiction over federal agencies. Likewise, the CBC took a strong position in support of those involved in the production of *The Air of Death*, promising to appeal any efforts to subpoena witnesses.⁶⁰ Although no subpoenas were issued, the commissioners did pressure Gosnell to provide evidence supporting fourteen contentious statements made in the documentary. Although the CBC initially refused to respond—a letter from Marcel Munro, acting general manager, Network Broadcasting (English) reminded the inquiry's secretary that the CBC "is

⁵⁷ Ontario Advisory Committee on Pollution, *Report of the Committee Appointed to Inquire into and Report Upon the Pollution of Air, Soil, and Water in the Townships of Dunn, Moulton, and Sherbrooke, Haldimand County*, 12.

⁵⁸ CRTC, *Public Hearing*, 135-41.

⁵⁹ "Plant closure unnecessary," *Toronto Telegram*, 28 October 1967, 4; CRTC, *Public Hearing*, 120; *Ontario Committee of Inquiry on Allegations Concerning Pollution in the Townships of Dunn, Moulton, and Sherbrooke* (Toronto: Nethercut and Young, 1968), 609-11, 645-46.

⁶⁰ J.P. [Gilmore vice-president planning and assistant chief operating officer] to CBC executives, 24 January 1968, LGP.

accountable to Parliament for the conduct of its affairs and the discharge of its responsibilities”⁶¹ —the network eventually relented and prepared a detailed, seventy-one page response.⁶²

Dr. Waldbott was also absent from the inquiry. He wrote the Hall Commission on 1 January 1968, announcing that he would appear; however, he stressed that he required additional time to prepare his documentation. In February he contacted the inquiry’s secretary in an effort to arrange an appearance. Despite receiving a letter of acknowledgment, he later insisted the Hall Commission did not attempt to work him into the schedule. The commissioners dismissed this notion in their final report, stating that “he saw fit not to submit himself for cross-examination.”⁶³ Waldbott consequently submitted a detailed brief containing updated evidence on examinations of twenty locals, in which “10 presented definite evidence of fluorosis, [while] seven should be suspected of ill-effects from fluoride.”⁶⁴ Although receipt of this brief is acknowledged in the Hall Report, it is noted that “The Committee rejects many of the statements made by

Dr. Waldbott in his brief and accepts the testimony of the physicians and other scientists received in evidence and referred to or quoted in the Committee’s report.”⁶⁵ In his absence, Waldbott was the target of much mud-slinging. Despite Dymond’s recognition of him in *The Air of Death* as one of the leading authorities on fluorosis, he was depicted throughout the hearings as a fanatical and irrational opponent of the fluoride industry.

The Hall Report was tabled in the provincial legislature on 10 December 1968. Although some criticism was leveled at ERCO—particularly that it should “install the necessary equipment and modify their operations to reduce dust emissions from the lagoons, and emissions from the curing sheds, to acceptable limits under full plant operation” — it was portrayed as a good corporate citizen that was “generous, and, in some instances, more than generous”⁶⁶ when compensating local farmers. While the Committee accepted that ERCO was causing some damage to the surrounding agricultural economy, it insisted that the “people of the Port Maitland area can be assured that there is no human health

⁶¹ Marcel Munro to Max E. Weissengruber [secretary of Committee of Enquiry], 22 March 1968, RG 41, vol. 571, file no. 70, LAC.

⁶² Jacques R. Alleyn [general counsel], to Murray Creed, March 25, 1969, RG 41, vol. 571, file no. 70, LAC.

⁶³ Quoted in Ontario Advisory Committee on Pollution, *Report of the Committee Appointed to Inquire into and Report Upon the Pollution of Air, Soil, and Water in the Townships of Dunn, Moulton, and Sherbrooke, Haldimand County*, 347; George Waldbott, “Tried to testify on fluoride,” *Toronto Star*, 14 May 1968, 6; CRTC, *Public Hearing*, 432-36.

⁶⁴ Quoted in “Dunnville probe ignored him Detroit fluoride man claims,” *Toronto Star*, 3 May 1968, 3.

