HICKORY, N. C.
RECORD
D. 26,800

DEC 9 1971

Holly Farms Files Suit Over PCB

GREENSBORO (AP) — Holly Farms Poultry Industries, Inc., is seeking a total of $68 million from several firms, including $56 million from Monsanto Co. alone, as a result of chicken feed contamination.

In the suit, which was transferred Wednesday from Wilkes Superior Court to U.S. District Court at Greensboro at Monsanto's request, Holly Farms said the contamination forced it to destroy chickens and eggs.

The Wilkes County firm said the feed was contaminated with the chemical PCB, or polychlorinated biphenyl, because of a leak at the Wilmington plant that processed the feed. It said PCB is potentially toxic to humans.

Says Business Hurt

Holly Farms did not say how many chickens and eggs it destroyed, but it said the number was enough to seriously damage its business. And it said its "good will was, and is, damaged by the apprehension and fear on the part of the general consuming public that chickens were and are contaminated."

Holly Farms alleges Monsanto sold the PCB in violation of its policy when it should have known the intended use of the chemical indicated there was a leak involved. Other defendants are East Coast Terminals, Inc.; South Pacific Protein Association, Inc.; Wilbur-Ellis Co. and the International Proteins Corp.

Leased Warehouse

East Coast, alleged to be the owner of the facilities involved in the contamination at Wilmington; South Pacific, which leased a part of the warehouse where the leak occurred; and Monsanto are being sued jointly for $6 million. Wilbur-Ellis is being sued for $5,250,000 and is an alleged seller of contaminated fish meal; while International Proteins is being sued for $750,000 for also selling the meal.

DURHAM, N. C.
HERALD
D. 41,000 S. 69,000

DEC 9 1971

Holly Farms Files $68 Million Claim

GREENSBORO (AP) — Holly Farms Poultry Industries Inc. of Wilkes County has filed suit for $68 million on claims it had to destroy thousands of chickens and eggs due to contamination by a chemical potentially toxic to humans.

The suit originally was filed in Wilkes Superior Court but was transferred Wednesday to U.S. Middle District Court at Greensboro upon petition of the principal party named in the action, the Monsanto Co.

Holly Farms alleged the chickens and eggs were contaminated by liquid Polychlorinated Biphenyl (PCB) which leaked into fish meal that was being processed at Wilmington for use in chicken feed. The PCB was being used as a heat exchange fluid in a closed-system pasteurizing device.

Seeking $56 million from Monsanto alone, the poultry and egg dealer said that Monsanto violated its own policy of controlling uses of PCB by selling amounts to the pasteurizing device's operating firm when it should have known the orders indicated a leakage existed.

Other firms named in the lawsuit are East Coast Terminals, Inc., owner of facilities at the port of Wilmington; South Pacific Protein Association, Inc., which leased a portion of a port warehouse in which the pasteurization machine was installed; the Wilbur-Ellis Co., and the International Proteins Corp., which Holly Farms alleged was the seller of fish meal that had been contaminated.

An award of $5,250,000 is sought by Holly Farms from Wilbur-Ellis and an award of $750,000 is sought from International Proteins. East Coast Terminals, South Pacific Proteins and Monsanto are named in a $6 million claim, and Monsanto alone is named in the $56 million claim.

Holly Farms did not specify how many chickens and eggs were destroyed, but alleged that it was sufficient to seriously damage its business.

The Knoxville News-Sentinel
KNOXVILLE, TENN.
S. 107,137 SUN. 156,422

DEC 10 1971

Poultry Firm Files $68 Million Suit

GREENSBORO, N. C., Dec. 10 (AP) — Holly Farms Poultry Industries Inc., has filed a $68-million suit against five companies it claims were responsible for Holly Farms' having to destroy thousands of chickens and eggs contaminated with a chemical potentially toxic to humans.

The suit, originally filed in Wilkes Superior Court, was transferred Wednesday to U. S. District court in Greensboro at the request of the principal defendant in the action, the Monsanto Co.

Holly Farms alleged the chickens and eggs were contaminated by liquid polychlorinated biphenyl (PCB) which leaked into fish meal being processed at Wilmington, N. C. for use in chicken feed. The PCB was being used as a heat exchange fluid in a closed-system pasteurizing device.

Seeking $56 million in an claim from Monsanto alone, the poultry processor charged the Monsanto violated its own policy of controlling PCB by selling it to the pasteurizing device operative firm when it should have known the orders indicated a leakage existed.

The suit also seeks $4 million from Monsanto, East Coast Terminals Inc., owner of facilities at the port of Wilmington, the South Pacific Protein Association Inc., which leased a portion of a warehouse where the feed was processed; $5.2 million from Wilbur-Ellis Co., and $750,000 from International Proteins Corp. The last two firms, Holly Farms claims, sold contaminated fish meal.

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