

Document 0744

[20744001]

A state appellate court reinstated the 1987 convictions of Pymn Thermometer Corp. and two of its executives on charges of assault for exposing workers to toxic mercury vapors .

[20744002]

The indictment charged that Pymn operated a machine to crush broken thermometers and recover the mercury in an illegal workroom .

[20744003]

The charges said that one worker suffered permanent brain damage from mercury exposure .

[20744005]

But the Appellate Division of State Supreme Court held that federal law did n't pre-empt the states from such a prosecution .

[20744006]

Elizabeth Holtzman , district attorney for Brooklyn , N.Y. , said , “ The appellate division has agreed with our view that despite federal worker-safety laws , state prosecutors have the power to protect working people . ”

[20744007]

Lawyers for the company and executives could n't be reached for comment .

[20744008]

The executives face five to 15 years in prison and fines of \$ 5,000 or double the profit made by failing to comply with the rules .

[20744009]

The company could be fined a maximum of \$ 10,000 , or double the profit .