⁶⁵ Ontario Advisory Committee on Pollution, *Report of the Committee Appointed to Inquire into and Report Upon the Pollution of Air, Soil, and Water in the Townships of Dunn, Moulton, and Sherbrooke, Haldimand County*, 347.

⁶⁶ *Ibid.*, 296, 307.

hazard associated with pollutants being emitted from the industrial plants in the area.”⁶⁷ The Hall Report directed considerable vitriol towards the CBC, stating that “The Committee has no other alternative but to record that unwarranted, untruthful, and irresponsible statements were made by the publicly-owned and publicly-financed Corporation, the CBC. They treated a complex problem in a way designed to create alarm and fear. Their treatment was not in keeping with the standards which the public is entitled to expect from the Corporation.”⁶⁸ Furthermore, while the CBC program referred to the affected farmers as Dunnville residents, in actuality they resided in the neighbouring community of Port Maitland. Given that the residents of Dunnville would suffer financial losses as a result of this mistake, the Committee recommended they undertake legal action against the CBC.⁶⁹

Not surprisingly, the Hall Report’s findings drew support from ERCO. Solandt wrote Hall, noting that “I have watched your pollution investigation from the sidelines because I did not want to have an unfriendly press seize on our longstanding friendship. However, now that the Report is out and I have read it, I feel that I can safely write to congrat-

ulate you on doing an excellent job.”⁷⁰ While media outlets generally accepted the findings of the Hall Report at face value, letters critical of the Hall Report were published in the Toronto *Star* and *Globe and Mail* in the ensuing days. Most notable was a letter printed 27 February 1969 by Gavin Henderson. The first executive director of the Conservation Council of Ontario and a co-founder of the National and Provincial Parks Association of Canada, Henderson wrote of “a disquieting similarity between the efforts to denounce Rachel Carson,” the American author whose bestselling exposé of synthetic chemicals’ detrimental effects, *Silent Spring*, resulted in a vicious backlash from industry, and the attempt to stifle environmental concern in Canada.⁷¹ Comparisons to the Dunnville situation and Carson’s *Silent Spring* were also observed in the *Family Herald*, which ran a 26 October 1967 editorial titled “How Many Dunnvilles To a Silent Spring?”⁷²

Furthermore, a wide range of supporters wrote the embattled CBC staffers following the tabling of the Hall Report. Included in this correspondence were numerous prominent scientists. Dr. J.M. Anderson, secretary-treasurer of the Canadian Society of Zoologists and director of the Fisheries Research Board

⁶⁷ *Ibid.*, 302.

⁶⁸ *Ibid.*, 285.

⁶⁹ *Ibid.*, 286.

⁷⁰ Omond Solandt to G.E. Hall, 21 January 1969, Omond M. Solandt fonds, B93-0041/038, UTA.

⁷¹ Gavin Henderson, “Air of Death,” *Globe and Mail*, 27 February 1969, 6. For a discussion of the efforts to discredit Rachel Carson, see chapter four of Mark Hamilton Lytle, *The Gentle Subversive: Rachel Carson, Silent Spring, and the Rise of the Environmental Movement* (New York: Oxford University Press, 2007).

⁷² “How Many Dunnvilles To a Silent Spring?” *Family Herald*, 26 October 1967, 1.

of Canada Biological Station in St. Andrew's, New Brunswick, wrote that "the film was a thoughtful, imaginative, and serious treatment of a problem well-deserving of widespread public attention.... Those associated with it are to be commended."⁷³ Dr. Henry Regier, a University of Toronto zoologist, stated that "The CBC should be congratulated and honoured for this production when it is considered in a broad scientific ecological viewpoint."⁷⁴ Staffers also received a letter from Dr. Donald Chant, chair of the Department of Zoology at the University of Toronto and one of the resource people utilized during the making of *The Air of Death*. After briefly outlining the scientific shortcomings of the Hall Commission, including the failure to conduct bone biopsies that would conclusively determine if there were any cases of human fluorosis, he added that "The Commission's chapter on the CBC seems petulant, almost as if it resented your intrusion into its private preserve, and contains questions out of context from 'Air of Death [*sic*].'"⁷⁵

The Canadian Radio- Television Commission Hearing

On 18 December 1968—just eight days after the Hall Report was ta-

bled—the CRTC announced its intent to hold hearings on the subject.⁷⁶ The ensuing notice of public hearing established a mandate to determine whether the CBC had acted responsibly in the production of the documentary.⁷⁷ It was not established to explore air pollution, and did not allow for "the introduction of evidence, scientific or otherwise of matters arising since the date of broadcast of the program."⁷⁸ These terms proved somewhat disappointing to those involved in *The Air of Death*, as they had hoped for an opportunity to address the misrepresentations made during the Hall Commission.

While the CBC maintained its support of its embattled employees, recognition that their interests were not entirely congruent led the Corporation to hire Creed, Gosnell, and Burke their own separate legal counsel. They attained the services of Joseph Sedgwick, a prominent Toronto lawyer who had served as treasurer of the Law Society of Upper Canada in 1962-63.⁷⁹ The trio also began strategizing with Victor Yannacone, the renowned co-founder of the United States-based Environmental Defense Fund. In these sessions, which involved numerous telephone calls and at least one weekend meeting, Yannacone peppered the Canadians with advice. Hailing theirs as "the most worthy cause we have had in a long

⁷³ J.M. Anderson to Larry Gosnell, 20 January 1969, LGP.

⁷⁴ Henry Regier to Larry Gosnell, 16 January 1969, LGP.

⁷⁵ Donald Chant to Stanley Burke, 23 December 1968, LGP.

⁷⁶ F.K. Foster, CRTC Secretary, "Public Announcement," 18 December 1968, LGP.

⁷⁷ F.K. Foster, CRTC Secretary, "NOTICE OF PUBLIC HEARING," 4 February 1969, LGP.

⁷⁸ "CRTC 'Air' hearing right is asserted," *Toronto Telegram*, 18 March 1969, 8.

⁷⁹ Murray Creed to E.S. [Eugene] Hallman, 17 January 1969, RG 41 vol. 571, file no. 70, LAC.

time,” Yannacone emphasized the necessity of having all relevant research and documentation clearly organized and readily available during the hearings.⁸⁰

The CRTC hearing began on 18 March 1969. Chairman of the commission was Harry J. Boyle, vice-chairman of the CRTC. He was joined by Réal Therrien, a member of the CRTC’s executive committee, and Dr. Northrop Frye, the noted literary critic and theorist. The commission began with a screening of *The Air of Death*. Before the first witness could take the stand, Jacques Alleyn, the CBC’s general counsel, outlined the Corporation’s feelings regarding the hearing. As he argued, the CBC required an untrammelled press, free from pressures other than those resulting from law. According to Alleyn, “This is the price to be paid for democracy.”⁸¹

The first witness to provide testimony was Eugene Hallman, who discussed the chain of command, job responsibilities, and general broadcasting policies at the Corporation. When Gosnell took the stand next, the CBC’s strategy became apparent. After a brief discussion of the origins and development of the project, Gosnell would spend the bulk of the next two days introducing the extensive research behind *The Air of Death* into the official record. With three filing cabinets of documentation and a list of

approximately 170 research and production contacts at Gosnell’s side, this was a move clearly intended to counter the Hall Commission’s allegations of shoddy preparation on the CBC’s behalf. The approach worked. As Boyle announced partway through the second day of testimony: “If it is a matter of establishing the amount of research that Mr. Gosnell has undertaken with a crew in terms of his actual program, he has demonstrated now that I don’t know how he had time for the program.... I would suggest to you that you have amply demonstrated this point—the degree and the extent of the research of Mr. Gosnell and his group. If it is possible to expedite it by filing it in a group, we would appreciate it.”⁸² Gosnell was followed on the stand by Stanley Burke, who described his role in the production. Asked by Alan Golden, counsel for the inquiry, if he felt the subject matter justified exaggeration on behalf of the filmmakers, Burke assured him that “I don’t consider that there was any exaggeration in the ‘Air of Death’ [*sic*] program. I think it was understated.”⁸³ On 20 March P.B.C. Pepper, counsel for ERCO, took the stand. He alleged that *The Air of Death* featured material emanating from Dr. Waldbott, “who some people might say was a crank,... who was emotionally committed, a propagandist for a cause.”⁸⁴ Pepper concluded his state-

⁸⁰ Victor Yannacone and Larry Gosnell, transcript of telephone conversation, 1 January 1969 (AM), LGP.

⁸¹ CRTC, *Public Hearing*, 6.

⁸² *Ibid.*, 301.

⁸³ *Ibid.*, 430-31.

⁸⁴ *Ibid.*, 504.

ments by arguing *The Air of Death* must be held to a higher standard of factuality because of Burke's role as a prominent newscaster.

Larry Gosnell's appearance on the stand drew rave reviews from his superiors at the CBC. As George F. Davidson, the Corporation's president, wrote in a 31 March 1969 letter, "You made all of us proud, —all of us who belong to and believe in the CBC,—by the quality of your testimony and by the evident integrity reflected by your presence and your evidence given from the witness box."⁸⁵ This was followed by a letter on 1 April 1969 from Eugene Hallman, who noted, "I admired the way you conducted yourself during the CRTC hearings into 'Air of Death [*sic*]'. The Corporation could not have had a better witness and I was proud of the way in which the research data had been assembled so carefully, not simply for the presentation at the hearings but for the broadcast itself."⁸⁶ Gosnell's performance was even more impressive in light of the fact that he was a last-minute replacement for Murray Creed, whose appearance at the CRTC hearings was cancelled two days prior by the onset of labyrinthitis, an inner ear disorder that causes hearing loss and balance problems.⁸⁷

The CRTC Report

The CRTC released its report on 9 July 1970. *The Air of Death* received a general vindication, with the CRTC stating that "The program adequately reflected the information reasonably available at the time of the broadcast and is well able to stand as an example of informational programming backed by a wealth of research and serving a useful purpose."⁸⁸ Furthermore, it was added that "It is the opinion of the Committee that Air of Death [*sic*] may well have been one of the most thoroughly researched programs in the history of television broadcasting." The CRTC Report also noted "that the use of the term 'Dunnville' to describe the area allegedly affected by fluoride emissions was reasonable and proper in this instance."⁸⁹ The production did not go without critique, however. First, the Committee argued that *The Air of Death* should have highlighted the fact that conflicting medical opinion existed regarding human fluorosis. The fact that the information broadcast was based primarily on the opinion of Waldbott, who was "known to hold sharply critical views on the effect of any fluoride emissions upon human health,"⁹⁰ should have been explained, as should the fact that

⁸⁵ George F. Davidson to Larry Gosnell, 31 March 1969, LGP.

⁸⁶ E.S. Hallman to Larry Gosnell, 1 April 1969, LGP.

⁸⁷ Creed, interview; "Producer takes blame at 'Air' inquiry," *Toronto Telegram*, 19 March 1969, 3; George F. Davidson to Larry Gosnell, 31 March 1969, LGP.

⁸⁸ CRTC, *Public Hearing*, 9. Newspaper coverage of the report included David Crane, "CRTC finds pollution show well researched," *Globe and Mail*, 10 July 1970, 11; "Radio-TV commission finds Air of Death thoroughly researched," *Toronto Star*, 10 July 1970, 23.

⁸⁹ CRTC, *Public Hearing*, 5.

⁹⁰ *Ibid.*, 7.

his opinions were highly controversial within the medical community. Second, the Committee argued that the segment featuring Allan MacEachen wrongly implied that the federal government was powerless to address air pollution, as un-aired portions of his interview indicated the federal government was engaged in extensive research on the subject, and was trying to co-ordinate the provinces in an effort to address the problem. In light of this, the CRTC Report stated that “constructive statements should be given due prominence.”⁹¹ The Committee also criticized the fact that Dymond commented on-screen about MacEachen’s statements, but that MacEachen was not given the opportunity to rebut. Despite the criticism, the CRTC Report was viewed positively by the embattled CBC employees. “All in all I was very happy with the C.R.T.C. findings,” wrote Creed in a 15 July 1970 memo to the CBC’s regional supervisors. “There are things with which one could quibble but there seems to be little point in argument. Better than ‘irresponsible, unwarranted and untrue’ in any case.” As Creed added, in the last line of the memo, “I believe we can now write Q.E.D. to Air of Death [*sic*].”⁹²

The Beginning of Environmental Activism

The warning contained in *The Air of Death*, and the public efforts to dis-

credit those responsible for its production, inspired the formation of Ontario’s first two environmental activist organizations. The Group Action to Stop Pollution [GASP] was kickstarted by concerned members of Toronto’s professional elite, including James Bacque, chief editor at Macmillan Company of Canada, and city alderman Tony O’Donohue. Alarmed by *The Air of Death*’s portrayal of urban air pollution, GASP held its public launch on 8 December 1967, attracting a crowd of 300. Moderated by Stanley Burke, this event resulted in plans for future education sessions, actions campaigns, and a newsletter.⁹³ On 25 January 1968, GASP held its first press conference in which it “deplore[d] the atmosphere of recrimination, distrust and abuse” then underway at the Hall Commission.⁹⁴ While it appeared that the group had a solid support base, complete with five directors and a twenty-member “permanent committee,” it soon thereafter lost its momentum. While the group made a few more public appearances and submitted a brief to the CRTC voicing its approval of *The Air of Death* in March 1969, it shortly thereafter ceased operations.

More substantial was the emergence of Pollution Probe. The roots of this group can be traced to the University of Toronto’s student newspaper, *The Varsity*, whose staff was concerned that efforts to discredit the filmmakers overshadowed

⁹¹ *Ibid.*, 8-9.

⁹² Murray Creed, memo to CBC Agriculture and Resources employees, 15 July 1970, LGP.

⁹³ Mack Laing, “Cough-and-go for GASP,” Toronto *Telegram*, 9 December 1967, 8; “Easter breathe-in to protest pollution,” Toronto *Star*, 9 December 1967, 37.

⁹⁴ “Pollution fighters demand disclosure of full medical facts in fluoride probe,” Toronto *Star*, 26 January 1968, 29.

the documentary's warnings of environmental degradation. The situation was deemed particularly egregious because of Omond Solandt's position as the University of Toronto's chancellor. Initial plans to write a brief defending the CBC employees at the forthcoming CRTC hearings inspired the idea of taking more concrete steps, and in a 24 February 1969 article news editor Sherry Brydson announced plans to form "a group action committee, the U of T Pollution Probe," with the mandate to investigate the origins and effects of pollution, as well as "mobilizing the public, private and government sectors to action in removing the poisons from our air—before it's too late."⁹⁵ Brydson's article resonated with the university community. The first two meetings, held in the spring of 1969, attracted several hundred concerned parties. The politically-charged climate of university campuses during this period proved integral in the growth of Pollution Probe. As co-founder Stanley Zlotkin explains, "It was a period of fairly non-passive thinking, and I think Pollution Probe was a manifestation to a certain extent of that. You know, we really did feel we could influence what happened in the future and it was ours to influence."⁹⁶ However, just as important as *The Air of Death's* alarming message in attracting support from the university community was the ensuing controversy. When asked why the documentary inspired so many to react, Brian Kelly, another Pollution Probe co-found-

er, explains that "it was not just a story about industrial air pollution, it was a story about Canada's economic elite having the power to suppress that information.... It was a classic late-sixties struggle between the economic elites versus the public interest. It was an issue about power, not pollution necessarily."⁹⁷

Comprised of University of Toronto students and faculty, Pollution Probe was registered from the outset as a project of the school's Department of Zoology. This development, which came as a result of department chair Donald Chant's support for their work, provided the upstart environmentalists with office space and a small budget; more importantly, the affiliation provided Pollution Probe with an instant source of credibility. While Chant was their most vociferous champion, providing them with the necessary support and often serving in the early days as a public spokesperson and advisor, many members of the department's faculty would lend their expertise.

Pollution Probe's first public activity was a 5 March 1969 appearance before the CRTC in which the organization adamantly supported Gosnell, Burke, and *The Air of Death*. It would begin to gain notoriety in July when it organized a public inquiry after a number of ducks were found dead off the Toronto Islands. Having linked the waterfowl's deaths with the reckless use of toxic chemicals by the Metro Toronto Parks Department, Pollution Probe enlisted Dr. Er-

⁹⁵ Sherry Brydson, "Pollution: Is there a future for our generation?" *The Varsity*, 24 February 1969, 1.

⁹⁶ Stanley Zlotkin, interview with author, 19 February 2008, Toronto, ON.

⁹⁷ Brian Kelly, interview with author, 12 January 2009, conducted by telephone.

nest Sirluck, dean at the University of Toronto School of Graduate Studies, Dr. Robert McClure, the moderator of the United Church, and the internationally renowned Dr. Marshall McLuhan, director of the University of Toronto's Centre for Culture and Technology, to examine the issue.⁹⁸ Pollution Probe returned to the headlines in November 1969 when it organized a mock funeral for the heavily polluted Don River. The event, which featured a funeral procession and 200 "mourners," received media coverage across the country, including spots on the *CTV National News* and the front page of the *Globe and Mail*.⁹⁹

Pollution Probe further solidified its national profile when it weighed in on the ongoing debate concerning phosphate content in laundry detergents. In December 1965 the International Joint Commission [IJC] urged the governments of Canada and the United States to reduce the amount of phosphate discharged into the waterways, as it was responsible for massive algal blooms found on the Great Lakes and elsewhere. A follow-up report

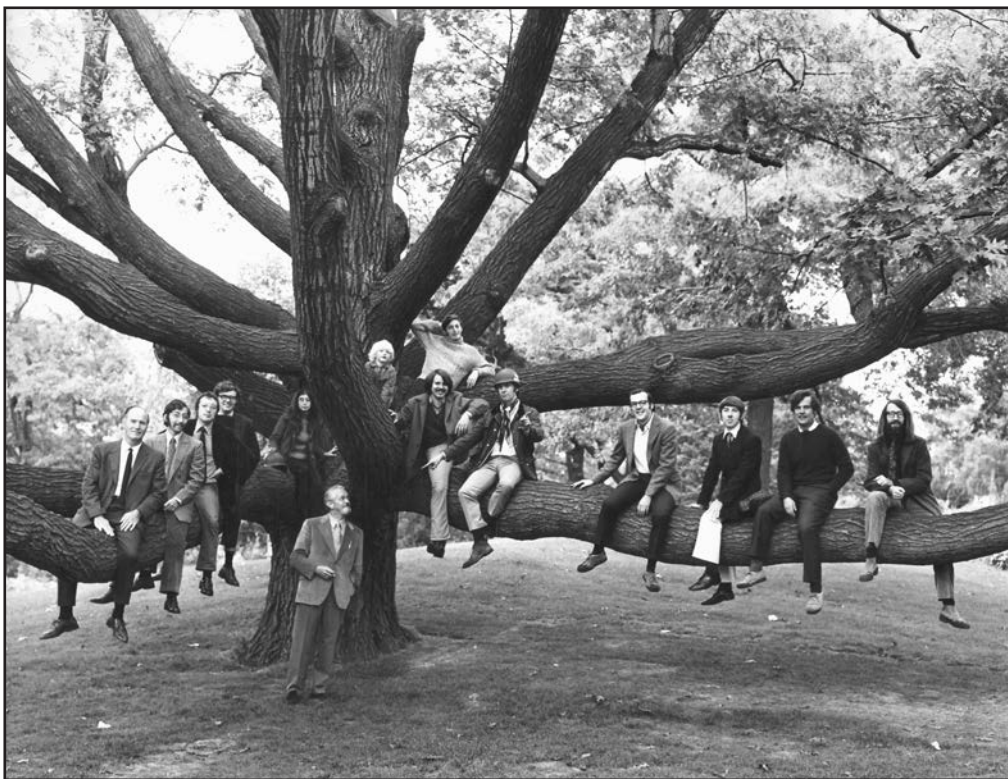
issued by the IJC in October 1969, which recommended that the level of phosphate in detergents be lowered, was fiercely opposed by industry, which countered that the best solution would be to improve sewage treatment facilities.¹⁰⁰ Rather than waiting for industry and the various levels of government to come to an agreement, the organization decided it would take it upon itself to break the deadlock. A group of students, led by Brian Kelly, spent the Christmas 1969 holidays holed up in a campus laboratory analyzing the phosphate content of laundry detergents. The results were verified with industry and government scientists¹⁰¹ and released during a twelve-minute segment on CBC television's "Weekend" on 8 February 1970. The list, read by Kelly and Peter Middleton, revealed a vast range in phosphate levels, from a high of 52.5 percent of the total to a low of 10.5 percent. When asked for recommendations on how consumers should proceed, Middleton urged them to use the low phosphate options, noting that "The figures are out now—the consumer can make an intelli-

⁹⁸ The commissioners, using evidence provided by the University of Toronto's Department of Physiological Hygiene, attributed the ducks' deaths to diazinon. As would later come to light, these tests were botched. The actual cause of death was later found to be the narcotic alphachloralose, which was used by an employee of the Ontario Waterfowl Research Foundation in an effort to capture mallards for experimental purposes. "Public Inquiry into the Death of Ducks on Ward's Island: Recommendations," 8 July 1969, Duck Inquiry – Correspondence, Toronto Island – Pesticides 1969, F1058 MU7338, AO; "Island ducks 'set pesticide record,'" Toronto *Telegram*, 7 July 1969, 1; Martin H. Edwards, *Did pesticides kill ducks on Toronto Island? Report of the Royal Commission Appointed to Inquire into the Use of Pesticides and the Death of Waterfowl on Toronto Island* (Toronto: Queen's Printer, 1970).

⁹⁹ See, for example: Thomas Claridge, "Pollution Probe mourns for beloved, dead Don," *Globe and Mail*, 17 November 1969, 1; "Mock rites mourn death of Don River killed by pollution," Toronto *Star*, 17 November 1969, 21.

¹⁰⁰ See Read, "Let us heed the voice of youth," 227-50.

¹⁰¹ "Dishing the dirt on phosphates," CBC Digital Archives, originally broadcast on *Weekend*, 8 February 1970, accessed 9 July 2010, <http://archives.cbc.ca/environment/pollution/topics/1390/>.



The members of Pollution Probe wrote a self-titled book, which was released in 1970. Gathered in this picture are faculty and students that were involved in the project. In tree, left to right: Jack Passmore, Stanley Zlotkin, Paul Tomlinson, Rob Mills, Varda Kidd, unidentified child, Terry Alden (standing), Monte Hummel, Tony Barrett, Peter Middleton, Brian Kelly, James Bacque (Publisher, New Press), Chris Plowright. On ground: Donald Chant, (Personal collection, Ryan O'Connor).

gent choice.”¹⁰² By the end of March 1970 over 7,000 requests for copies of the list poured into Pollution Probe’s mailroom; likewise, it was reprinted in numerous magazines and newsletters, and displayed in Loblaws, Dominion, and Steinberg’s grocery stores.¹⁰³

By April 1970 Pollution Probe had grown to 1,500 members. It had also demonstrated a knack for organizing

high-profile activities and, increasingly, an ability to procure the funds necessary to grow its operations, as evidenced by the emergence of a paid staff of sixteen. Subsequently, it would play the role of “big brother” within the burgeoning Canadian environmental movement. One of the most obvious examples of this was in the rise of independently operated Pollution Probe affiliates across

¹⁰² “Dishing the dirt on phosphates.” The list was also broadly distributed to media across Canada. “Phosphate Pollution and Detergents, Including Phosphate Analyses,” 9 February 1970, Phosphates 1970, F1058 MU7338, AO.

¹⁰³ “Detergents,” *Probe Newsletter* 2:2 (31 March 1970), 3-6, Pollution Probe papers [PPP].

the country. While the greatest concentration were located in Ontario, where fifty affiliates were in place by the end of 1971, they could be found as far west as Winnipeg and as far east as Moncton.¹⁰⁴ It developed infrastructure for the environmental movement, including the Canadian Association on the Human Environment, an umbrella group created in 1970 that represented environmental activist organizations in nine provinces, and the Canadian Environmental Law Association, the country's first environmental law clinic, which was founded in 1972.¹⁰⁵ Pollution Probe was also in frequent contact with environmental activists as far afield as Vancouver and Halifax, sharing their insight on effective action and fundraising techniques.¹⁰⁶

Pollution Probe would continue to grow throughout the 1970s. Likewise, it would rapidly move beyond its initial focus on air and water pollution. In autumn 1970 it launched the Energy and Resources Project, which cited a link between Canada's energy sector and the consumer-driven growth ethos that im-

periled society. In the aftermath of the 1973 oil crisis this morphed into Energy Probe, a semi-autonomous group that gained complete autonomy in 1980. In 1978 Pollution Probe launched the bi-monthly *Probe Post*, a long-running magazine that highlighted key activities and concerns of environmentalists across Canada. Two years later, having outgrown its University of Toronto roots, Pollution Probe moved into Ecology House, a three story Victorian house located in the Annex. Retrofit to utilize the latest in energy efficient technology, Ecology House would double as the organization's headquarters and as a popular demonstration site. Furthermore, former Pollution Probe staffers would maintain prominent positions within the emerging Canadian environmental movement, including Monte Hummel, the longtime executive director and president of the World Wildlife Fund Canada, Peter Middleton, whose environmental consulting firm, the first of its kind in Canada, was primarily staffed by his former Pollution Probe colleagues,

¹⁰⁴ Brian Kelly, "How to Form Your Own Pollution Probe Group," 11, Projects/Reports/Submissions 1970s, PPP; Brian Land, ed., *Directory of Associations in Canada*, 3rd ed. (Toronto: University of Toronto Press, 1978), 569; Winnipeg Pollution Probe Inc. Ecospeak 1971, PPP.

¹⁰⁵ "Pollution Probe man launching new body," *Globe and Mail*, 5 August 1970, 5; Alan Levy, "Readers Digest of CELA's History," *Intervenor* 26:1 (January-March 2001), <http://www.cela.ca/article/readers-digest-celas-history>.

¹⁰⁶ While much of this advice was shared via mail and telephone, Pollution Probe's leadership occasionally made in-person visits to environmental activist organizations across the country. Donald Chant, interview with author, 18 November 2007, conducted by telephone; Monte Hummel, interview with author, 23 January 2008, Toronto, ON; Peter Middleton, interview with author, 21 February 2008, Toronto, ON; Brian Gifford to Peter Middleton, 20 June 1973, Ecology Action Centre 1973, F1058 MU7342, AO; Brian Gifford to Tony Barrett, 25 August 1973, Ecology Action Centre 1973, F1058 MU7342, AO; Dale Berry to Peter Middleton, 16 July 1973, Vancouver SPEC 1973, F1058 MU7334, AO; Tony Barrett to Dale Berry, 24 August 1973, Vancouver SPEC 1973, F1058 MU7334, AO; Dale Berry to Tony Barrett, 25 September 1973, Vancouver SPEC 1973, F1058 MU7334, AO.

Peter Love, Ontario's first chief energy conservation officer, Adele Hurley of the Canadian Coalition on Acid Rain, and Lawrence Solomon, the free market environmentalist and managing director of the Energy Probe Research Foundation. Clearly, Pollution Probe stands out as Canada's most important environmental activist group on the domestic front through the 1970s.

Conclusion

As this paper demonstrates, the CBC documentary *The Air of Death* played a central role in the emergence of environmental activism in Ontario. At the same time, it highlights the highly regionalized nature of Canadian environmental activism through the 1970s.

Although *The Air of Death* was broadcast across Canada, it had its greatest impact in Ontario, the location of the two public inquiries. Elsewhere in the country, environmental activists organized according to localized concerns. Despite occasional efforts to bring the country's many environmental activist organizations together, the high costs of travel and communications put a damper on these sorts of developments. Canadian environmental activists would remain highly regionalized until the emergence of a new generation of organizations, such as the Canadian Coalition on Acid Rain, the Sierra Club Canada, Greenpeace Canada, and the World Wildlife Fund Canada, which realigned the country's environmental community in the 1980s.